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TUSKEGEE NORMAL AND INDUSTRIAL INSTITUTE

FOUNDED BY BOOKER T. WASHINGTON

FOR THE TRAINING OF COLORED YOUNG MEN AND WOMEN

OFFICE OF THE PRESIDENT

TUSKEGEE INSTITUTE, ALABAMA

July 3, 1935.

For immediate release.

THE LYNCHING RECORD FOR THE FIRST SIX MONTHS 1935.

Dear Sir:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2, and Mississippi, 2.

Yours very truly,

F. D. Patterson

President.

Alabama

4599

Lynchings - 1935
Cases of.

See: Lynchings - Cases of - 1934
for information on the
following Clipping.

STORY OF LYNCHING WILL BE PROTESTED

Birmingham Post
2-8-35

Resolution Will Be Introduced To Ask Revision Of Report

A resolution requesting Tuskegee Institute to revise a report which classifies the fatal shooting of a Negro in East Birmingham last August as "Alabama's only lynching will be introduced at the weekly City Commission meeting next Tuesday, Public Safety Commissioner W. F. Downs announced today.

"By no stretch of the imagination can the death of this Negro be called a lynching," Commissioner Downs declared. "The Negro attempted to abduct three white girls who were on their way to a religious meeting. He also threatened them with a pistol. The posse of citizens which rescued the girls shot the Negro after he shot at its members."

Police Chief Luther Hollums voiced his approval of the resolution, explaining that the Negro was shot while resisting arrest.

Lynchings - 1935
Cases Of
California
4600

Californians Lynch Suspect in Slaying

YREKA, Cal., Aug. 3.—(UP)—Frontier justice brushed the law aside today and exacted the extreme penalty of C. L. Johnson, suspected slayer of a police officer.

A mob of about 75 men, traveling together in automobiles, swooped down on the Siskiyou county jail, picked Johnson out of a group of terrorized prisoners and hanged him to a pine tree outside of Yreka.

Johnson was arrested Monday after the slaying of Chief of Police F. R. Dak, of Dunsmuir, a small Siskiyou mountain town 50 miles south of here. He was brought here for safekeeping suspects Monday.

The mob drove up to the country jail here about 1:30 a.m. seized a passerby who might have spread the alarm, and converged on the jail.

Deputy Sheriff Martin Lange was threatened with pistols, bound hand and foot and carried out into the rugged country when he refused to give up his keys.

Other members of the masked mob battered down doors and found the keys to Johnson's cell.

Dunsmuir authorities said Johnson admitted he was one of two men involved in a minor robbery early Monday and was halted by Daw and Traffic Officer George Malone, but insisted Miller fired on Daw and Malone during the questioning.

CALIFORNIA MOB HANGS PRISONER

Authorities Promise Quick Investigation of Lynching in Siskiyou Mountains

YREKA Cal., Aug. 3 (AP)—The brief reign of lynch law here early today—when a mob hung the accused slayer of Dunsmuir Police Chief F. R. Daw—brought quick promises of action by authorities tonight against the lynchers.

District Attorney James Davis and sheriff's deputies planned immediate steps to identify and prosecute the mob members who seized Clyde L. Johnson, 24, from his jail cell and hanged him to a pine tree three miles outside this Siskiyou mountain town.

Undersheriff W. J. Neilon said none of the masked lynchers had been identified.

Owen Kessell, state criminal identification expert, announced in Sacramento that the bullet which killed Chief Daw came from a gun found in Johnson's possession after he was arrested last Monday, following Daw's death and the wounding of a traffic officer.

Another Man Is Sought

Johnson had protested his innocence and blamed Albert Miller, 30, for whom a widespread search was under way tonight.

It was for safekeeping that Johnson, confessed robber, was moved to the jail here from Unsmuir where he was captured after Daw was slain while questioning two robber

CITIZEN POSSES HUNT FOR POLICE SLAYER

One Man Lynched for Killing, Accomplice Sought By Officers.

YREKA, Calif., Aug. 4.—(AP)—Citizen posses scoured the timbered hills of northern California today for a second police slayer suspect after District Attorney James Davis blamed "apathy of the supreme court of the United States" and other federal tribunals for the mob hanging of Clyde L. Johnson.

The search was for Robert Miller, accused of participating with Johnson in the fatal shooting of Chief of Police F. R. Daw, of Dunsmuir, swung to Weed. A man who, officers said, answered the description of the fugitive held up a grocery store there last night.

Officers expressed fear that Miller, if captured, would meet the same fate as Johnson, who was dragged from the county jail here early yesterday by a masked gang and hanged from a pine tree.

District Attorney Davis, in a statement, declared that citizens had been roused to "uncontrollable unrest" because of delay in the legal execution of George Hall, convicted of murdering a state highway patrolman and a citizen here two years ago.

Hall, now in Folsom prison under death sentence, resisted the conviction by federal court habeas corpus proceedings which Davis declared had been "slowly manipulated" to the country's highest tribunal.

"I find on the examination of the record," Davis asserted "that the order allowing the appeal to the supreme court of the United States was made on the second day of April, 1934." He said it was still pending.

NEW YORK TIMES
AUG 4 1935

BANDIT IS LYNCHED BY CALIFORNIA MOB

Masked Men Storm Jail and Seize Robber Suspected of Killing Police Chief.

HANG HIM FROM PINE TREE

District Attorney Promises Action — Merriam Deplores 'Blot' on the State.

By The Associated Press.

YREKA, Calif., Aug. 3.—A mob of twenty-five to fifty masked men dragged C. L. Johnson, 24, from the county jail here early today and lynched him for the slaying of Chief of Police F. R. Daw of Dunsmuir.

The lone deputy sheriff on duty in the jail was kidnapped and a bystander was held prisoner until after Johnson, a white man, was hanged from a pine tree three miles south of Yreka.

Johnson was fully dressed, except for his shoes left in his cell, wher he was cut down by Sheriff's officers at 4 A. M., two hours after the mob had left the lynching scene.

The young man, a confessed robber from Reno, Nev., and Klamath Falls, Ore., was taken from his cell exactly twelve hours after the funeral of the officer he was accused of having killed Monday morning.

"I suppose they talked it over at the funeral," said Deputy Sheriff Joe Clark, "and got up the mob."

Johnson was brought here earlier in the week when lynch talk was first heard in Dunsmuir, forty-nine miles south of this town.

Mob Seizes Passer-By.

The men drove to the county jail in automobiles about 1:30 A. M. They promptly seized Fleming Martin, a restaurant employe who was passing the jail on his way home, and held him prisoner until after the lynching. He estimated that the mob numbered fifty.

Quickly approaching the jail, they rang the night bell. When Deputy Sheriff Martin Lange answered, they covered him with pistols, overpowered him, bound him hand and foot and, after failing to get the keys from him, carried him into the country, where they turned him loose barefooted.

They smashed doors and ransacked the jail before finding the keys to Johnson's first floor cell.

"There wasn't much of a fuss" when they burst into Johnson's cell and overpowered him, said three trusties, the only other prisoners on the ground floor.

The lynching brought quick promises of official action.

District Attorney James Davis and Sheriff's deputies planned prompt steps to identify and prosecute the mob members.

"I will start an immediate investigaton," Mr. Davis said, "and do everything the law requires to apprehend members of the mob."

At Sacramento Governor Frank F. Merriam characterized the crime as "a blot upon the fair name of California."

He said that new State laws empower the Attorney General to take over prosecution of those involved.

Hunt for Evidence Pledged.

Undersheriff W. J. Neilon, who said none of the masked lynchers had been identified, declared his office would attempt to obtain identifications and furnish all evidence possible to the grand jury.

He is in charge of the office during the illness of Sheriff W. G. Chandler.

A. L. Wirin, American Civil Liberties Union official in Los Angeles, demanded "immediate and aggressive action" by U. S. Webb, State Attorney General.

In San Francisco, however, Mr. Webb said that he would not enter the case unless "constituted authorities" fail in the performance of their duties.

Johnson was lynched for a slaying he insisted he did not commit. Authorities said that he admitted he was one of two suspected robbers halted early Monday morning by Chief Daw and Traffic Officer George Malone.

Officers said that he named Robert Miller, 30, as the killer and the man who wounded Malone. Miller is still a fugitive and the object of the most intensive manhunt this section of Northern California has known.

Owen Kessell, State criminal identification expert, announced in Sacramento today, however, that the bullet which killed Chief Daw came from a gun found in Johnson's possession after he was arrested.

Chief Daw and Malone had been summoned to halt a car containing two men who held up a restaurant in Castella, twenty miles south of Dunsmuir, and robbed Mike Padulla, the proprietor, of $55.

Captured by Citizens.

The officers encountered the car in Dunsmuir and in a gun fight with the occupants Daw was killed. Malone was slightly wounded.

Johnson was captured about two hours later in a hand-to-hand fight with two Dunsmuir men. He readily admitted participation in the shooting and the robbery a few hours earlier which had put Daw on his trail.

Martin was the only person on the street when the lynching party appeared. He said that one of the mob covered him with a pistol and walked him to the jail entrance.

"In a couple of minutes out came a mob of about twenty-five or thirty men dragging Johnson with them," he related. "Johnson was kicking and pulling, but never said a word. They all swore and cussed and once in a while would sock him, but they didn't do anything really bad.

"I couldn't see the men's faces because they were all masked—well, all but one or two.

"The gang then got into seven or eight automobiles, with Johnson in the front one, and started to drive toward the south.

"The fellow holding the gun against me stayed until the last and then jumped into a car as it started, and warned me to keep still about it all.

"I ran over to my house and called my brother and Sheriff Chandler. The Sheriff was sick, so he told me he'd have his deputies take care of it.

"I drove over to my brother's house and then we drove in the direction the cars went. About three miles south of town we spied Johnson, hanging from a tree.

"We took a close look and the only bruise we could see was a swelling under his eye."

Jail Guardian's Story.

What appeared to be a clever ruse was responsible for Lange being alone in the jail. Late last night the Sheriff's office received a tip that Miller had been located. Acting promptly on the tip, Deputy Sheriff Ed Mathews left the jail about 10 P. M.

"Bells had been ringing all night," Lange related. "Telephone bells and teletype bells. So I didn't think much of it when the little bell (to the outer door) rang.

"I opened the door and the first thing I saw was a gun. It was a silver gun. Yeh, a nickel-plated gun.

"They shoved the door open and poked guns all over me. They bound me with ropes and kidnapped me. Took me for a ride. I didn't have any shoes.

"They bound my wrists first,

They had a lot of quarter inch rope and they twisted and yanked and jerked me around with that. They wanted me to tell where the keys were.

"I wouldn't tell. I never told where the keys were.

"They found the keys somewhere around here, but I was out in the country then. They took me nine miles out in the country and turned me loose in my bare feet.

"I went to half a dozen houses and knocked, but none of them would get up. They were sure sore. None of them would help me.

"I had a police whistle and went back to the highway and blew that and stopped a car.

"They all wore masks. They wore white handkerchiefs that covered all the lower part of their faces.

"They was dressed in ordinary city clothes. Dressed like small-town people. Some were dressed rough, some were very well dressed. They was dressed all kinds of ways.

"And they sure had plenty of guns."

Lange said that he recognized one of the men in the mob as a Dunsmuir citizen, but did not know his name. He said he wouldn't recognize any of the others if he saw them again.

"Justice," Says Chief's Widow.

Night Marshal Richard W. Cheeseborough said when he heard the mob start to break into the county jail he retired to the city jail, four blocks away, "because I didn't want to have anything to do with giving the keys to the mob."

"I heard them but I didn't see them," he added.

Asked if authorities had been notified of the seizure, he replied:

"What's the use?"

The widow of Chief Daw said she did not approve of mob action, but "my feelings are that justice was done."

"Something must be done to aid the law in giving some protection to society," she added.

Officers in Dunsmuir disclaimed knowledge of the identity of the organizers of the mob. They admitted that lynching talk had been heard throughout the week, but said that it appeared to have quieted down.

Lynching in California is punishable by imprisonment of from one to twenty years.

The lynching is the forty-first recorded California history.

Message Is Sent to President.

The following telegram was sent yesterday to President Roosevelt:

"1935's grisly record of lynching graphically mounts. The eleventh occurred this morning at Yreka, Calif., when a white man was lynched. The sixth since the filibusters and Senator Borah postponed action on the Costigan-Wagner Anti-Lynching Bill. We implore you for humanity's sake to send immediately to Congress a message demanding passage of Costigan-Wagner Bill before adjournment. Only that can save lives of men and perhaps women now alive who may fall victims to lynching mobs.

"(Signed) WALTER WHITE,
"Secretary, National Association for the Advancement of Colored People, 69 Fifth Avenue."

Birmingham, Ala. News
August 4, 1935

California Has Another Lynching

Again California stands disgraced in the eyes of civilized people by a lynching. A young white man was the victim of a mob at Yreka, where he had been taken for safekeeping after the slaying of the chief of police of Dunsmuir, 49 miles away. He had confessed to participation in robberies, but he had denied that he was the one who killed the officer, saying his companion, who is still being sought, committed the murder. Thus there is a possibility that the California mob lynched a man who was innocent of murder, whatever else may have been his sins. That circumstance makes the atrocity more outrageous, though had the lynchers been certain of his guilt their barbaric act would have called no less for condemnation. In no circumstances is any mob justified in taking the law into its own hands.

This lynching will revive memories throughout the country of the horrible affair in California two years ago, when a mob at San Jose lynched two kidnapers. The state has not yet outlived the shame of that brutal incident when another lynching takes place. The two cases naturally will be linked in the public mind.

There is reason enough to link the two cases. To be sure, there was no direct connection between them. Yet few will doubt that the lynchings two years ago had their influence on the mob at Yreka Saturday morning. Mob violence breeds mob violence.

Nor will many doubt that if the lynchings at San Jose had been followed by stern action on the part of the state authorities, this latest outrage would never have taken place. Instead, the governor of California at that time upheld the lynchings, and no effort was made to identify and punish the guilty persons.

In this instance Gov. Merriam is not making the mistake which his predecessor, the late Gov. Rolph, made in the San Jose case. Gov. Merriam has vigorously denounced the lynching, and has instructed the proper authorities to make every effort to bring the members of the mob to justice. For his stand he will have the commendation of the whole country, which remembers the sorry performance of Gov. Rolph in condoning the San Jose mob murders, and which will be glad to see that there has been a change in the official attitude in California toward this sort of thing, at least in the precincts of the chief magistracy of the state. The former governor learned to his sorrow that his open approval of the San Jose lynchings was bitterly resented by most of the American people. It could not have been otherwise, for surely the great majority of Americans are too civilized to defend lynching; surely it is only a small minority of lawless persons who will engage in such a practice or condone it.

If the California authorities do not do everything they can to bring these lynchers to justice, they need not be surprised if the name of their state is besmirched again and again in this way. Truly, mob violence breeds the spirit of mob violence, and the only way to check its spread is for the constituted authorities of the law to do their full part in combating its manifestations, by giving adequate protection to prisoners under their care and by making determined efforts to apprehend and prosecute the perpetrators of such crimes.

Bronx, N.Y. Home News
AUG 3 1935

California Mob Lynches Suspect in Slaying of Cop

Yreka, Cal.—Cheating the law in a return to frontier justice, a mob of about 75 men today seized C. L. Johnson, suspect in the slaying of a police officer, and hanged him to a pine tree outside of Yreka.

Johnson was taken from the Siskiyou County Jail, where he had been held since Monday when he was captured after the slaying of Chief of Police F. R. Daw of Dunsmuir, a small Siskiyou Mountain town 50 miles south of here.

Within an hour Johnson's shoeless body, clad in a white shirt and black trousers, was swinging from a tree outside the town. The mob scattered before authorities could mobilize to save the youth who had confessed that he and Robert Miller, a fugitive, shot Daw when he tried to question them about a roadhouse hold-up.

The lynchers struck so suddenly that only one man was on duty at the county jail. Johnson was brought here for safekeeping after threats had been made against him at Dunsmuir.

The mob came in automobiles from the South, apparently from Daw's home town, where yesterday hundreds of men from the mountains and the ranches joined war veterans at his military funeral.

NEW YORK SUN
AUG 3 1935

Prisoner Lynched on Coast

Man Held in Killing of Police Chief Dragged From Jail After Funeral.

YREKA, Cal., Aug. 3 (A. P.).—Deputy Sheriff Joe Clark said early today a mob of twenty-five men had lynched C. L. Johnson, implicated in a recent shooting at Dunsmuir, south of here, at a spot three miles out of Yreka.

Night Marshal Richard W. Cheeseborough said that the mob drove up to the county jail about 1:30 A. M. and broke in the front door. Ten minutes later it left with Johnson and Deputy Sheriff S. Martin Lange, who was the only guard at the jail.

The mob drove south toward Dunsmuir, forty-nine miles away, the direction whence they came.

Held in Death of Police Chief.

The body had not been returned to town early today, Clark said. He reported that Johnson was hanged from a tree at about 2 A. M.

Johnson had been held here since his arrest in the fatal shooting of Chief of Police F. R. Daw of Dunsmuir. The chief's funeral was held yesterday.

Chief Daw was shot down without warning as he attempted to question two robbery suspects on the outskirts of Dunsmuir early Monday.

The Deputy Sheriff dragged from the jail by the mob was bound hand and foot and taken seven miles out of town in the opposite direction from which the mob took Johnson.

Dan English, one of the four other prisoners held on the first floor of the county jail, said that Lange was on the second floor sweeping when the mob smashed into the building.

Prisoner's Story Told.

"They came into our cell first," Clark quoted English as saying. "They looked me over and said 'No this ain't the man.' Then they looked at the two Indians in the cell. 'He ain't here,' they said, and went into Johnson's cell. Then they said, 'this is the——.' Then they took him and went away. There wasn't much of a scuffle."

Clark wasn't sure whether Lange had come downstairs before the mob broke into the building. They overpowered the lone jailer, Clark said, took his keys, bound him and carried him from the jail while the cells were searched.

Twelve other prisoners were in jail at the time, but they were all on the second floor and were not molested.

A clever ruse was responsible for Lange being alone in the jail at the time. Late last night the Sheriff's office received a tip that Robert Miller, 30 years old, assertedly named by Johnson as the man who fired the fatal shots, had been located. Acting promptly on the tip, Deputy Sheriff Ed Mathews left the jail about 10 P. M.

Lange was released soon after the lynching.

Marshal Cheesebrough said that when he heard the mob start to break into the county jail he retired to the city jail, four blocks away, "because I didn't want to have anything to do with giving the keys to the mob. I heard them but I didn't see them."

Lynchings-1935
cases of

California

4601

Californians Lynch Suspect in Slaying

YREKA, Cal., Aug. 3.—(UP)—Frontier justice brushed the law aside today and exacted the supreme penalty of C. D. Johnson, suspected slayer of a police officer.

A mob of about 50 men, traveling together in automobiles, swooped down on the Siskiyou County jail, picked Johnson out of a group of terrorized prisoners and hanged him to a pine tree outside of Yreka.

Johnson was arrested Monday after the slaying of Chief of Police F. R. Daw of Dunsmuir, a small Siskiyou mountain town 50 miles south of here. He was brought here for safekeeping.

California Mob Lynches Slayer

Killer Removed From Jail In Town Where He Was Taken For Safekeeping

YREKA, CALIF., Aug. 3. — (AP) — The brief reign of lynch law here early today —when a mob hanged the accused slayer of Dunsmuir Police Chief F. R. Daw— brought quick promises of action by authorities tonight against the lynchers.

District Attorney James Davis said sheriff's deputies planned immediate steps to identify and prosecute the mob members, who seized Clyde L. Johnson, 24, from his jail cell and hanged him to a pine tree three miles outside this Siskoyou Mountain town.

"I will start an immediate investigation," Davis said, "and do everything the law requires to apprehend members of the mob."

Undersheriff W. J. Nelson, who said none of the masked lynchers had been identified, declared his office would attempt this task and furnish all evidence possible to the Grand Jury.

Authorities turned attention to Dunsmuir, 49 miles south of here, in their search for the lynchers as A. L. Wirin, American Civil Liberties Union official in Los Angeles, demanded "immediate and aggressive action" from State Atty.-Gen. U. S. Webb.

In San Francisco, however, Webb said he would not enter the case unless "constituted authorities" fail in performance of their duties.

Owen Kessell, State criminal identification expert, announced in Sacramento that the bullet which killed Chief Daw came from a gun found in Johnson's possession after he was arrested last Monday, following Daw's death and the wounding of a traffic officer.

Johnson had protested his innocence and blamed Albert Miller, 30, for whom a widespread search was underway tonight.

At Sacramento, Gov. Frank F. Merriam characterized the crime as "a blot upon the fair name of California."

It was for safekeeping that Johnson, confessed robber, was moved to the jail here from Dunsmuir, where he was captured after Daw was slain while questioning two robber suspects Monday.

The mob drove up to the county jail here about 1:30 a.m., seized a passerby who might have spread the alarm, and converged on the jail.

Deputy Sheriff Martin Lange was threatened with pistols, bound hand and foot, and carried out into the rugged country when he refused to give up his keys.

Other members of the masked mob battered down doors and found the keys to Johnson's cell.

Dunsmuir authorities said Johnson admitted he was one of two men involved in a minor robbery early Monday and was halted by Daw and Traffic Officer George Malone, but insisted Miller fired on Daw and Malone during the questioning.

The lynching, 41st in recorded California history, apparently was the result of a well-conceived plan. The mob members face one to 20 years' imprisonment if convicted under a recently-enacted State law.

The widow of Chief Daw said she did not approve of mob action but "my feelings are that justice was done."

Lynchings-1935

Florida

4961

cases of

JACKSONVILLE, FLA.
JOURNAL
JUL 20 1935 Fla

MOB MEMBERS SOUGHT AFTER NEGRO IS SLAIN

Sholtz Orders Investigation Into Lynching of Attacker

BULLETIN

FORT LAUDERDALE, Fla., July 20—(AP)—A special Broward grand jury session was called today to investigate the lynching near here of Rubin Stacey, 37, negro, identified as the assailant of a white woman in a knife attack. Circuit Judge George W. Tedder summoned the jurors for next Tuesday.

FORT LAUDERDALE, July 20—(AP)—Pierced by 16 bullet holes, the body of Rubin Stacey, 37, lay in a funeral home today while an investigation ordered by Governor Dave Sholtz was started in an effort to learn the identity of the masked men who hanged the negro.

He was snatched from deputies carrying him to Miami for safekeeping yesterday afternoon and lynched within sight of the home of Mrs. Marion Jones, who had identified him as the man who attacked her Tuesday with a penknife.

J. P. Newell, Sholtz' secretary, quoted the governor as saying he was "ordering an immediate and searching investigation of the lynching in hopes of bringing the guilty ones to justice."

In Columbus, O., to attend the national Elks convention, Governor Sholtz learned of the lynching last night during a long-distance telephone conversation with Newell.

SHOLTZ GETS PROTEST

At Jacksonville, Mrs. William P. Cornell, chairman of the Florida Council, Association of Southern Women for the Prevention of Lynching, had telegraphed the governor urging him to "show your determination to stamp out lynching in Florida by demanding an honest investigation of this lynching and by the prosecution and conviction if possible of guilty parties."

Mrs. Cornell told the governor the lynching "again brings Florida into the nation's limelight as a state where passion and mob violence take precedence over personal control and respect for law and order."

Arrested yesterday morning after a widespread hunt, Stacey was being taken to Miami by six deputies. One of them, Virgil Wright, told of the affair:

"There were about 100 of them and they ran our car off the road. After overpowering us, the masked men took the negro up the road and hanged him.

BULLETS IN BODY

"He's filled full of bullets, too. I guess they shot him both before and after they hanged him.

"As far as we can figure out, they just picked him up with the rope from the ground—didn't bother to push him from an automobile or anything."

Meanwhile the husband of Mrs. Jones, 30-year-old mother of three small children, attempted to keep news of the negro's fate from his wife.

Mrs. Jones admitted the assailant to her home when he asked for a drink of water. He seized her by the throat and flourished a small knife, ordering her to keep quiet.

The man followed her as she ran from a rear door, Mrs. Jones said, and threw her to the ground.

"It seemed to me from the look in his eyes he was intent on cutting my throat," she added. The assailant finally was frightened away by her cries.

SHERIFF'S STATEMENT

Following an overnight investigation, Sheriff Walter Clark issued this statement:

"I regret exceedingly that this thing ever occurred. The removal of Stacey from the Broward to Dade county jail was decided upon after I had advised with Circuit Judge George W. Tedder and State Attorney Louis F. Maire, also with prominent citizens of Fort Lauderdale.

"It had been agreed it was the best thing to do, not only for Stacey's safety, but to prevent any bitter feeling between white and blacks in Fort Lauderdale."

While the Broward jail is considered by officers to be one of the safest against attack in southeastern Florida, Sheriff Clark said the fact that many persons were coming to the jail to inquire about the negro convinced him there would be violence if he remained in a cell here.

Deputy Wright, driver of the deputies' automobile, said he took the infrequently used old road to avoid traffic and elude persons who might be watching the new federal highway to Miami.

MIAMI, FLA.
HERALD
JUL 20 1935

PRISONER IS LYNCHED BY FLORIDA MOB

Masked Men Hang Suspect Woman Identified As Assailant

VICTIM IS TAKEN FROM 5 DEPUTIES

Captive Was Being Hurried To Dade County For Safekeeping

[HERALD BUREAU.]

FORT LAUDERDALE, Fla., July 19. Seized from Broward county officers as he was being taken to the Dade county jail, Reuben Stacey, 37, negro, accused in a knife assault on Mrs. Marion Jones, 30, was lynched and his body riddled with bullets by a mob of masked citizens late today.

Sheriff Walter R. Clark, fearing mob violence, attempted to take the negro to Dade county for safety, but failed to escape the vigilance of the mob leaders. Stacey was placed in an automobile in custody of five deputies and spirited from the jail.

On the west Dixie highway, near the Dade county line, Virgil Wright, deputy sheriff, at the wheel of the sheriff's motor car, said that he observed another automobile rapidly approaching from the rear. Wright increased his speed to the limit, he continued, but the pursuing motor car, followed by a string of other machines, overtook the officers' automobile and forced it from the roadway.

Immediately angry hands reached into the car and snatched the negro. In a moment he was thrust into one of the pursuing automobiles and carried back to the scene of the crime, where he was hanged to a tree and his body riddled with bullets.

The convoy of deputies included Mr. Wright, Bob Clark, Constable W. B. McDougal, I. J. Schuman and Ben Turner. None of the deputies was able to identify any of the mob.

Sheriff Clark tonight explained that when his deputies' car was forced off the road, the lynchers swarmed out of their automobiles and pointed guns at the officers. They immediately grabbed the negro and drove on, with the deputies unable to follow because their car was stuck in a sandy ditch, he said.

The sheriff said that he and Louis F. Maire, state attorney, were conducting a thorough investigation. An inquest was called for 10 a. m. tomorrow by Hugh Lester, justice of the peace.

Stacey was captured early today near Deerfield by Constable McDougal, Leo Jones and Leonard Justice following a report that a negro answering the description broadcast by Sheriff Clark had been observed acting furtively along a roadway south of Deerfield. Brought to Fort Lauderdale by the officers, the negro was identified by Mrs. Jones and her three small children, as her assailant, Sheriff Clark said.

J. L. Jones tonight said his wife was going about her household duties as usual, seemingly the only person who had not learned of the lynching.

"I'm going to try to keep it from her as long as I can," said Jones. "I've cautioned everyone around here, and they're meeting people who come to the house."

Many of those who talked of the lynching expressed the belief that the long-dragged out proceedings in the Robert M. Darsey killing three years ago played an important part in determining the action of the mob.

Darsey, aged Pompano fish dealer, was killed by robbers. Four negroes were convicted in Circuit court here and sentenced to die in the electric chair. They gained a hearing from the Supreme court on their plea that Broward county officers had mistreated them. The case still is before the courts.

Deputy Wright said the license plates of the lynchers' automobiles were covered with paper or cloth, or had been removed. He declares there were about 100 men in the mob.

The body was cut to the ground at 7:15 p. m., two hours and a half after the lynching, by Deputy Bob Clark, and taken to a Fort Lauderdale funeral home. Sixteen bullet wounds could be counted. There was no sign of mutilation.

"As far as we can figure out," said Wright, "they just picked him up with the rope from the ground—didn't bother to push him from an automobile or anything."

Admitted to her home last Tuesday on the pretext that he wanted a glass of water, Mrs. Jones' assailant suddenly seized her by the throat and flourished a small knife.

"He kept saying, 'don't holler, don't holler,' but didn't do anything else," she told deputies when they reached the house.

"I fought him as hard as I could cutting my hands on his knife as I struck at it. I ran through the back door and he followed me, succeeding in throwing me to the ground while I continued to fight him.

"It seemed to me from the look in his eyes he was intent on cutting my throat."

Her frantic cries for help finally frightened her assailant away.

Stacey was sought when Sheriff Walter Clark learned he disappeared from his house, a mile and a half from the Jones' home, on the day of the attack.

Relayed through R. M. Burnett, a Miami salesman, the word a passing truck driver had spied the negro lurking in roadside bushes near Deerfield, five miles north of here, brought Constable McDougal and the two civilians.

Running at the approach of the constable and his hastily impressed possemen, Sheriff Clark related, the negro was stopped by shots.

As high as 100 men, many carrying shotguns or rifles, deployed through the woods and heavy underbrush about the Jones home on the day of the attack. Bloodhounds were brought from Miami and Coral Gables, but rain washed out the fugitive's scent.

The arrest brought immediate paying of the $100 reward Sheriff Clark had posted, $50 going to Constable McDougal and $25 each for Jones and Justice.

WOMEN ASK SHOLTZ FOR "HONEST INQUIRY"

JACKSONVILLE, Fla., July 19. (AP)—Mrs. William P. Cornell, chairman of the Florida Council of the Association of Southern Women for the Prevention of Lynching, tonight called upon Gov. Dave Sholtz for an "honest investigation" into the lynching of a negro near Fort Lauderdale today.

In a telegram addressed to the governor at Columbus, Ohio, where he is attending the national Elks convention, Mrs. Cornell said:

"We urge you, in the name of God and our commonwealth, to show your determination to stamp out lynching in Florida by demanding an honest investigation of this lynching and by the prosecution and conviction, if possible, of guilty parties.

"Law abiding citizens have a right to look to you to invoke the laws of the state to apprehend and bring to trial all who are guilty of crimes.

"We are depending on you."

Fort Lauderdale this afternoon again brings Florida into the nation's limelight as a state where passion and mob violence take precedence over personal control and respect for law and order.

ORLANDO, FLA.
SENTINEL
JUL 20 1935

Negro Attack Suspect Hanged to Roadside Tree By Ft. Lauderdale Mob

Victim Prays As Gang Snatches Him From Sheriff

MAN IDENTIFIED

Bullet Riddled Body Swings Near Home Of Woman

By Associated Press

FORT LAUDERDALE—Snatching the praying negro from six deputies, masked white men Friday hanged Rubin Stacey, 37, to a roadside tree within sight of the home of the woman who identified him as the man who attacked her Tuesday with a penknife.

Arrested this morning amid a shower of bullets, Stacey was being taken by the Broward county deputies to the Dade (Miami) county jail, 25 miles away, for safekeeping until he could be brought to trial.

CAR STOPPED

"There was about a 100 of them," said Deputy Sheriff Virgil Wright, "and they ran our car off the road. After overpowering us, the masked men took the negro and hanged him.

"He's filled full of bullets, too. I guess they shot him both before and after they hanged him."

When brought before her this morning by the officers for identification, Mrs. Marion Jones, 30, mother of three small children, involuntarily cried out:

"That is the man, without a doubt."

Her two daughters, and a son, running into the yard of their isolated home with the approach of the automobile, grew hysterical when they saw the negro step from the machine and walk toward the house.

The husband of Mrs. Jones Friday night said she was going about her household duties as usual, seemingly the only person who had not learned of the lynching.

HUSBAND WON'T COMMENT

"I'm going to try to keep it from her as long as I can," said Jones. "I've cautioned everyone around here, and they're meeting people who come to the house."

He would not comment further.

Many of those who talked of the lynching expressed the belief that the long-dragged out proceedings in the Robert M. Darsey slaying three years ago played an important part in determining the action of the mob.

Darsey, aged Pompano fish dealer, was slain by robbers. Four negroes were convicted in circuit court here and sentenced to die in the electric chair. They gained a hearing from the supreme court on their plea Broward officers had mistreated them. The case is still before the courts.

Deputy Wright said the officers were unable to identify any of the masked men. The license plates of their automobiles were covered with paper or cloth, or had been removed.

NEGRO IDENTIFIED

An hour after the lynching, the body of the negro still swung from a limb. Deputy Wright said it remained there until Peace Justice Hugh Lester could reach the scene and give his official consent to its removal.

The body was dropped to the ground at 7:15 p. m., two hours and a half after the lynching, and taken to a Ft. Lauderdale funeral home. Sixteen bullet wounds could be counted. There was no sign of mutilation.

"As far as we can figure out," said Wright, "they just picked him up with the rope from the ground—didn't bother to push him from an automobile or anything."

Admitted to her home last Tuesday on the pretext he wanted a glass of water, Mrs. Jones' assailant suddenly seized her by the throat and flourished a small knife.

"He kept saying, 'Don't holler, don't holler,' but didn't do anything else," she told deputies when they reached the house.

"I fought him as hard as I could, cutting my hands on his knife as I struck at him. I ran thru the back door and he followed me, succeeding in throwing me to the ground while I continued to fight him.

"It seemed to me from the look in his eyes he was intent on cutting my throat."

MAN SEEN

Her frantic cries for help finally frightened her assailant away.

Stacey was sought when Sheriff Walter Clark learned he disappeared from his house, a mile and a half from the Jones' home, on the day of the attack.

Relayed through a Miami salesman, the word a passing truck driver had spied the negro lurking in roadside bushes near Deerfield, five miles north of here, brought Constable W. D. McDonald and two civilians.

Running at the approach of the Constable and his hastily impressed possemen, Sheriff Clark related, the negro was stopped by shots.

Deputies watched the movement of traffic past the jail perhaps more closely than usual, but no unusual precautions were taken, and Sheriff Clark said no trouble was expected.

As high as 100 men, many carrying shotguns or rifles, deployed thru the woods and heavy underbrush about the Jones home on the day of the attack. Bloodhounds were brought from Miami and Coral Gables, but rain washed out the fugitive's scent.

The arrest brought immediate paying of the $100 reward Sheriff Clark had posted, $50 going to Constable McDougald and $25 each for Leo Jones and Leonard L. Justice, the citizens.

State Atty. Louis A. Maire questioned Mrs. Jones, her three children, and others, rounding out the case.

GOV SHOLTZ ASKED TO INVESTIGATE

JACKSONVILLE (AP) Mrs. William P. Cornell, chairman of the Florida council of the Association of Southern Women for the Prevention of Lynching, last night called upon Gov. Dave Sholtz for an "honest investigation" into the lynching of a negro near Fort Lauderdale Friday.

In a telegram addressed to the governor at Columbus, O., where he is attending the National Elks convention, Mrs. Cornell said:

"Fort Lauderdale lynching this afternoon again brings Florida into the nation's limelight as a state where passion and mob violence take precedence over personal control and respect for law and order.

"We urge you in the name of God and our commonwealth to show your determination to stamp out lynching in Florida by demanding an honest investigation of this lynching and by the prosecution and conviction if possible of guilty parties.

"Law abiding citizens have a right to look to you to invoke the laws of the state to apprehend and bring to trial all who are guilty of crimes.

"We are depending on you."

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NEW YORK DAILY NEWS
JUL 20 1935



(Associated Press Wirephoto)

Lynched! Rubin Stacey pays the price Southern States demand when a colored man attacks a white woman. Wirephoto arrives on the scene at the heels of this curious and unabashed crowd of children, women and men. The picture, made late yesterday afternoon in Fort Lauderdale, Fla., shows Stacey's body suspended from pine tree.

FLORIDA ADDS NAME TO LIST OF STATES HOLDING LYNCHINGS IN 1935; NAACP TELLS SENATORS MISS. CANNOT STOP LYNCHINGS

7-22-35

Rubin Stacy Hanged For Alleged Knife Attack Of White Housewife

MOB TAKES VICTIM

...ng Sent Names Of

Whipping Mob Leaders; NAACP Asks Justice

FORT LAUDERDALE, Fla. — Actions of a masked mob in lynching Rubin Stacy last Friday inscribed the State of Florida on the "dishonor roll" of states holding lynchings in 1935. The other two states on the list to date are Mississippi, with six "necktie parties," and Louisiana, with two.

Stacy, accused of attacking a white woman with a knife, was taken from six deputies as they were removing him to Dade County jail, in Miami, for safekeeping.

The hanged man was accused of having been admitted to the home of Mrs. Marion Jones, 30, under pretext of wanting a glass of water. Once inside, Mrs. Jones said, he seized her by the throat and threatened her with a small knife.

"I fought him as hard as I could," she said, "cutting my hands on his knife as I struck at it. I ran through the back door and he followed me, succeeding in throwing me to the ground while I continued to fight him. It seemed to me from the look in his eyes that he was intent on cutting my throat."

Frantic cries finally drove Stacy away, Mrs. Jones continued, and the accused man was sought by Sheriff Walter Clark when he learned that Stacy had disappeared from his house, a mile and a half from the scene of the alleged attack.

Six deputies, detailed with removing Stacy to the Miami jail, 25 miles from here, for safe keeping until the trial, told a story of being overpowered by a mob of masked men.

"There were about 100 of them," said Deputy Sheriff Virgil Wright, "and they ran our car off the road. After overpowering us, the masked men took the Negro up the road and hanged him. He was filled full of bullets, too. I guess they shot him both before and after they hanged him."

Can't Identify Lynchers

They deputy sheriff further stated that the officers had been unable to identify any of the lynchers. The license plates of the automobiles, he further said, were either covered with paper or cloth, or had been removed.

When Justice of the Peace Hugh Lester reached the scene of the slaying an hour later, the body was still hanging from the limb ,awaiting the consent of the J. P. for the removal.

"As far as we can figure out," Wright said, "they just picked him up with the rope from the ground—didn't bother to push him from an automobile or anything." The deputy was obviously referring to

4707

the method used in a double murder in Columbus, Miss., last week, when mobsters placed Bert Moore and Dooley Morton atop automobiles with ropes tied around their necks, and then drove the cars out from under them, leaving the bodies suspended from an oak tree.

Senators Challenged

In challenging Senators Pat Harrison and Theodore G. Bilbo of Mississippi to announce what had been done by that state to apprehend lynchers, the Moore-Morton atrocity was cited by the N.A.A.C.P.

"You have contended that the states are amply able to prevent lynchings and to punish lynchers," the letter of challenge declares. "If you have not acted, you have given the world proof that your protestations that the states are able to end lynching are not only insincere but, so far as Mississippi is concerned, utterly untrue."

The same organization also wrote Senator William E. Borah of Idaho saying "you should be proud of your handiwork in stimulating lynching." Borah is known for his speech of May first which blocked consideration of the Costigan-Wagner anti-lynching bill.

Senator Huey P. Long, who at various times has declared that there is no need for a federal anti-lynching law because "we in Louisiana know how to take care of these matters and will prevent our own lynchings." was sent the names of seven leaders of a whipping mob Friday by the N. A. A. C. P. and asked to see that action was taken against them.

Beating in Louisiana

The case in question was the beating of Adam Avie on July 2 by a mob at Villa Platte, La. Avie, who was employed for more than twelve years by a Mrs. P. M. Reed of Villa Platte, got into an argument with a white wood dealer from whom he was making a purchase for his mistress at her direction. The argument over the price of the wood so angered the white dealer that he charged Avie with insulting his wife, and Avie was jailed.

It is reported that several white people in the town who knew of Avie's excellent reputation attempted to put up bond for his release but were prevented from doing so. Instead, a mob broke into the jail took Avie into the woods, and whipped him with a brass-studded leather strap, leaving him for dead

Scene Like This Witnessed Again



When Florida Lynch Mob Took Life of Ruben Stacy, This Scen Was Re-enacted.

MIAMI, FLA.
HERALD
JUL 25 1935

GRAND JURY UNABLE TO NAME LYNCHERS

Evidence Insufficient To Identify Masked Fort Lauderdale Mob

[HERALD BUREAU.]

FORT LAUDERDALE, Fla., July 24. The Broward county grand jury today admitted its inability to identify the 100 masked men who lynched Reuben Stacey, negro, west of this city last Friday.

Baffled by the mass silence protecting the lynchers the jury reported to Circuit Judge George W. Tedder that "after consideration of the evidence obtained and submitted by witnesses subpoenaed, and after a thorough and searching investigation of the evidence submitted, this grand jury finds it impossible to return a true bill against any person or persons responsible for the crime being investigated."

The jury further stated, "this grand jury wishes to express its willingness to be reconvened at any time further evidence can be obtained and submitted for its consideration in this investigation."

Judge Tedder, in dismissing the jurors, informed them that they will be recalled should any new evidence develop to disclose the lynchers.

The jurors, called into special session, had questioned 29 witnesses in two days.

Stacey, identified by Mrs. Marion Hill Jones, 30, mother of three small children, as the negro who attacked her with a penknife in her home a week ago today, was hanged and shot by a mob which took him from deputies who were conducting him to the Dade county jail for safekeeping.

ORLANDO, FLA.
SENTINEL
JUL 25 1935

LYNCHING QUIZ PROVES FAILURE

Sheriff and Deputies Take Stand

For United Press

FT. LAUDERDALE—The Broward county grand jury Wednesday reported itself unable to return a true bill against anyone connected with the lynching of Rueben Stacey, negro, at conclusion of testimony in an investigation into the case.

The investigating body expressed willingness to meet again upon advent of new testimony in connection with last Friday's lynching of the alleged knife attacker of Mrs. James Jones, 30-year-old mother of three children.

Those who entered the jury room during the second day of the inquiry included Sheriff Walter R. Clark and his deputies and George Washington, a negro living near the Jones residence.

The jury spent Wednesday and Tuesday piecing together descriptions of the mob of more than 100 armed and masked men who siezed Stacy from an escort of sheriff's deputies as he was being taken to Miami for safekeeping.

Mrs. Jones had identified Stacy as the negro who choked her and slashed her wrists with a pocket knife.

MIAMI, FLA.
HERALD
Lynching.
JUL 20 1935

DISGRACE for south Florida. Masked mob lynched Rubin Stacey, 37, alleged negro assailant of a white woman, while he was being removed from Fort Lauderdale jail to Miami. Quite needless, it would seem. Calling for investigation, removal of officers involved. Negro was presumably safe in Broward jail. Deputies took him out. The lynchers must have known about it in advance, had the affair nicely arranged. Halted the deputies on the highway, snatched their victim, shot and hanged him. Lynching the good name of south Florida, along with the black man. The law failed. Inexcusably.

MIAMI, FLA.
HERALD
JUL 22 1935

LYNCHERS' IDENTITIES MANTLED BY SILENCE

Investigators Seek Evidence For Special Grand Jury Tuesday

[BY THE ASSOCIATED PRESS.]

FORT LAUDERDALE, Fla., July 21. Investigators, racing against time to bring evidence before a special grand jury Tuesday, today ran into mass silence, concealing identities of the band of 100 masked men that lynched a negro attacker here Friday.

Working through Sunday, Louis F. Maire, state attorney, and Sheriff Walter R. Clark did not reveal what progress they had made in the "thorough and searching" investigation ordered by Gov. Dave Sholtz into the hanging of Reuben Stacey, 37.

Stacey, identified "without a doubt" as the knife assailant of Mrs. J. L. Jones, 30, mother of three small children, was snatched from deputy sheriffs taking him to Miami for safekeeping.

The negro was found hanging to a tree within a quarter mile of the Jones home, with 18 bullet holes in his body. The coroner's jury, blaming "persons unknown" for the lynching, could not establish whether Stacey died from strangulation or the bullets.

The jury also found Sheriff Clark and his deputies exercised "proper prudence and diligence" in taking the negro from the Broward county jail and starting the interrupted automobile trip to Miami's skyscraper jail.

Governor Sholtz directed Maire and Clark to act after receiving a request for an "honest investigation" from Mrs. W. P. Cornell of Jacksonville, chairman of the Florida Council of the Association of Southern Women for Prevention of Lynching.

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NEGRO IS HANGED BY MASKED GANG

Macon Telegraph
Macon, Ga.

Man Charged With Knife Attack on White Woman Is Lynched in Florida

7-20-35

FORT LAUDERDALE, Fla., July 19 (AP)—More than 100 masked white men took a Negro identified as Rubin Stacey held in a knife attack on a white woman, from deputies sheriffs late today and hanged him to a roadside tree.

The Negro was being transferred to Miami for safe keeping when the deputies' automobile was forced off the highway by other machines, their license plates masked, and the suspect rushed into the woods.

The lynching occurred about a mile from the home of the woman he was alleged to have attacked. Mrs. J. L. Jones, 30, mother of three children. Mrs. Jones suffered minor knife wounds in fighting off the Negro.

At the sheriff's office, a deputy reached by telephone confirmed reports of the lynching, but refused to give his name.

He said he was one of the deputies from whom custody the Negro had been taken. He said he could not recognize any of the masked men.

cort, told of the lynching.

"There were about 100 of them, and they ran our car off the road," Wright said. "After overpowering us the masked men took the Negro up the road and hanged him. As far as we can figure out, they just picked him up with the rope from the ground—didn't bother to push him from an automobile or anything."

Mrs. Jones, 30, mother of three children, admitted the Negro to her home when he asked for a drink of water. He seized her by the throat, Mrs. Jones said, threw her to the ground, and knifed her. The assailant finally was frightened away by her cries.

LAKE WORTH, FLA.
LEADER
JUL 20 1935

MOB TAKES MAN FROM DEPUTY, RIDDLED HIS BODY

Attacker of Ft. Lauderdale White Woman Had Been Identified By Would-Be Victim

Governor Orders Full Investigation Affair

Sheriff Clark Begins Tracking Down Members of Masked Mob That Lynched Negro

Governor Dave Sholtz today ordered Sheriff Walter Clark of Broward county to give him a detailed report of the lynching yesterday at Ft. Lauderdale of Rubin Stacey, negro, accused of making an attack on a white woman of that community.

Sheriff Clark stated he will use every effort to apprehend the guilty parties, who took the cringing negro from Deputy Virgil Wright, who was taking him to the Dade county jail for safe keeping, and strung him to a pine tree and riddled his body with bullets.

The mob that over-powered him, Wright stated, was "about 100 strong; and ran his car off the road, taking the negro away."

Stacey's body was found an hour later hanging from a pine tree and riddled with sixteen slugs.

Deputy Wright said it remained there until Peace Justice Hugh Lester could reach the scene and give his official consent to its removal.

The body was dropped to the ground at 7:15 p. m., two hours and a half after the lynching and taken to a Fort Lauderdale funeral home. Sixteen bullet wounds could be counted. There was no sign of mutilation.

"As far as we can figure out," said Wright, "they just picked him up with the rope from the ground—didn't bother to push him from an automobile or anything."

Stacey was sought when Sheriff Walter Clark learned he disappeared from his house, a mile and a half from the Jones home, on the day of the attack.

Relayed through a Miami salesman, the word a passing truck driver had spied the negro lurking in roadside bushes near Deerfield, brought Constable W. D. McDonald and two civilians.

Running at the approach of the constable and his hastily impressed possemen, Sheriff Clark related, the negro was stopped by shots.

Deputies watched the movement of traffic past the jail perhaps more closely than usual, but no unusual precautions were taken, and Sheriff Clark said no trouble was expected.

When brought before her Friday morning by the officers for identification, Mrs. Marion Jones, 30, mother of three small children, involuntarily cried out:

"That is the man, without a doubt."

Her two daughters, and a son, running into the yard of their isolated home with the approach of the automobile, grew hysterical when they saw the negro step from the machine and walk toward the house.

LAKE WORTH, FLA.
LEADER
JUL 22 1935

Probers Of Negro Lynching Find Out Little To Report

FORT LAUDERDALE.—Investigators, racing against time, to bring evidence before a special grand jury Tuesday, today ran into mass silence, concealing identities of the band of 100 masked men that lynched a negro attacker here Friday.

Working through Sunday, Louis F. Maire, state attorney, and Sheriff Walter R. Clark did not reveal what progress they had made in the "thorough and searching" investigation ordered by Gov. Dave Sholtz into the hanging of Reuben Stacey, 37.

Stacey, identified "without a doubt" as the knife assailant of Mrs. J. L. Jones, 30, mother of three small children, was snatched from deputy sheriffs taking him to Miami for safekeeping.

The negro was found hanging to a tree within a quarter mile of the Jones home, with 18 bullet holes in his body. The coroner's jury, blaming "persons unknown" for the lynching, could not establish whether Stacey died from strangulation or the bullets.

The jury also found Sheriff Clark and his deputies exercised "proper prudence and diligence" in taking the negro from the Broward county jail and starting the interrupted automobile trip to Miami's skyscraper jail.

Governor Sholtz directed Maire and Clark to act after receiving a request for an "honest investigation" from Mrs. W. P. Cornell of Jacksonville, chairman of the Florida Council of the Association of Southern Women for Prevention of Lynching.

MIAMI, FLA.
NEWS
JUL 20 1935

GUARDS CLEARED IN LYNCHING OF BROWARD NEGRO

Coroner's Jury Gives Verdict; Sholtz Orders Thorough Inquiry

DAILY NEWS BUREAU
Fort Lauderdale, July 20.

A Broward county coroner's jury today exonerated Sheriff Walter A. Clark and his deputies of blame in connection with the lynching late yesterday of Rubin Stacy, Fort Lauderdale negro, finding the negro came to his death at the hands of persons unknown. The negro was identified as the man who attacked a white woman with a knife.

The jury reported it was unable to determine whether the lynching victim came to his death through strangulation or bullet wounds.

The verdict also said Sheriff Clark and his deputies were found to have used diligent care and precaution for the safety of the negro when he was a prisoner in their custody.

The jury required about an hour to consider the verdict, returning it at 1 p. m.

Investigation of the lynching was ordered today by Gov. Dave Sholtz in a wire received by Louis F. Maire, Broward state attorney.

A similar wire received by Sheriff Clark requested him to render full co-operation to Maire.

A coroner's jury heard testimony by deputy sheriffs and special deputy sheriffs from whose custody the negro was taken by a mob of more than 100 men. All testified they were unable to recognize "a single, solitary person in that crowd."

Each of the officers also testified that members of the mob all wore masks covering the lower part of their faces.

Mrs. James L. Jones, victim of

Birmingham, Ala. News
July 20, 1935

NEGRO LYNCHING PROBE STARTED

FORT LAUDERDALE, Fla.—(AP)—A Negro accused of slashing a white woman with a penknife was lynched within sight of her home by a masked mob Friday and an investigation was set in motion Saturday by Gov. Sholtz to bring the guilty ones to justice.

The victim, Rubin Stacey, 37, was snatched from six officers hurrying him to Miami for safekeeping within a few hours after Mrs. Marion Jones identified him as her knife assailant, hanged, and his body riddled by 16 bullets.

J. P. Newell, secretary to the governor, quoted him as saying he was "ordering an immediate and searching investigation of the lynching." In Columbus, Ohio, to attend the national Elks' convention, Gov. Sholtz learned of the lynching by telephone.

Stacey was arrested Friday after a widespread hunt. Deputy Sheriff Virgil Wright, a member of his es-

the negro's knife attack Tuesday and from whom all information about the lynching was kept until today, was the first witness. In response to questioning by Hugh Lester, coroner, she said there was no doubt but that the negro brought to her for identification yesterday morning was the same who attacked her Tuesday.

Virgil Wright, the deputy sheriff who was driving the car containing the negro, said rumors brought to the sheriff of mob violence caused the decision to remove the negro to Dade county jail.

Wright said the way of the official car was blocked in several places by parked cars, a fact he did not mention in earlier interviews with the press.

The testimony of Deputy Sheriffs W. D. McDougald, Ben Turner and I. G. Shuman corroborated the testimony of other officers. All claimed Wright skidded his car about 75 feet before it ran into the ditch, that they did all they could to protect the prisoner, but were outnumbered by armed men, about 20 or 25 men seizing them and threatening them as soon as their car came to a stop.

Members of the jury were William J. Reed, ex-mayor Fort Lauderdale; C. R. Arnold, Pompano auto salesman; B. O. Geddings, ex-fire department chief, Pompano; W. J. Hood, Fort Lauderdale insurance dealer; W. O. Whiteside, Fort Lauderdale dry cleaner, and Joseph Oliver, member of a construction gang.

Maire today sent a wire assuring Governor Sholtz he would convene a grand jury Tuesday for the purpose of investigating the lynching.

More than 500 cars filled with the curious went to the scene of the lynching late yesterday, even after the body had been taken down and turned over to Benton's Funeral home, negro undertaking establishment.

The body was cut down at 7:15 p. m. by Deputy Sheriff Robert Clark. It had been hanging on the small pine tree by a twisted wire clothes line since about 4:45 p. m. There were 16 bullet wounds in the body, three of which took effect in the head or neck. Because of the nature of the wounds, it was surmised that the negro was shot before being hanged.

Deputy Sheriff Wright, driver of the car, said today he took an unfrequented and direct route to the W. Dixie highway to avoid traffic and because he believed any persons intending violence would be thrown off guard.

"I was watching the road behind me in the rear vision mirror to see that I wasn't followed," he said. "I looked through the mirror just before I reached the Seminole Indian reservation and I could see no cars on the road. However there were three men in the back seat and I may not have been able to see the road clearly. A quarter of a mile south of the camp, I looked again and I saw a car coming at a high rate of speed, and I thought that might mean trouble, so I stepped on the gas. I was then going about 50 miles an hour.

I was going about 60 miles an hour when this car pulled along side on my left. I kept my eyes on the road, as I was going at too high a rate of speed to take chances. I saw the car swerve at me, and I took to the shoulder. When I did so, the car along side swerved back to the left, and when it did, I stepped on the gas, hoping to outspeed him. When I did this, the car swerved at me again and I thought it was going to run into me. I then took to the woods, running into the ditch and narrowly missing a boulder weighing about two tons.

"In the meantime, in the rear vision mirror, I saw a string of cars that looked like a funeral procession. When our car came to a stop, narrowly missing turning over, men leaped out from everywhere. There were more than 100 and about 50 cars.

"About five persons grabbed me and most seemed to be armed. All were wearing masks, some black, some white, many of them bandana handkerchiefs hiding the faces from the eyes down. I did not recognize any one.

"They got the negro, almost knocking him unconscious, doing so, and then went on down the road. They returned in about 10 minutes, headed north toward Fort Lauderdale, but we could not get the car extricated to follow. We suspected they would go near the Jones home to hang the negro, and found him a few minutes after we had got our car pulled out of the ditch by a passing motorist."

ORLANDO, FLA.
SENTINEL
JUL 21 1935

TWO WAY PROBE INTO LYNCHING OF NEGRO OPEN

Gov. Sholtz Asks Full Investigation In Slaying

GRAND JURY SET

Knife Cut Woman Identifies Black As Attacker

By Associated Press

FORT LAUDERDALE—A two-way investigation to unmask the 100 men — a coroner's jury declared them "unknown"—who lynched a negro attacker, was launched here Saturday in response to Gov. Sholtz' command.

Reuben Stacey, 37, negro laborer, died "by strangulation or bullet wounds," the jury found, and Sheriff W. R. Clark and his deputies "used diligent care and precaution for the safety of the deceased."

Directed to make "an immediate and searching" investigation of the negro's hanging late Friday, State Atty. Louis F. Maire and Sheriff Clark prepared for a special session of the Broward grand jury, called for Tuesday.

NEGRO IDENTIFIED

Exhibiting knife scarred hands, Mrs. Marion Hill Jones, 30, mother of three small children and member of a pioneer family, told the jury of the attack upon her last Tuesday.

"Do you positively identify Reuben Stacey as the man?" she was asked.

"There is no doubt in my mind that he is the man who attacked me," replied the housewife, unaware until this morning of the hanging of the negro to a roadside tree a quarter mile from her home.

From Deputy Sheriff Virgil Wright, driver of the automobile bringing the negro to Miami, 25 miles to the south, for safekeeping, came the revelation he escaped blockading on the federal highway and swerzed into the infrequently used old Dixie road.

Stacey, stopped in flight by shots, was arrested Friday on the highway near Deerfield. He was immediately identified by Mrs. Jones as the man who, flourishing a penknife, seemed "intent on cutting my

1,000 NEW PROMOTIONS MADE IN ARMY BY IL DUCE

ROME (AP) War-time promotions for almost 1,000 regular army officers Saturday constituted Italy's latest step in her preparation for the campaign in East Africa.

A decree published in an official gazette created posts for eight new colonels, 90 lieutenant colonels, 355 captains and 371 subalterns.

The terse decree was published shortly after a government spokesman denied last night that Italy had been summoned to the League of Nations council of July 27. It was almost coincidental with a statement in Premier Mussolini's own newspaper Il Popolo D'Italia, of Milan which said that Ethiopia will be opened to civilization by Italian

TAMPA, FLA
TRIBUNE

JUL 20 1935

FLORIDA MOB LYNCHES NEGRO IDENTIFIED AS ATTACKER

Masked Men Hang Suspected Assailant of White Woman

FORT LAUDERDALE, July 19.—(Associated Press)—Snatching the praying negro from six deputies, masked white men today hanged Rubin Stacey, 37, to a roadside tree within sight of the home of the white woman who identified him as the man who attacked her Tuesday with a penknife.

Arrested this morning amid a shower of bullets, Stacey was being taken to the Dade county jail, 25 miles away, for safe keeping until he could be brought to trial.

"There was about 100 of them," said Deputy Virgil Wright, "and they ran our car off the road. After overpowering us, the masked men took the negro up the road and hanged him.

"He's filled full of bullets. I guess they shot him both before and after they hanged him."

Identified by Woman

When taken before her this morning by the officers for identification, Mrs. Marion Jones, 30, mother of three small children, involuntarily cried out:

"That's the man, without a doubt!"

Her two daughters and a son, running into the yard of their isolated home with the approach of the automobile, grew hysterical when they saw the negro step from the car and walk toward the house.

Deputy Wright said the officers were unable to identify any of the masked men. The license plates of their automobiles were covered with paper or cloth, or had been removed.

An hour after the lynching, the body of the negro still swung from a limb. Deputy Wright said it remained there until Peace Justice Hugh Lester could reach the scene and give his official consent to its removal.

"As far as we can figure out," said Wright, "they just picked him up with the rope from the ground—didn't bother to push him from an automobile or anything."

Attacked With Knife

Admitted to her home last Tuesday on the pretext he wanted a glass of water, Mrs. Jones' assailant seized her by the throat and flourished a small knife.

"He kept saying don't holler, don't holler, but didn't do anything else," she said.

"I fought him as hard as I could, cutting my hands on his knife as I struck at it. I ran through the back door and he followed me. He threw me to the ground while I continued to fight him. It seemed to me from the look in his eyes he was intent on cutting my throat."

Lynchings - 1935

Florida

27

4703

Cases of

Florida Mob Lynches Negro For Knifing A White Woman

FORT LAUDERDALE, FLA., July 19.—(AP)—A negro accused of a knife attack on a white woman was snatched from six deputies near here late today and lynched by a mob of masked white men.

The suspect, booked as Rubin Stacy, was hanged to a roadside tree within sight of the home of Mrs. Marion Jones, 30-year-old mother of three children who had identified him as her assailant.

Arrested this morning amid gunfire, Stacey was being taken by Broward County officers to the Dade (Miami) jail, 25 miles from here, for safe-keeping until he could be brought to trial.

"There was about 100 of them," said Deputy Sheriff Virgin Wright, "and they ran our car off the road. After overpowering us, the masked men took the negro up the road and hanged him.

"He's filled full of bullets, too. I guess they shot him both before and after they hanged him."

When brought before her this morning by the officers for identification, Mrs. Jones involuntarily cried out:

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Deputy Wright said the officers were unable to identify any of the masked men. The license plates of their automobiles were covered with paper or cloth, or had been removed.

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"As far as we can figure out," said Wright, "they just picked him up with the rope from the ground—didn't bother to push him from an automobile or anything."

Admitted to her home last Tuesday on the pretext he wanted a glass of water, Mrs. Jones's assailant suddenly seized her by the throat and flourished a small knife.

"He kept saying don't holler, don't holler, but didn't do anything else," she told deputies when they reached the house.

"I fought him as hard as I could, cutting my hands on his knife as I struck at it. I ran through the back door and he followed me, succeeding in throwing me to the ground while I continued to fight him.

"It seemed to me from the look in his eyes he was intent on cutting my throat."

Her frantic cries for help finally frightened her assailant away.

Stacey was sought when Sheriff Walter Clark learned he disappeare from his house, a mile and a half from the Jones home, on the day of the attack.

Lynching Is Kept From Knife Attack Victim

FORT LAUDERDALE, FLA., July 19.—(AP)—Although a mob of 100 masked white men late today hanged a negro within a mile of her home to avenge a knife attack on her, Mrs. Marion Jones tonight did not know of the lynching.

After the arrest of the negro, Rubin Stacy, this morning Mrs. Jones viewed the prisoner and identified him as the man who last Tuesday invaded her farm home near here and slashed her with a penknife.

Tonight, however, even as the body of the negro was being cut down from the gallows-tree, she went about her household tasks unaware of the killing.

"I'm going to keep it from her as long as I can," said her husband. "I've cautioned every one around here and they are meeting the people who come to the house."

Lynching Inquiry Without Results

FORT LAUDERDALE, Fla., July 21 (AP)—Investigators, racing against time to bring evidence before a special grand jury Tuesday, today ran into mass silence, concealing identities of the band of 100 masked men that lynched a Negro attacker here Friday.

Working through Sunday, State Attorney Louis F. Maire and Sheriff Walter R. Clark did not reveal what progress they had made in the "thorough and searching" investigation ordered by Governor Sholtz into the hanging of Reuben Stacey, 37.

Stacey, identified "without a doubt" as the knife assailant of Mrs. J. J. Jones, 30, mother of three small children, was snatched from deputy sheriffs taking him to Miami for safekeeping.

Ft. Myers Fla. Press
July 20, 1935

Mob Snatches Praying Black From Officers

Strung Up by 100 Masked Men in Sight of Home Where He Attacked Mother of Three

Bulletin

TALLAHASSEE, July 19—(AP)—Gov. Dave Sholtz tonight ordered "an immediate and searching investigation of the lynching of a negro near Fort Lauderdale today for an alleged attack on a white woman.

J. P. Newell, the governor's secretary who informed him of the lynching by telephone quoted Gov. Sholtz as saying "I am ordering an immediate and searching investigation of the lynching in hopes of bringing the guilty ones to justice."

The governor is in Columbus, Ohio, where he is attending the Elks national convention.

FORT LAUDERDALE, July 19—(AP)—Snatching the praying negro from six deputies, masked white men today hanged Rubin Stacey, 37, to a roadside tree within sight of the home of the woman who identified him as the man who attacked her Tuesday with a penknife.

Arrested this morning amid a shower of bullets, Stacey was being taken by the Broward county deputies to the Dade (Miami) county jail, 25 miles away, for safekeeping until he could be brought to trial.

"There was about a hundred of them," said Deputy Sheriff Virgil Wright, "and they ran our car off the road. After overpowering us, the masked men took the negro and hanged him. He's filled full of bullets, too. I guess they shot him both before and after they hanged him."

Identifies Negro

When brought before her this morning by the officers for identification, Mrs. Marion Jones, 30, mother of three small children, involuntarily cried out: "That is the man, without a doubt."

Her two daughters, and a son, running into the yard of their isolated home with the approach of the automobile, grew hysterical when they saw the negro step from the machine and walk toward the house.

The husband of Mrs. Jones tonight said she was going about her household duties as usual, seemingly the only person who had not learned of the lynching.

"I'm going to try to keep it from her as long as I can," said Jones. "I've cautioned everyone around here, and they're meeting people who come to the house."

Feared Legal Delay

Many of those who talked of the lynching expressed the belief that the long-dragged out proceedings in the Robert M. Darsey slaying three years ago played an important part in determining the action of the mob. Darsey, aged Pompano fish dealer, was slain by robbers. Four negroes were convicted in circuit court here and sentenced to die in the electric chair. They gained a hearing from the supreme court on their plea Broward officers had mistreated them. The case is still before the courts.

Deputy Wright said the officers were unable to identify any of the masked men. The license plates of their automobiles were covered with paper or cloth, or had been removed.

An hour after the lynching, the body of the negro still swung from a limb. Deputy Wright said it remained there until Peace Justice Hugh Lester could reach the scene and give his official consent to its removal.

The body was dropped to the ground at 7:15 p. m., two hours and a half after the lynching, and taken to a Fort Lauderdale funeral home. Sixteen bullet wounds could be counted. There was no sign of mutilation.

"As far as we can figure out," said Wright, "they just picked him up with the rope from the ground — didn't bother to push him from an automobile or anything."

Admitted to her home last Tuesday on the pretext he wanted a glass of water, Mrs. Jones' assailant suddenly seized her by the throat and flourished a small knife.

"He kept saying 'don't holler, don't holler,' but didn't do anything else," she told deputies when they reached the house. "I fought him as hard as I could, cutting my hands on his knife as I struck at him. I ran through the back door and he followed me, succeeding in throwing me to the ground while I continued to fight him. It seemed to me from the look in his eyes he was intent on cutting my throat."

Negro Frightened Away

Her frantic cries for help finally frightened her assailant away.

Stacey was sought when Sheriff Walter Clark learned he disappeared from his house, a mile and a half from the Jones home, on the day of the attack.

Relayed through a Miami salesman, the word a passing truck driver had spied the negro lurking in roadside bushes near Deerfield, five miles north of here, brought Constable W. D. McDougald and two civilians. Running at the approach of the constable and his hastily impressed possemen, Sheriff Clark related, the negro was stopped by shots.

Deputies watched the movement of traffic past the jail perhaps more closely than usual, but no unusual precautions were taken, and Sheriff Clark said no trouble was expected.

As high as 100 men, many carrying shotguns or rifles, deployed through the woods and heavy underbrush about the Jones home on the day of the attack. Bloodhounds were brought from Miami and Coral Gables, but rain washed out the fugitive's scent.

The arrest brought immediate paying of the $100 reward Sheriff Clark had posted, $50 going to Constable McDougald, and $25 each for Leo Jones and Leonard L. Justice, the citizens.

State Attorney Louis A. Maire questioned Mrs. Jones, her three children, and others, rounding out the case.

PROTEST TO SHOLTZ

JACKSONVILLE, July 19—(AP)—Mrs. William P. Cornell, chairman of the Florida council of the association of southern women for the prevention of lynching, tonight called upon Gov. Dave Sholtz for an "honest investigation" into the lynching of a negro near Fort Lauderdale today.

In a telegram addressed to the governor at Columbus, O., where he is attending the national Elks convention, Mrs. Cornell said: "Fort Lauderdale lynching this afternoon again brings Florida into the nation's limelight as a state where passion and mob violence take precedence over personal control and respect for law and order.

"We urge you in the name of God and our commonwealth to show your determination to stamp out lynching in Florida by demanding an honest investigation of this lynching and by the prosecution and conviction if possible of guilty parties. Law abiding citizens have a right to look to you to invoke the laws of the state to apprehend and bring to trial all who are guilty of crimes.

"We are depending on you."

New York Evening Post
JUL 20 1935

FLORIDA LYNCHERS FACE STATE PROBE

Governor Orders Guilty Brought to Justice in Hanging of Negro

FORT LAUDERDALE, Fla., July 20 (AP).—An investigation was set in motion today by Governor Dave Sholtz to bring "the guilty ones to justice" for the lynching of a Negro.

Rubin Stacey, thirty-seven, accused of slashing a white woman with a penknife, was hanged within sight of her home.

Stacey was snatched from six officers hurrying him to Miami for safekeeping within a few hours after Mrs. Marion Jones identified him yesterday.

Inquiry to Be Searching

J. P. Newell, secretary to the Governor, qouted him as saying he was ordering an immediate and searching investigation.

In Columbus, Ohio, to attend the national Elks convention, the Governor learned of the lynching by telephone.

Stacey was arrested after a widespread hunt. Deputy Sheriff Virgil Wright, a member of his escort, told of the lynching.

"There were about 100 of them and they ran our car off the road," Wright said.

Hanged From the Ground

"After overpowering us, the masked men took the Negro up the road and hanged him. As far as we can figure out, they just picked him up with the rope from the ground—didn't bother to push him from an automobile or anything."

Mrs. Jones, thirty, mother of three, admitted the Negro to her home when he asked for a drink of water. He seized her by the throat, threw her to the ground and knifed her. He finally was frightened away by her cries.

BROOKLYN, N. Y.
TIMES UNION
JUL 20 1935

JURY IN FLORIDA PROBES LYNCHING

Colored Youth Taken from Five Officers and Hanged by Mob of 100 Men.

Ft. Lauderdale, Fla., July 20.—A coroner's jury was summoned today to investigate, with little hope of result, the lynching by 100 masked men of Reuben Stacy, colored youth accused of attacking a married white woman.

The mob took Stacy from five officers at Gun Point yesterday, hanged him with a wire rope to a small pine tree, and riddled his body with bullets from a score of guns. The body dangled three hours in a hot sun before deputy sheriffs cut it down.

Stacy was the seventh victim of lynch mobs in the United States since Jan. 1.

It was expected the jury would hear only the officers' version of the lynching. Members of the mob hid their identities with masks and by covering their automobile license plates. No arrests were made.

Stacy was captured yesterday morning near Deerfield and lodged in Broward County jail. A mob, aroused over the attack on Mrs. James Jones, 30, wife of a pioneer citrus grower, threatened violence.

To safeguard the prisoner, five deputy sheriffs started with the prisoner for Miami. A short distance out of Ft. Lauderdale pursuing automobiles forced the officers' car into the ditch.

Stacy was hanged less than a mile from the Jones home a few minutes later.

Deputy Sheriff Virgil Wright said Stacy did not admit the attack. He was being held under a charge of assault with intent to commit murder.

"He kept mum," Wright said, "but Mrs. Jones positively identified him."

Miami, Fla. Herald
July 20, 1935

DISGRACE for south Florida. Masked mob lynched Rubin Stacey, 37, alleged negro assailant of a white woman, while he was being removed from Fort Lauderdale jail to Miami. Quite needless, it would seem. Calling for investigation, removal of officers involved. Negro was presumably safe in Broward jail. Deputies took him out. The lynchers must have known about it in advance, had the affair nicely arranged. Halted the deputies on the highway, snatched their victim, shot and hanged him. Lynching the good name of south Florida, along with the black man. The law failed. Inexcusably.

FLORIDA WHITES LYNCH 'ALLEGED' KNIFE WIELDER

Journal and Guide
Norfolk, Va.

Rubin Stacy Accused of Attack Upon White Woman

7-27-35

FORT LAUDERDALE, Fla.—Rubin Stacy, accused of a knife attack upon a white woman near here Tuesday of last week, was lynched near here late Friday evening after the woman is alleged to have positively identified him as the man who attacked her after gaining admittance to her home on the pretext of wanting a glass of water.

The victim of America's lust for human blood, captured after a chase during which several shots were fired, was being taken by Boward County officers to the Miami jail for safekeeping, when it is alleged more than 100 masked men overpowered the officers and took Stacy from them, hanged him to a tree and riddled his body with bullets.

Deputy Sheriff Virgil Wright, who was in charge of the prisoner, said the officers were unable to identify any of the members of the mob as all were masked and had taken the precaution of removing license plates from their cars or else covering them with paper or cloth.

The body dangled from the tree fully an hour after the lynching until Peace Justice Huge Lester could reach the scene and give his official consent for it to be cut down.

Alleging that after Stacy had entered her home and suddenly seized her by the throat, flourishing a knife, the woman, Mrs. Marion Jones, stated that she fought him off and ran through the back door with Stacy in pursuit and after he had overtaken her and succeeded in throwing her to the ground her cries for help frightened him away.

The accused man was sought after it was discovered that he had disappeared from his home, a short distance away from the Jones home, on the day of the attack, according to the Sheriff.

A passing truck driver reported that he had spied Stacy lurking in the bushes five miles north of here. A hastily impressed posse gave chase and captured him after firing several shots in his direction. Carried before his accuser, Stacy was immediately identified as the guilty person by the woman who exclaimed, "That is the man without a doubt."

In describing the lynching, the sheriff said, "as far as we can figure out, they just picked him up with the rope from the ground—did not bother to push him from an automobile or anything." The fat teachers are a poor bet because they are relatively short-lived and are a poor risk for the

Lynchings-1935-
Cases of

Florida.

27

4704

Tampa Seeking Flogging Mob; Police Quizzed

TAMPA, FLA., Dec. 4.—(AP)—Authorities investigating the flogging, tarring and feathering of three men here questioned at least eight members of the Tampa Police Department today following a statement by one of the victims that policemen took part in the affair.

State Atty. J. Rex Farrior and County Solicitor J. C. Hardee conducted the investigation, which was speeded by demands for action against the floggers from Norman Thomas, one-time Socialist candidate for president, and the American Civil Liberties Union.

Farrior and Hardee made no announcement of their findings.

The eight policemen known to have appeared before the investigators were Lieut. J. L. Eddings, Officer F. L. Wyman, Assistant Detective Chief M. C. Beasley, Officer D. H. Chiles, Officer F. W. Switzer, Officer Arthur Berry of the vice squad, Detective J. F. Gray and Sergt. C. A. Brown.

Joseph A. Shoemaker was the most seriously injured of the floggers' victims. His doctor said the man was "horribly mutilated" and added "I wouldn't beat a hog the way that man was whipped."

W. F. Poulnot, second member of the trio, also was in a serious condition. Sam Rogers, the third man, was said to be recovering.

They said they were arrested Saturday night for questioning about "alleged communistic activities" but were released only to be seized by members of the mob just outside the police station.

All three men have been active in organizing unemployed persons in this area.

Arthur Garfield Hays, of New York general counsel, signed the American Civil Liberties Union telegram of protest and in the name of the organization offered $1,000 reward for arrest and conviction of guilty persons.

Thomas in his telegram said "Saturday night events in Tampa would disgrace Hitler's tyranny."

Tampa To Hold Public Services Against Flogging

TAMPA, FLA., Dec. 14.—(AP)—A public service of penitence and indignation Sunday afternoon will crystallize Tampa's sentiment against the flogging death of Joseph Shoemaker, for which no one has been arrested.

The Tampa Ministerial Association will conduct the service in advance of a grand jury investigation of the killing which starts Monday. The Rev. Walter Metcalf, president of the association, said:

"The meeting is for the purpose of creating a deep moral tone of indignation and penitence and a consciousness deep in our civic sense of the general condition in Tampa." He did not define the "general condition."

Public officials said they were continuing to track down clues in the flogging of Shoemaker, E. F. Poulnot and S. D. Rogers, and they promised arrests when their evidence is complete. Whether the evidence would be ready for the grand jury Monday remained in doubt.

The men were seized by a band of men outside Tampa police headquarters Nov. 30 as they were released after being questioned about alleged communistic activities.

Lynching Is Fun To Florida Klan Boss

12-21-35

NEW YORK, N.Y.—The reaction of the Ku Klux Klan Kleagle and chairman of the Americanization Committee of the American Legion on the recent fatal tarring and feathering of Frank Norman, white, in Orlando, Fla., is recounted in a current issue of the New Masses, by Bruce Minton, white.

"Y'see," he is quoted as stating, "the Pope, he's plannin' to move to Washington in case a Catholiic is elected President. That's the danger. You fellers up No'th don't know these things, any mor'n you know that all a n—r wants is t'sleep with a white woman. And they know what that means if they're caught.

"Out for Reds

"We're out for the Reds," the kleagle is reported to have continued. "They threaten the whole South. Y'know, this might seem hard to believe, but they wanted ten dollars a week relief. Ten dollars, yes suh, and Uncle Sam was to foot the bill.."

Regarding other activities, the kleagle said:

"The sheriff knows any time he needs men, all he has to do is ring me up and inside of an hour he has 500 men. 'Course, sometimes it's necessary to take the law in our hands. We string up a n—r now and then—f'r an example like. Not officially, but it comes to the same thing.

"Over in Lakeland, a fellow named No'man—Frank No'man—he got foolin' round with n—s and unions and he got the works. I don't think he's dead. But this No'man was a Red. I can honestly say that. Sometimes we gotta show people what we think of those stinkin' trouble-makers."

The kleagle talked further stating that he was planning to run for sheriff of Orange County. He'd clean up Orlando, "The City Beautiful, where every other hot-dog stand owner insists that waitresses go in for prostitution on the side and let the management in on a cut of the proceeds."

"What about President Roosevelt?" the kleagle was asked.

"He's okay," the klansman answered. "I can honestly say that it's the goddamned comoonistic brain trusters, y'know. Mrs. Dilling was about right. Tugwell, Ickes, that guy Wallace, they're all Comoonists. And Farley, he's a Catholic. Things're in a helluva mess.

"Look at Gov'nor Scholtz. If you get to Talahassee, you give that Jew bastard a message. Say it's from the kleagle of Orlando. He knows me." The kleagle continued:

"Every now and then the members of the klan put on their sheets and parade the streets. The big kick is to invade the Negro quarter on the outskirts of town. The Negroes are apt to be scared. They remember past experiences; some of the boys might get mischievous and burn the quarter down. Of course, it's all in fun.

"Maybe some of the more lively klansmen will whip a few Negroes, or if their spirts run real high, lynch an innocent man. That's just to remind the Negroes that white men are superior beings with souls and that Negroes have no soul.

"When the Negroes show signs of growing tired of the unremitting oppression, then the powers call in a man like me and tell me that one or the other of the klan's prejudices has been flaunted and then I muster the terrorist artillery."

Lynchings- 1935
Cases of:

Georgia.

4602

NEGRO IS LYNCHED

Prisoner Taken From Dooly Sheriff, Hanged by Mob.

VIENNA, Ga., Sept. 28.—(AP)—Lewis Harris, 50-year-old negro, was lynched near here last night by a mob which overpowered Sheriff Bos Vinson, of Dooly county, as the officer was carrying the negro to Fitzgerald for safekeeping. 9-29-35

Harris had been arrested on a charge of drunkenness.

Feeling had been running high since the arrest of the negro last Sunday night and he was being carried to Fitzgerald by Sheriff Vinson as a precautionary measure when Vinson was halted by four carloads of men who took charge of the prisoner.

Harris was hanged to a tree on Sandy Mount road four miles from here. His body bore several bullet marks but it was not determined whether Harris had been shot before he was swung from the tree.

There the body was found early today and removed.

Sheriff Vinson started toward Fitzgerald with Harris last night after notifying Judge A. J. McDonald at Fitzgerald of the situation and was authorized by the judge to carry the negro there for safekeeping.

Judge McDonald said tonight he had not heard anything further from the sheriff and that he knew nothing of the lynching.

Dooly county community to arrest a young Negro man for being drunk on the church ground. It was stated that the Negro's father came upon the scene and that the prisoner said, "Daddy make him turn me loose."

The older Negro took his pistol and put it in the sheriff's ribs and demanded that he release his son. Having no way to defend himself, Sheriff Vinson yielded to the request. The Negro with the pistol then commanded another Negro to take him away in an automobile. This request was also granted.

The Negro was taken from the church and the man piloting the automobile came back to where Sheriff Vinson was and told him where he probably could find Lewis Harris. The officer put bloodhounds on the trail and the Lewis Negro was traced about 20 miles and captured. He was placed in Dooly county jail.

Threats Are Made

Yesterday afternoon, it was stated, Sheriff Vinson heard there were threats of taking the Negro out of jail and lynching him. In order to avert a lynching the officer started with Harris in his automobile for the Ben Hill county jail in Fitzgerald for safekeeping.

When Sheriff Vinson arrived at the Greer place, four automobiles blocked the highway. About eight white men, it was stated, took the Negro and sped away towards Cordele. Nothing was further learned of the incident until this morning.

Sheriff Vinson was unable to identify any of the men who took the Negro. It was stated that he said the white men cut the wires to his automobile lights making it impossible for him to identify the mob that was off in a minute.

A coroner's jury was empaneled in Vienna and after investigating the death of the Negro rendered a verdict that the Harris Negro came to his death at the hands of unknown parties. It was reliably reported in Cordele today that the Harris Negro stated while confined in the Vienna jail that he "would get even with Sheriff Vinson yet."

NEGRO IS MOBBED IN DOOLY COUNTY

Posse Takes Lewis Harris From Sheriff Vinson While En Rout to Jeff Davis Jail

CORDELE, Ga., Sept. 28—A Negro man named Lewis Harris who had been confined in the Dooly county jail in Vienna nine miles north of Cordele since last Sunday night was taken from Sheriff Bos Vinson of Dooly county below Charlie Greer's place just outside the city limits of Cordele on the Seville road, last night by a crowd of men in four automobiles and carried back to Dooly county and lynched on Sandy Mount road, about four miles from Vienna.

Last Sunday, Sheriff Vinson went to a Negro meeting in progress in a

NEGRO IS LYNCHED

Prisoner Taken From Dooly Sheriff, Hanged by Mob.

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Harris had been arrested on a charge of drunkenness.

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Judge McDonald said tonight he had not heard anything further from the sheriff and that he knew nothing of the lynching.

NEW YORK TIMES

SEP 29 1935

NEGRO LYNCHED IN GEORGIA

Mob Hangs Man Accused of Drawing Gun on Sheriff.

VIENNA, Ga., Sept. 28 (AP).—Lewis Harris, a Negro, 50 years old, was lynched near here last night by a mob which overpowered Sheriff Bos Vinson of Dooly County as the officer was taking him to Fitzgerald, Ga., for safe-keeping. Harris had been arrested on a charge of drunkenness.

Feeling had been running high since the arrest of the Negro last Sunday night. He was being removed to Fitzgerald by Sheriff Vinson as a precautionary measure when Vinson was halted by men in four automobiles, who took charge of the prisoner.

Harris was hanged to a tree on Sandy Mount Road four miles from here. His body bore several bullet marks.

Speaking in the absence of her husband tonight, Mrs. Vinson said that the Sheriff went to a Negro meeting Sunday upon receiving a report of a disturbance there.

"When Mr. Vinson attempted to arrest the Negro," she went on, "he gave a container of liquor to his son and the Sheriff caught the boy.

"Then Harris put a gun against the Sheriff's back and demanded that he release the boy, at the same time calling Mr. Vinson the worst thing he could think of."

She said the Sheriff later returned with bloodhounds and trailed the Negro to a place near by, where he was arrested. She said Harris denied that he had drawn a gun on Vinson or that he had cursed him.

Georgia Mobbers String Up Year's Sixteenth Victim

Lynchers Take Man, 50, Arrested for Drunkenness Away from Sheriff

BLOODHOUNDS USED TO TRAIL PRISONER

Had Stuck Pistol in Jailer's Paunch.

VIENNA, Ga. — Georgia mobbers boosted the year's number of victims of the Nordic American's lynching sport to sixteen Saturday, when they strung up Lewis Harris, 50, after taking him from Sheriff Bob Vinson.

With the exception of one, all of the victims have been colored.

Lewis was being held on a charge of drunkenness after sticking a revolver in the sheriff's paunch and forcing him to release his son. The officer had gone to a meeting upon the report of a disturbance.

Trailed by Hounds

When he attempted to arrest Harris, the latter gave a container of liquor to his boy. When the boy ran, he was caught by the law officer. The father is then reported to have whipped out a revolver, secured his son's release and escaped himself.

Sheriff Vinson later returned with bloodhounds, who trailed Harris to a nearby place. As news of the incident spread, talk of lynching increased.

The officer was supposedly taking Harris to Fitzgerald, Ga., for "safekeeping" when four automobile loads of men appeared and took charge of the prisoner.

Lynch Man Accused Of Drunkenness

VIENNA, Ga., Oct. 4.—Overpowering Sheriff Bos Vinson of Dooly county last Saturday night as the officer was taking Lewis Harris, arrested for drinking, to Fitzgerald, Ga., for safekeeping, a blood thirsty mob of head hunters snatched the victim from the sheriff's keep and lynched him in true hangman's style.

Harris was being removed to Fitzgerald by Sheriff Vinson as a precautionary measure, after threats had been made against the victim's life, when Vinson was halted by four carloads of men who took the prisoner.

According to the sheriff's wife, Harris was captured after being trailed by blood hounds from a gathering where the sheriff had attempted to make an arrest.

Jailed For Drunkenness

Mrs. Vinson also stated that the sheriff went to a meeting of Race people upon receiving a report of a disturbance there. When Vinson attempted to arrest Harris, the alleged drunken disturber, Harris gave a container of liquor to his son who fled the scene.

Sheriff Vinson pursued the youth and placed him under arrest, then, the report goes, Harris objected to the arrest of his son and under the influence of liquor placed a gun against the sheriff's back and demanded that he release the boy.

Feeling ran high in this section after it became known that a Race man had threatened a white sheriff with a gun. And so in keeping with true southern policy, a band of whites went upon their sinister mission, defying law and order. Their mob spirits and inhuman fury only subsided when the body of the black man hung high from a branch of one of the country's loftiest trees.

The conquest over, the mobsters returned and gave not a thought to the statement made by the Sheriff's wife hat their victim had persistently denied placing his gun against the back of the sheriff.

LYNCHING IS CHARGED TO 'UNKNOWN PARTIES'

VIENNA, Ga., Sept. 30.—(AP)—The lynching of Lewis Harris, 50-year-old negro, was recorded officially today as a "death at the hands of parties unknown."

The verdict was returned yesterday by a coroner's jury after investigation into the slaying of the negro near here by a mob last Friday night. His bullet-riddled body was found hanging to a tree beside the Vienna-Fitzgerald highway. Harris had been arrested for drunkenness and escaped by threatening Sheriff Bob Vinson with a pistol. He was trailed by bloodhounds and re-

Sheriff Vinson said there was some talk of violence when he returned the prisoner to jail here after obtaining a writ of removal of the negro's body bore between 25 and 30 bullet wounds.

The verdict was returned yesterday by a coroner's jury after investigation into the slaying of the negro near here by a mob last Friday night. His bullet-riddled body was found hanging to a tree beside the Vienna-Fitzgerald highway. Harris had been arrested for drunkenness and escaped by threatening Sheriff Bob Vinson with a pistol. He was trailed by bloodhounds and recaptured. While on the trip to Fitzgerald, who conducted the inquest, said the sheriff's car was overpowered by four carloads of men and the negro taken from him. Vinson said he could not identify any of the group.

Justice of the Peace W. V. Harv-

Cordele, Ga. Dispatch
September 29, 1935

NEGRO IS TAKEN FROM SHERIFF OUTSIDE CORDELE

Verdict Rendered Negro Came to Death at Hands Unknown Parties

A negro man, named Lewis Harris, who had been confined in the Dooly county jail in Vienna since last Sunday night, was taken from Sheriff Cos Vinson, of Dooly, below Charlie Greer's place, just outside the city limits of Cordele, on the Seville road last night by a crowd of men in four automobiles and carried back to Dooly county and lynched on the Sandy Mount road, about four miles from Vienna. The body of the negro was found dangling from a tree this morning.

Last Sunday Sheriff Vinson went to a negro meeting in progress in a Dooly county community to arrest a young negro man for being drunk on the church ground. It was stated that the negro's father came upon the scene and that the prisoner said, "Daddy make him turn me loose." The older negro took his 44 pistol and put in the sheriff's ribs and demanded that he release his son. Having no way to defend himself, Sheriff Vinson yielded to the request. The negro with the pistol then commanded another negro to take him away in an automobile; this request also was granted.

The negro was taken away from the church and the negro piloting the automobile came back to where Sheriff Vinson was and told him where he probably could find Lewis Harris. Sheriff Vinson put blood hounds on the trail and the Lewis negro was traced about twenty miles and captured. He was placed in Dooly county jail.

Yesterday afternoon, it was stated, Sheriff Vinson heard there were threats of taking the negro out of the jail and lynching him. In order to avert a lynching, the sheriff took Harris in his automobile and started for Fitzgerald where he was to place the negro in the Ben Hill county jail for safekeeping. When Sheriff Vinson arrived at the Greer place four automobiles blocked the highway. About eight white men, it was stated took Harris and sped away towards Cordele. Nothing further was learned about the incident until this morning.

Sheriff Vinson was unable to identify any of the men who took the negro. It was stated that he said the white men cut the wire to his car lights, making it impossible for him to identify the mob that was off in a minute.

A coroner's jury was empanelled this morning in Vienna and after investigating the death of the negro rendered a verdict that Harris came to his death at the hands of unknown parties.

It was reliably reported in Cordele that the Harris negro stated while confined in the Vienna jail that he "would get even with Sheriff Vinson yet."

ATLANTA, GA.
CONSTITUTION

SEP 29 1935

NEGRO IS LYNCHED

Prisoner Taken From Dooly Sheriff, Hanged by Mob.

VIENNA, Ga., Sept. 28.—(AP)—Lewis Harris, 50-year-old negro, was lynched near here last night by a mob which overpowered Sheriff Bos Vinson, of Dooly county, as the officer was carrying the negro to Fitzgerald for safekeeping.

Harris had been arrested on a charge of drunkenness.

Feeling had been running high since the arrest of the negro last Sunday night and he was being carried to Fitzgerald by Sheriff Vinson as a precautionary measure when Vinson was halted by four carloads of men who took charge of the prisoner.

Harris was hanged to a tree on Sandy Mount road four miles from here. His body bore several bullet marks but it was not determined whether Harris had been shot before he was swung from the tree.

There the body was found early today and removed.

Sheriff Vinson started toward Fitzgerald with Harris last night after notifying Judge A. J. McDonald at Fitzgerald of the situation and was authorized by the judge to carry the negro there for safekeeping.

Judge McDonald said tonight he had not heard anything further from the sheriff and that he knew nothing of the lynching.

SAVANNAH, GA.
NEWS

SEP 29 1935

NEGRO HANGED BY MOB NEAR VIENNA

Lewis Harris Taken From Dooly County Sheriff

JUST OUT OF CORDELE

Had Been Arrested On Charge of Drunkenness

VIENNA, Ga., Sept. 28 (AP).—Lewis Harris, 50-year-old negro, was lynched near here last night by a mob which overpowered Sheriff Bos Vinson of Dooly county as the officer was carrying the negro to Fitzgerald, Ga., for safekeeping. Harris had been arrested on a charge of drunkenness.

Feeling had been running high since the arrest of the negro last Sunday night and he was being carried to Fitzgerald by Sheriff Vinson as a precautionary measure when Vinson was halted by four carloads of men, who took charge of the prisoner.

Harris was hanged to a tree on Sandy Mount road four miles from here. His body bore several bullet marks but it was not determined whether Harris had been shot before he was swung from the tree.

There the body was found early today and removed.

Sheriff Vinson started toward Fitzgerald with Harris last night after notifying Judge A. J. McDonald at Fitzgerald of the situation and was authorized by the judge to carry the negro there for safekeeping.

Judge McDonald said tonight he had not heard anything further from the sheriff and that he knew nothing of the lynching.

Speaking in the absence of her husband who was away from home tonight, Mrs. Vinson said the prisoner was taken from the sheriff just outside the Cordele, Ga., city limits and carried to the scene of the lynching.

MACON, GA.
NEWS

SEP 29 1935

NEGRO IS MOBBED IN DOOLY COUNTY

Posse Takes Lewis Harris From Sheriff Vinson While En Rout to Jeff Davis Jail

CORDELE, Ga., Sept. 28—A Negro man named Lewis Harris who had been confined in the Dooly county jail in Vienna nine miles north of Cordele since last Sunday night was taken from Sheriff Bos Vinson of Dooly county below Charlie Greer's place just outside the city limits of Cordele on the Seville road, last night by a crowd of men in four automobiles and carried back to Dooly county and lynched on Sandy Mount road, about four miles from Vienna.

Last Sunday, Sheriff Vinson went to a Negro meeting in progress in a Dooly county community to arrest a young Negro man for being drunk on the church ground. It was stated that the Negro's father came upon the scene and that the prisoner said, "Daddy make him turn me loose."

The older Negro took his pistol and put it in the sheriff's ribs and demanded that he release his son. Having no way to defend himself, Sheriff Vinson yielded to the request. The Negro with the pistol then commanded another Negro to take him away in an automobile. This request was also granted.

The Negro was taken from the church and the man piloting the automobile came back to where Sheriff Vinson was and told him where he probably could find Lewis Harris. The officer put bloodhounds on the trail and the Lewis Negro was traced about 20 miles and captured. He was placed in Dooly county jail.

Threats Are Made

Yesterday afternoon, it was stated, Sheriff Vinson heard there were threats of taking the Negro out of jail and lynching him. In order to avert a lynching the officer started with Harris in his automobile for the Ben Hill county jail in Fitzgerald for safekeeping.

When Sheriff Vinson arrived at the Greer place, four automobiles blocked the highway. About eight white men, it was stated, took the Negro and sped away towards Cordele. Nothing was further learned of the incident until this morning.

Sheriff Vinson was unable to identify any of the men who took the Negro. It was stated that he said the white men cut the wire to his automobile lights making it impossible for him to identify the mob that was off in a minute.

A coroner's jury was empaneled in Vienna and after investigating the death of the Negro rendered a verdict that the Harris Negro came to his death at the hands of unknown parties. It was reliably reported in Cordele today that the Harris Negro stated while confined in the Vienna jail that he "would get even with Sheriff Vinson yet."

AMERICUS, GA.
TIMES RECORDER

SEP 30 1935

MOB LYNCHES VIENNA NEGRO

Coroner's Jury Ends Probe of Slaying

VIENNA, Ga., Sept. 30. — A coroner's jury which investigated the lynch slaying of Lewis Harris, 50-year-old negro, found Sunday that he "came to his death at the hands of parties unknown."

Harris' bullet-riddled body was found hanging to a tree beside the Vienna-Fitzgerald highway about three miles from here, Buddie Peavy told the jury. Another witness told of having heard shots at night near his home.

Justice of the Peace W. V. Harvard, who conducted the inquest, said Harris' body had contained between 25 and 30 bullets.

Sheriff Bos Vinson was taking Harris from Vienna to Fitzgerald, Ga., for safekeeping, when he was stopped by a group of men in four cars and delieved of his prisoner.

Harvard said Harris had been in custody for being drunk and for drawing a pistol on the sheriff while he was trying to make ana rrest. Harris got away but was later trailed and located by dogs.

Harris was arrested several days ago. After he was placed in jail here, Harvard said there was talk of violence, and the sheriff obtained an order from Judge A. J. McDonald for removal of the prisoner. Vinson was making the trip at night when overpowered.

Harvard said he was told none of the group spoke during the taking of the prisoner, and that Cheriff Vinson could not identify any of the group.

Harris' body was buried today by county authorities.

Lynchings-1935
Cases of.

Georgia

4603

ROME, GA.
NEWS TRIBUNE
SEP 29 1935

NEGRO IS TAKEN FROM GA. SHERIFF, LYNCHED BY MOB

Charged With Pointing Pistol At Officer, Negro Executed By Mobsmen

CORDELE, Ga., Sept. 28.—(USINS)—The lifeless body of a negro, identified as Lewis Harris, was found hanging from a tree on Sandy Mountain road near Vienna today. He had been taken from Sheriff Cos Vinson of Dooly county by a crowd of white men Friday night.

The negro had allegedly rescued his son from the sheriff last Sunday during an argument at a negro meeting. The negro was arrested for allegedly pointing a pistol at the sheriff when he aided his son to escape.

Until his seizure by the men Friday night the negro was confined in Dooly county jail. Hearing that threats had ben made to storm the jail and seize the negro, Sheriff Vinson put him in an automobile and headed for Fitzgerald where he intended to place the negro for safekeeping.

Near the city limits of Cordele, the men, riding in four automobiles, stopped the sheriff, seized the negro and took him back to Dooly county where he was put to death.

Sheriff Vinson said he could not identify any of the men. A coroner's jury late today returned a verdict that the negro came to his death at the hands of unidentified persons.

Vienna, Ga., News
October 3, 1935

NEGRO TAKEN FROM SHERIFF AND LYNCHED

WAS IN TRANSIT TO JAIL IN FITZGERALD. "KILLED BY UNKNOWN PARTIES" IS VERDICT OF CORONER'S JURY

Lewis Harris, a Negro, was lynched Friday night about 8 o'clock about three hundred yards from the home of D. L. Arflin who resides about three and a half miles from Vienna on the Sandy Mount road.

Events which led up to the lynching, it is said, centered around an attempt by Sheriff Vinson to arrest Lewis and his son at Piney Grove church on Sunday before last when the officer drove up to the church and found Lewis in possession of a bottle of liquor, which Lewis passed on to his son and told him to run. The boy started to run and Sheriff Vinson turned his back on the elder Lewis and caught the boy, whereupon Lewis, Sr., drew a pistol, stuck its muzzle into the sheriff's back and ordered him to turn the boy loose, cursing him vilely.

Sheriff Vinson states that he turned the Lewis boy loose and that the elder Lewis then backed into the crowd, which was gathered at the church, and fled without a shot having been fired by either of them, the sheriff being afraid to shoot at the Negro because of possibility of injuring innocent bystanders. Lewis is said to have ordered another Negro to take him away from the scene of the trouble, and the driver of the escape car later came to Sheriff Vinson and Deputy Peavy and advised them where he thought Lewis could be found. A posse composed of Sheriff Vinson, County Warden L. A. Woodruff, Deputy Sheriff Adrian Peavy, Joe Bush and George Peavy went to the vicinity where Lewis was reported to be in hiding and set track dogs on his trail and succeeding in capturing him on the Lon Walton place, after a chase of several hours, no shots being fired at the Negro in the course of the hunt. Lewis was lodged in the Dooly county jail, where he remained until Friday night.

Talked To Judge

Sheriff Vinson states that he had been warned several times that a raid was being planned to take the Negro from the jail Friday night and he and Deputy Peavy called Judge A. J. McDonald in Fitzgerald and told him of the impending trouble over the episode, requesting the jurist to have a removal order ready for them when they reached Fitzgerald with the Negro and also to ask the Ben Hill county sheriff to arrange to keep the prisoner. This conversation is said to have taken place about 6:30 Friday afternoon from A. D. Peavy & Sons warehouse.

Sheriff Vinson states that he and Mr. Peavy started on the trip to Fitzgerald and reached a point near the Charlie Greer place about a mile below Cordele when they found the road blocked by four cars, that three masked men approached the officers' car, turned off their lights, attempted to cut the light and ignition wires and took the Negro from their custody at pistol point, placed him in another car and sped away toward Dooly county. It is said that the three men who were on the ground were masked and were not recognized by the officers.

Both officers are unable to state how the information as to the Negro's removal from the Dooly county jail leaked out, saying that they had told no one of the plan.

Negro's Body Found

According to testimony of D. L. Arflin, who resides near the scene of the lynching, he heard about 35 shots fired about 8 o'clock Friday night, and W. L. Perry, testified that he passed the scene about 9 o'clock that night and saw the body hanging to the limb of a tree beside the road.

A coroner's jury composed of Milton Grace, foreman: Howell Porter, Johnny Christmas, Joe Bush, Jesse Brown and Hardy Gregory, was impanelled by Judge W. V. Harvard Saturday morning to investigate the Negro's death and returned a verdict that "We, the jury, find that Lewis Harris came to his death by parties unknown."

TIFTON, GA.
GAZETTE
SEP 30 1935

NEGRO LYNCHED NEAR VIENNA

Cordele, Ga., Sept. 29.—An unidentified group of men took Lewis Harris a negro, from the hands of Sheriff Cos Vinson, near here Friday night, and lynched him on the Sandy Mount road four miles from Vienna, during the night.

Sheriff Vinson said he was taking the negro to Fitzgerald for safe keeping after he had been arrested earlier in the week during a disturbance at a church meting.

A coroner's jury, empaneled in Vienna Saturday, rendered a verdict that the man came to his death at the hands of parties unknown.

2 Lynched In Texas; Block Georgia Mob

MOULTRIE, Ga, Nov. 22—A second Georgia mob has been repelled this week in an attempt to wrest a Race man from officers of the law in order to give vent to their bloodthirsty moods.

An incensed mob gathered in front of the courthouse here Thursday and tried, without success, to take John Henry Sloan from National Guardsmen after the prisoner had been convicted of the murder of Otis Gay, young white man.

The irate crowd milled about the bayonet flashing guardsmen, trying to strike at their prey, but were driven back by pistol butts and rifle barrels and finally dispersed with tear gas bombs. During the confusion one shot was fired, but it went wild.

Sloan was later taken to an unannounced jail out of the town. He had been given a quick trial and sentenced to die in the electric chair next month.

COLUMBUS, Tex., Nov. 22—While Race citizens in this backward little town and nearby communities stood by cowardly, two youths of high school age were lynched by a mob of 500 whites, among whom were many women.

Meanwhile, five black men in Georgia rose above their environment and their neighbors, to stand off a mob of infuriated whites intent on lynching 18-year-old Frank Horn whose alleged crime against society was that he was too "sassy."

Police and other officials of Cordele, Ga., where the whites were held at bay by five deadly shotguns in the hands of as many rebellious blacks, while the intended victim made good his escape, began a widespread search for the courageous quintet.

It was felt that if they succeeded in eluding capture and subsequent punishment, that their daring would inspire other members of the Race to follow their unprecedented example.

Will of the People

In Atair, Tex., where the white savages were able to accomplish their barbaric purposes, police were not entirely indifferent to the outrage. Officials justified the lynching as the "will of the people."

This was understood to mean that because of the inability of the courts to mete out death to the youths because of their ages, the citizens took matters into their own hands. The pair were charged with having attacked and murdered a young white woman.

The hanging, which took place in a grove about a mile from the home of the girl, came after the two boys were allegedly "snatched" from Sheriff Frank Hoegmeyer, who was enroute to Houston where the two were to face trial.

The limit of punishment they could have received, even in a Southern court, would have been imprisonment in a juvenile detention home until they were 21 years of age. Both were under 17 years of age.

Defended Himself

As dramatic as a scene from a play was the deliverance of Frank Horn from the infuriated Cordele mob. Horn, according to reliable reports, was of a nature not different from that of the men who risked their lives and even today are living under a sword of Damocles to save his.

When a white man who judged him to be too "sassy" for a "nigger," attempted to "put him in his place," Horn defended himself and in so doing cut the white.

His pride injured, the white organized a mob which only proved too willing to avenge the injury suffered by their fellow. Meanwhile Horn, who was no stranger to the ways of the South, sought refuge from the reprisal which he knew to be inevitable.

Horn's age and his dauntlessness impressed and inspired older men who had for years seen members of their own race maltreated and slaughtered like lambs to the point where they were ready to give their lives to save his.

Five Hold Off Mob

Five, arming themselves and hiding their identity behind masks or handkerchiefs, met the mob which meanwhile had collected and was marching on the jim crow section of town where they knew they would find Horn.

Not a word was spoken by the black defenders of Horn. The menacing rifles spoke in terms more convincing than any they could utter.

The leader of the mob, however, did command that the Race men drop their arms. His words were unheeded. Except for the five men gripping their arms more firmly there was no reaction at all on their part to his demands.

Is Spirited Away

He then sought to reason with them, but he might as well have addressed himself to the Sphinx. Meanwhile, allies of Horn had placed him in a car and were rushing him toward Atlanta.

Finally realizing they could not advance without taking their lives into their own hands, the mob retreated, issuing threats and intent on reaching their quarry by another road.

By that time, however, Horn, accompanied by an armed group, was at a safe distance from the town

Lynchings-1935
Cases of.

Louisiana

4609

Louisiana Mob Lynches Negro

Men Kidnap Slayer From Jail, Kill Him, And Toss Body On Country Road

FRANKLINTON, La., Jan. 11.—(AP)—While this small southeastern Louisiana town slept, a fast-working well organized mob rammed its way into the Washington Parish Jail here early today, shot and beat a convicted negro slayer to death, dumped his body alongside a lonely road three miles from town, and quietly dispersed.

The lynching was executed with such precision and speed that few knew what had happened until the body of the victim, Jerome Wilson, 30, was found on the road two hours later.

The mob purportedly numbered only six or seven men.

In the dead silence of the early morning hours, the lynchers stole to the parish jail and forced their way into Sheriff J. C. Brock's office. The mob began a hurried search for Wilson, convicted last August of slaying Deputy Sheriff Delos C. Wood during a gun battle on the Wilson place near Franklinton.

A half-dozen cells were searched before the mob came to the one occupied by the sleeping negro. Aroused from his cot, the terror-stricken negro pleaded fervently for mercy. His pleas were followed by screams for help and it was then that the mobsmen pumped a bullet into the back of his head as he stood cringing in a cell corner.

Officers expressed belief the negro was shot because the mob feared his cries would arouse parish authorities, who twice had thwarted attempts to lynch the negro.

From the cell, Wilson's limp body was dragged to a waiting car and carried to a secluded spot three miles north of Franklinton. There it was dumped along the side of the road.

The mob dispersed as quickly as it had formed.

Wilson was lynched five days after he had been granted a new trial by the Louisiana Supreme Court.

The high court remanded the case on grounds that the defendant had not received a fair and impartial trial. The decision cited the fact that the negro was tried, convicted, and sentenced within 10 days of his arrest.

Wilson's brother, Luther, jointly charged with the slaying, but who has not yet been tried, witnessed the lynching from an adjoining cell. He told Sheriff Brock there were "six or eight men and they wore handkerchiefs on their faces and shined flashlights in my eyes. I couldn't tell who they was."

The sheriff gave the following version:

"There wasn't any lynching. Some men got into the cell somehow, about 3 or 4 o'clock in the morning. They got a key somehow. They shot Jerome Wilson because he kept crying for help. Then they sawed through the lock of Jerome's cell. Someone beat Jerome over the head with a great big hammer and left the hammer in the cell.

"They took his body out and threw it on the road. He was dead before they took him out of the cell. There wasn't any lynching. There wasn't any mob either, or they would have taken Luther out too. There were just about six or eight men who were going about their business."

Sheriff Brock said the only clue to the identity of the mobsmen was the hammer, and asserted that this clue would be followed up.

Wood was shot to death July 22 in a gun battle precipitated when officers attempted to arrest Wilson for refusing to permit a range rider to inspect his cattle for ticks.

The officer was fatally wounded but bullets from his gun laid low two of Wilson's brothers, one of whom died in jail. Sheriff Brock and several deputies rushed to the scene and arrested all members of the negro family.

As the negroes were placed in jail, a crowd gathered outside the jail and threatened violence, but were prsuaded by the sheriff to disperse. Jerome Wilson was the only member of the Wilson family indicted in connection with Wood's death.

Later, during Wilson's trial, a crowd attempted to snatch the prisoner from officers as he was being led from the courtroom, but were turned back in a hand-to-hand fight with sheriff's deputies and the negro was placed safely in jail.

Judge Ellis Ott, who presided at Wilson's trial, refused his motion for a new trial and an appeal was carried to the State Supreme Court which granted the motion last Monday.

Granted New Trial, Negro Is Lynched

FRANKLINTON, La., Jan. 11.—(AP)—Jerome Wilson, 30-year-old negro, convicted of the slaying of Delos C. Wood, chief deputy criminal sheriff of Washington parish, was seized by a mob of citizens early today, shot to death in his cell and his body was taken from the jail and dumped on the road three miles north of the town.

The slaying of Officer Wood occurred in a general shooting last July 22, between negroes and officers at the home of Wilson where the officers had gone to investigate a livestock inspection.

Jerome was indicted, tried for murder, convicted and sentenced to hang for the crime within 10 days' time and last Monday the Louisiana supreme court granted him a new trial.

MOB KILLS NEGRO IN HIS JAIL CELL

Body of Convicted Slayer Is Dumped Beside Road Three Miles From Louisiana Town

FRANKLINTON, La., Jan. 11 (AP)—While this small southeastern Louisiana town slept, a small group of men rammed their way into the Washington parish jail here early today, shot and beat a convicted Negro slayer to death, dumped his body alongside a lonely road three miles from town and quietly dispersed.

The lynching was executed with such precision and speed that few knew what had happened until the body of the victim, Jerome Wilson, 30, was found on the road two hours later.

The group purportedly numbered only six or seven men.

In the dead silence of the early morning hours the lynchers stole to the parish jail and forced their way into Sheriff J. C. Brock's office. The men began a hurried search for Wilson, convicted last August of slaying Deputy Sheriff Delos C. Wood during a gun battle on the Wilson place near Franklinton.

New Trial Pending

A half-dozen cells were searched before they came to the one occupied by the sleeping Negro. Aroused from his cot, the terror-stricken Negro pleaded feverently for mercy. His pleas were followed by screams for help and it was then that the men pumped a bullet into the back of his head as he stood cringing in a cell corner.

Officers expressed belief the Negro was shot because the men feared his cries would arouse parish authorities, who twice had thwarted attempts to lynch the Negro.

Wilson was lynched five days after he had been granted a new trial by the Louisiana supreme court.

The high court remanded the case on grounds that the defendant had not received a fair and impartial trial.

NEW YORK JOURNAL
JAN 11 1935

MOB LYNCHES MAN IN CELL

FRANKLINTON, La., Jan. 11 (By International News Service)—A mob superseded the Supreme Court of Louisiana here today, entering the Washington parish jail and shooting to death a Negro sentenced to hang for the slaying of a deputy sheriff.

The mob broke open the door to Sheriff Brown's office and secured keys to the cell of Jerome Wilson, 30.

Wilson, convicted of the murder of Deputy Sheriff Delos C. Wood last July, was shot down as he crouched in a corner of the cell, begging for mercy. His body was dragged to an automobile and taken to the outskirts of the city, where it was dumped out.

Wilson's appeal for a new trial was granted last Monday by the Supreme Court.

New York Times
JAN 12 1935

NEGRO IS LYNCHED IN LOUISIANA JAIL

Mob Victim Had Received New Trial in Slaying of a Deputy Sheriff.

FRANKLINTON, La., Jan. 11 (AP).—A small group of men forced their way into the Washington Parish jail here early today, shot and beat a convicted Negro slayer to death, dumped his body alongside a lonely road three miles from town and dispersed.

The body of the victim, Jerome Wilson, 30, was found on the road two hours later. Wilson was convicted in August of slaying Deputy Sheriff Delos C. Wood in a gun fight on the Wilson place near here.

Aroused from his cot, the terror-stricken Negro pleaded for mercy. His pleas were followed by screams for help. Then a bullet was fired into the back of his head.

Officers expressed the belief that the man was shot because his cries would arouse parish authorities, who twice had thwarted attempts to lynch him.

The body was dragged to a waiting car.

Five days ago a new trial was granted to Wilson by the Louisiana Supreme Court on the grounds that the defendant had not received a fair trial. The decision cited that he was tried, convicted and sentenced within ten days of his arrest.

ALEXANDRIA, LA.
TOWN TALK
JAN 11 1935

Negro Convicted Of Slaying Lynched

FRANKLINTON, La., Jan. 11.—(By A. P.)—Jerome Wilson, 30-year-old negro, convicted of the slaying of Delos C. Wood, chief deputy criminal sheriff of Washington parish, was seized by a mob of citizens early today, shot to death in his cell and his body was taken from the jail and dumped on the road three miles north of the town.

The slaying of Officer Wood occurred in a general shooting last July 22 between negroes and officers at the home of Wilson where the officers had gone to investigate a livestock inspection.

Jerome was indicted, tried for murder, convicted and sentenced to hang for the crime within ten days time and last Monday the Louisiana supreme court granted him a new trial.

Officers reported that a mob of undetermined number stole into the sheriff's office around 3 a. m. today, obtained the keys to the cells and located Jerome in one of the cells.

As they seized the prisoner, it was reported, Jerome began screaming at the top of his voice and he was riddled with bullets in his cell.

The mob then dragged his body to an automobile and carried it north of town where it was dumped out on the road.

The lynching was carried out in the still of the night and was being investigated by officers. No arrests had been made at last reports and Franklinton was quiet.

Sheriff J. C. Brock, of Washington parish, reported that the mob was

composed of "some 6 or 7 men" and that the slaying of Wilson was carried out in a "quiet way." He said he had not been able to identify the perpetrators of the slaying.

On a previous occasion Sheriff Brock and his deputies had saved Wilson's life. While his trial was in progress a crowd of men attempted to rush the prisoner in the court room as he was being led from the room.

For a time the officers engaged in a hand-to-hand scuffle with the crowd and finally pushed the aroused men back and hurried the negro into the jail.

The case had gone to the jury and Sheriff Brock then calmed a crowd in front of the jail and persuaded them to let the jury have its chance with the fate of Wilson.

Wood was a widely-known official of his section. On July 22 he went to the Wilson house where Jerome lived with his parents, two brothers, three sisters and an uncle, and attempted to arrest a member of the negro family for refusing to permit a range rider to inspect some livestock at the Wilson barn.

Parish officials reported that some members of the Wilson family attacked the officer and the shooting started. Wood shot two of the negroes, one fatally, before he was brought down by gunfire from the house.

Sheriff Brock and several deputies rushed to the scene and arrested a group of nine persons from the house. Moise Wilson, one of those arrested, died in his cell from wounds inflicted by Wood while the sheriff was exhorting a crowd of angry citizens from committing violence.

The day after the slaying of Wood, the grand jury was called into special session by Judge C. Ellis Ott and Jerome Wilson was the only person indicted.

He was tried and convicted and on Aug. 7 Judge Ott refused him a new trial and sentenced him to hang. The condemned negro's attorney then appealed to the state supreme court which granted him a new trial.

Victim Is Beaten, Shot

Second of Family Is Slain In Cell

By J. Winston Harrington

FRANKLINTON, La., Jan. 18.—It wasn't a lynching. It was just a murder of a man as he lay in jail waiting a second hearing ordered by the Supreme Court of Louisiana. It was just a case of ten or twenty men breaking into the jail, shooting the man thru the bars, beating his brains out with a hammer, dragging him from the jail and dumping his mutilated, lifeless body on the highway several miles from town. But it wasn't a lynching.

At least that's what Sheriff J. L. Brock had to say about the mob murder of Jerome Wilson Friday morning. Wilson had been convicted for slaying Deputy Sheriff Delos C. Woods, who invaded his home last summer. But trial, which required less than 11 days, was such a farce that the Louisiana supreme court reversed the sentence of death, and ordered a new trial for Wilson. This decision was handed down last Monday. Friday morning the mob broke into the jail and murdered Wilson in the manner described above, but, says Sheriff Brock, "he wasn't lynched."

Protects His Home

The trouble for which Wilson was tried, started when Woods went to the farm occupied by Wilson, his mother, father, two brothers, three sisters and an uncle, to arrest the father for refusing to allow a range rider to inspect his cattle. The deputy, who stalked into the place waving his gun and threatening the entire Wilson family, was shot by a stray bullet after the shooting had become general about the farm. Later, the entire family, including the sisters, was herded into the jail, but Jerome Wilson was actually indicted and tried for the murder. His brother, Luther, who is still in the jail, has not yet been tried. Wilson's father, Moise Wilson, who was thrown in the cell last summer, was murdered in his cell by Sheriff Brock, but that, also was "not a lynching."

At the trial, Jerome Wilson was convicted as a mob awited outside the courtroom. The sheriff managed to hold off the mob members by promising to see that "justice" takes its course, meaning that he would guarantee the conviction of the accused man. The day after the white jury returned its verdict, Judge Ott refused the motion of Wilson's lawyer for a new trial, and sentenced the youth to hang. It was the granting of a new trial by the state high court that brought the mob back together and resulted in the lynching (the sheriff said it wasn't a lynching) of Jerome Wilson.

"Persons Unknown"

The coroner's jury, after hearing the "evidence" in the case, handed down its customary verdict that Wilson "came to his death at the hands of persons unknown." This is Sheriff rock's statement:

"There was any lynching. Some men got into the cell somehowe about three or four o'clock in the morning. They shot Jerome Wilson, apparently bacause he kept shouting for help. Then they sawed through the lock of Jerome's cell. Someone beat Jerome over the head with a big hammer and left the hammer in the cell.

"They took his body out and threw it on the road. He was dead apparently before they took him out of the cell. There wasn't any lynching. There wasn't any mob either, or they would have taken Luther out too. There were just about six or eight men who were going about their business."

Sheriff Brock didn't say where he was while this "six or eight men" were going about their business of shooting a man in jail, sawing through the bars, beating him over the head with a hammer and then taking his body out on the road. That must have taken some time and made some noise, but Sheriff Brock was nowhere around to see what was happening, yet he speaks authoritatively about there not being a lynching. There is a rumor hereabouts that the sheriff himself, was one of the "six or eight persons" of whom he speaks.

Mob Lynches Negro Youth In Louisiana

MARINQUIN, La., March 12.—For daring to protect himself against the assault of a white man, Anderson Ward, Negro youth, was hung from an oak tree here and his body riddled with bullets.

Ward and a white man, Dennis Brudroe, had an argument and Brudroe drew his gun in an attempt to shoot Ward. The gun failed to explode. Meanwhile Ward struck out to protect himself, but actually dealt no blow because another Negro youth drew him away.

As soon as news of the affair spread, a lynch-gang of about 25 started a man-hunt for Ward. Although he was lodged in the local jail, no effort was made to protect him and the mob easily broke in and seized him. To prevent his making any outcry, the lynchers gagged him with a bandage.

A swift and efficient whitewash, with the usual verdict of killing "by parties unknown," has been made by the town officials.

Louisiana Mob Runs Amuck:

Authorities Look On As Man Is Lynched

MARINGOUIN, La., March 15.—Because he dared to protect himself from the assault of a white man, Anderson Ward, became the second known victim of lynching this year.

Town officials allowed the body to hang from the bough of an oak tree for several hours before they cut it down, in the hope, no doubt, that the sight would terrorize the Race population of the neighborhood.

Ward and a white man, Dennis Brudroe, had an argument on the afternoon of February 24. Brudroe drew his gun in an attempt to shoot Ward but the gun failed to explode. Meanwhile Ward struck out to protect himself, but actually dealt no blows because another Race youth drew him away.

As soon as news of the affair spread, a lynch-gang of about 2[illegible] started a man-hunt for Ward. Although he was locked in the local jail no real effort was made to protect him and the mob easily broke in and seized him.

When Ward's body was found swinging from a branch it was discovered to be full of gunshot wounds. To prevent his making any cry for help the lynchers had gagged him with a bandage.

A swift and efficient whitewash with the usual verdict of kiling "by partes unknown" has been made by the town officals.

Lynchings-1935
Cases of.

Louisiana

4610

SAVAGELY LYNCHED FOR DEFENDING HIMSELF
Second Lynching In Louisiana In 1935

MARINGOUIN, La. (CNA) - Anderson Ward charged with attacking Dennis Brudroe (white) was seized from his cell by a lynch gang on the night of February 24. He was sadistically tortured, riddled with bullets and hanged from a tree.

The town authorities "investigated" the lynching and declared that Ward was killed by "parties unknown".

Marshall Fails To Protect Ward

Reports state that Brudroe and Ward were engaged in an argument when the former drew a gun to shoot Ward. In self-defence, Ward drew a knife. In the fight that ensued Brudroe was injured. Brudroe would have been seriously injured had not a Negro worker, Alphonse Hughes, intervened and halted the battle.

Ward was arrested and jailed by the town marshal.

The news of the fight spread. A lynch mob of twenty-five persons quickly formed. Armed with shot guns and rifles, the lynchers marched on the jail. Here they met with no resistance from the marshal. Ward was seized and tortured with fiendishness and ferocity comparable to the lynching of Claude Neale in Marianna, Florida.

His body was then riddled with bullets and hanged from a tree. The lynchers permitted Ward's relatives to secure his body only after it had hung in public view for several hours.

Authorities Whitewash Lynching

The local authorities went through the motions of an "investigation". They announced that Ward was killed by "parties unknown". There will be no further investigation.

This is the second lynching that has occurred in Louisiana this year. Early in January, 30-year-old Jerome Wilson, charged with slaying an officer, was murdered in his cell in Shreveport by a lynch gang. Last year four Negroes were murdered in Louisiana.

Louisiana Has a Second Lynching

3-9-35

MARINGUOIN, La. (ANP) — ...after he had whipped a white mar... had drawn a gun on him. An... Ward, well-known and re... spected young man of this town, was seized in jail here last Sunday by a mob of whites, riddled with bullets and hanged to an oak tree where his body dangled for several hours before relatives were allowed to cut it down for burial.

Sunday afternoon Ward and the white man, Dennis Brudroe, engaged in an altercation. The white man drew a pistol and attempted to shoot Ward, but the gun did not explode. Ward thereupon seized a knife and stabbed Brudroe. The lynching marks the second for Louisiana this year, the first occurring January 11 at Franklinton. Jerome Wilson was shot and his body carried three miles out of town, where they dumped it on the ground.

TWO NEGROES SLAIN AT LOUISIANA JAIL

Accused Attackers Killed After Wounding Deputies In Prison Riot

NEW ORLEANS, Nov. 1.—(AP)—Two negroes, both charged with criminally assaulting young white girls, were shot to death in their cell in the Jefferson Parish jail across the Mississippi River from New Orleans today after they had wounded Sheriff Frank Clancy and a deputy in a roaring gun battle.

Using a .38 caliber revolver smuggled to them last night, the negroes, Sheriff Clancy said, opened fire on him when he went to their cell to disarm them after receiving a tip from a third negro prisoner. 11-2-35

A half dozen deputies and jailers rushed to the sheriff's side and mowed the negroes down under a fusillade of bullets.

The younger of the negroes, Henry "Buddy" Freeman, 22, was killed instantly, and his companion, Dave Hart, 24, was mortally wounded a few minutes later after he had attacked Coroner M. N. Odom, who had gone to the cell to examine the bodies.

Coroner Odom said he was called by Sheriff Clancy after the first exchange of shots.

"I rushed to the jail," the coroner said, "and went immediately to the cell on the second floor. There I found both bodies sprawled on the floor apparently dead. Between them lay a .38 caliber revolver. I picked it up and removed five discharged cartridges and one unexploded bullet, placing the empty weapon on a cell bench.

"As I turned around Hart leaped to his feet, grabbed the gun and ran toward me. Jailer Maggiore beat him off with his jail keys and he dashed down the corridor into an open cell, where he was killed."

Deputy Sheriff John Stewart, who rushed to the scene upon hearing the first shots, said he fired five times into the cell where the two negroes were lodged. He was wounded in the right arm by a bullet from the negroes' revolver as it ricocheted off the cell wall.

"When Hart ran down the corridor I followed him and shot my last bullet at him but missed," the deputy said. "I then called to the jailer and he cut the negro down, shooting through the cell door."

The wounds of Sheriff Clancy and Deputy Stewart were superficial and both remained on duty.

A huge crowd gathered about the jail shortly after the shooting, but only newspapermen and parish officials were admitted to the building.

Gretna, scene of one of a series of criminal assaults charged against the negroes, has been boiling with intense feeling against the pair for days. There have been repeated reports of plans to lynch Hart and Freeman, and Sheriff Clancy has maintained a heavy guard about the jail since the negroes were taken there from New Orleans, where they were arrested.

The sheriff said a third negro, lodged in the same cell with Hart and Freeman on a similar charge, tipped a deputy early this morning that a negro woman had slipped them a gun. The shooting occurred after the sheriff had taken the third negro to his office for questioning. He later was removed to the Orleans Parish prison across the river.

4

Lynchings-1935
Cases of.

Mexico.

4614

Lynch Socialist Teacher In Agua Caliente, Mex.

AGUA CALIENTE, Mexico—David Moreno, 19-year old rural teacher, was tortured and lynched here on Sunday by a mob opposed to his teachings of the Socialist education policies of the government.

He was asleep in a country cottage when the mob fired numerous shots through a window. Although wounded Moreno attempted escape, but was captured and beaten with gun butts before being hanged to a tree. The house was burned down by the raiders. Authorities have made two arrests so far.

Mississippi.

Lynchings-1935
Cases of.

4604

Two Reporters Risk Life to Cover Miss. Lynching

MEMPHIS—Risking injury and perhaps death, two young white newspaper men of a local daily, Clark Porteous, reporter, and Mervin Rosenbush, braved the mob's anger and covered the lynching of Ab Young at Slayden, Miss., on March 12.

Notified that there would be a lynching, the two men covered the distance, forty miles, in fifty minutes. When they arrived, the mob members are said to have been arguing among themselves what to do with Young—hang him, burn him, or turn him over to the officers at Holly Springs.

In a story of their experiences, the youths say the mobbers looked suspiciously at them. Noticing about fifty men detach themselves, the young newsmen trailed one of their machines to a secluded section where Young was held prisoner.

They related that they saw a rope placed around Young's neck as he was led beneath a white oak tree. They saw the doomed man placed on the back of a car which was driven from under him.

Obtain Ten Pictures

So intent was the mob on its business that the reporters were able to get ten pictures before they were noticed, it is said. Several of the lynchers gave the newsmen their names and addresses, according to reports, so that they might be sent copies of the pictures.

The temper of the mob is said to have suddenly changed at this point, and its members whipped out revolvers, taking shots at the body swaying grotesquely.

Mississippi Has 4th Lynching of Year

SLAYDEN, Mis.—While singing hymns and saying prayers, Ab Young, youth accused of fatally shooting a white state highway worker, was hanged to an oak tree in a schoolyard three miles east of here, Tuesday afternoon, by a mob of about fifty white hoodlums.

Young's murder marks the fourth lynching of the year.

Members of the mob placed a rope around the youth's neck while he stood in a truck. The vehicle was then driven from under him. Young had been captured by the mob at Rossville, Tenn., a short distance from the state line.

Sheriff's officers at Holly Springs are said to have been notified that the lynching was in the offing. A squad of deputies rushed to the scene, but it is reported that their efforts were unavailing in preventing the crime.

Negro Lynched, Another Whipped In 24 Hours Of Mississippi Mob Rule

WIGGINS, MISS., June 22.—(AP)—One negro was lynched and another was spirited into the woods and whipped during 24 hours of mob rule by citizens which ended today in Wiggins.

R. D. McGee, 25-year-old negro, was lynched and riddled with bullets about 9 a.m., today for an attack yesterday upon the 11-year-old daughter of a white dairy farmer and another unidentified negro was whipped and released by a crowd of white men because of an insult to white woman.

Stone County was in a state of high excitement until the lynch mob of about 300 men dispersed and then Stone County settled down into normalcy and Sheriff J. A. Simpson and the coroner had the body of the negro cut down and started an investigation.

Physicians said the write girl was not criminally attacked, but that she was choked into unconsciousness by the negro as he seized her at a pasture gate near her home and struck her over the head with a shovel handle.

The girl's father said that after his daughter had been knocked unconscious her attacker dragged her into a field and left here there for dead.

When she was found, physicians said, her eyes were bloodshot, small blood vessels were ruptured in her throat and her face was bruised. The child was still confined to bed today under medical treatment.

Immediately after the attack a citizens posse formed and started a search for the negro. Last night about 11 o'clock McGee was taken from his bed by members of the posse and was secreted in the woods away from officers until today when he carried before the girl and identified by his clothing.

The mob then carried the negro across town into a side road leading to the graveyard and there witnesses said he admitted attacking the girl and said that his only reason was "I must have been crazy."

McGee was hung by a rope to tree beside the narrow road and his body was riddled with bullets. Then mob members cut down his body and hung it to another tree beside the main highway where the coroner and peace officers met and held their formal inquest. The verdict was that the negro "came to his death at hands of unknown parties."

No arrests have been announced.

Lynch Case Closed

COLUMBUS, Miss., July 16.—(AP) A coroner's jury today returned a verdict that Bert Moore and Dooley Morton, young Lowndes county farm negroes who were hanged yesterday from the limb of an oak tree by a band of white men, met death "at the hands of parties unknown." The verdict was regarded as closing the case.

ONE NEGRO SLAIN, ANOTHER WHIPPED

R. D. McGee Riddled With Bullets by Mob After Attack on 11-Year-Old Girl

WIGGINS, Miss., June 22 (AP)—One Negro was lynched and another was spirited into the woods and whipped during 24 hours of mob rule by citizens which ended today in Wiggins.

R. D. McGee, 25-year-old Negro, was lynched and riddled with bullets about 9 a.m. today for an attack yesterday upon the 11-year-old daughter of a white dairy farmer and another unidentified Negro was whipped and released by a crowd of white men because of an insult to a white woman.

Physicians said the white girl was not criminally attacked, but that she was choked into unconsciousness by the Negro as he seized her at a pasture gate near her home and struck her on the head with a shovel handle.

The girl's father said that after his daughter had been knocked unconscious her attacker dragged her into a field and left here there for dead.

Immediately after the attack a citizen's posse formed and started a search for the Negro. Last night about 11 o'clock McGee was taken from his bed by members of the posse and was secreted in the woods away from officers until today when he was carried before the girl and identified by his clothing.

The mob then carried the Negro across town into a side road leading to the grave yard and there witnesses said he admitted attacking the girl and said that his only reason was, "I must have been crazy."

No arrests have been announced.

Official Whitewash Given After Mob Lynches Negro

WIGGINS, Miss., June 23.—Using the time-worn excuse of "attack on a white girl" a mob led by local "citizens" kidnaped two Negroes here Friday night, lynching the first, R. D. McGee, and taking the other into the woods nearby where he was whipped for "insulting a white woman."

The body of McGee was riddled full of bullets and left to hang on a tree until 11 a.m. yesterday morning when it was cut down by police who had been conveniently absent during the lynching.

The usual report that the man had been "identified by his clothing" and that he confessed were circulated through the town. A formal inquest was held which whitewashed the whole affair by declaring that McGee "came to his death at the hands of unknown parties."

The fight for the freedom of Angelo Herndon is part of the fight against lynchings such as that of McGee," Anna Damon, national secretary of the International Labor Defense, declared yesterday. "These lynchings are part of the repressions organized by the southern ruling class against Negro and white sharecroppers whenever they attempt to organize."

The International Labor Defense has launched a campaign for the circulation of petitions calling for the release of Herndon and protesting against the repressions against the Negroes throughout the United States. The goal of the campaign is to gather two million names on the petitions which will be presented to Governor Eugene Talmadge of Georgia.

New York World Telegram
Lynching
JUN 22 1935

MISSISSIPPI MOB LYNCHES NEGRO

Body of Victim, Accused of Attacking White Girl, Riddled with Bullets.

By the Associated Press.

WIGGINS, Miss., June 22.—A Negro identified as R. D. McGee, 25, accused of attempting to attack the 11-year-old daughter of a white farmer, was lynched today by a mob of some two hundred white men.

A posse seized the Negro from his bed last night and carried him into the woods, where he was hanged to a tree and his body riddled with bullets.

McGee was hidden away from officers during the night, and it was declared that he was identified by the white girl and by a Negro girl who said she had seen him "hanging around."

One eyewitness quoted the Negro as admitting that he had beaten the white girl and saying, "I must have been crazy."

The girl was attacked yesterday while picking blackberries near her home. She bore bruises on her face and neck.

The scene of the lynching was in a remote rural section of southern Mississippi. No arrests have been made.

New York Herald-Tribune
JUN 23 1935

Negro Lynched As Attacker of Mississippi Girl

Accused of Beating Child, 11, in Blackberry Field, Man Is Hanged and Shot

Another of Race Beaten

Insult to White Woman Reason Given by Mob

By The Associated Press

WIGGINS, Miss., June 22. — One Negro was lynched and another was spirited into woods and whipped in the course of twenty-four hours of mob rule by citizens in Wiggins today.

R. D. McGee, twenty-five-year-old Negro, was hanged to a tree and his body pierced with bullets about 9 a. m., for an attack yesterday on the eleven-year-old daughter of a white dairy farmer. Another unidentified Negro was whipped and released by a crowd of white men because of an insult to a white woman.

Stone County was in a state of excitement until the mob of about 300 dispersed and Sheriff J. A. Simpson and the coroner had the body cut down from the tree beside a narrow road. Later the coroner and peace officers met and held a formal inquest, returning a verdict that the Negro "came to his death at hands of unknown parties."

Physicians said that the girl was not criminally attacked, but that she was choked into unconsciousness by the Negro as he seized her at a pasture gate near her home and struck her on the head with a shovel handle.

The girl's father said that after his daughter had been knocked unconscious her attacker dragged her into a field and left her there for dead. The girl was still confined to bed today under medical treatment.

Citizens formed a posse and last night about 11 o'clock McGee was taken from his bed and secreted in the woods away from officers until today when he was carried before the girl and identified by his clothing.

The mob then carried the Negro across town into a side road leading to the grave yard and there witnesses said he admitted attacking the girl and said that his only reason was "I must have been crazy."

Dadeville, Ala., Record
July 18, 1935

TWO NEGROES LYNCHED NEAR COLUMBUS, MISS.

Two negroes, named Bert Moore, and Dooley Morton, were lynched Monday, eight miles from Columbus, Miss., by a mob of infuriated white citizens.

The victims of the lynching were accused of two attempted attacks on white women in this section during the past two weeks.

They were taken from the sheriff while he was seeking to spirit them away from Columbus to Aberdeen and were hanged to a tree behind a church on a country road.

Two Mississippi Negroes Hanged

COLUMBUS, MISS., July 15—(AP)—Two negro farmers were lynched today by a mob in the Mississippi Delta and another was pursued by a posse of officers and white citizens across the Mississippi River into Arkansas in connection with attacks or attempted attacks on white women.

Bert Moore and Dooley Morton, each about 26 years old, were snatched from Deputy Sheriff Parker Harris by a motorcade mob of about 35 on the main highway, four miles north of Columbus and were whisked to the negro Zion Church, eight miles south of the city, and hanged to a big oak tree.

Another negro, said by Sheriff J. H. Dogan, of Tallahatchie County, to be Rayfield Sutton, 28, charged with attacking a white farm girl Friday night four miles from Charleston, was pursued to the Arkansas State line by more than 100 citizens and officers with bloodhounds but the fugitive crossed the Mississippi River and escaped.

The two lynched negroes were captured by officers Sunday in a remote wooded section South of Columbus and were jailed.

They were accused of forcing themselves into the white woman's home two weeks ago, disrobing and attempting to attack her, but were frightened away by an approaching automobile.

NEGROES LYNCHED IN ATTACK CASE

Another Man Wanted on Assault Charge by Mississippi Officers, Leaves State

COLUMBUS, Miss., July 15 (AP).—Two Negro farmers were lynched today by a mob in the Mississippi delta and another was pursued by a posse of officers and white citizens across the Mississippi river into Arkansas in connection with attacks or attempted attacks on white women.

Bert Moore and Dooley Morton, each about 23 years old, were snatched from Deputy Sheriff Parker Harris by a motorcade mob on the main highway four miles north of Columbus and were whisked to the Negro Zion church eight miles south of the city and hanged to a big oak tree.

Another Negro, said by Sheriff J. H. Dogan of Tallahatchie county to be Rayfield Sutton, 28, charged with attacking a white farm girl Friday night four miles from Charleston, was pursued to the Arkansas state line by more than 100 citizens and officers with bloodhounds, but the fugitive crossed the Mississippi river and escaped.

The motorcade of six automobiles bearing some 35 white citizens blocked the highway north of Columbus and cut off the route of Deputy Harris as he was driving his two prisoners to Aberdeen where they were to be incarcerated on charges of attempting to attack the wife of an Arkansas lumberman who lives about a mile from the Zion church.

Each was made to stand on top of an automobile with his hands tied behind him and a noose fastened around his neck.

The ropes were knotted to the tree limbs and at a given signal the cars were driven out and the bodies swung downward.

TWO NEGROES HANGED BY MISSISSIPPI MOB

Pair Taken From Sheriff Near Columbus

ACCUSED OF ASSAULT

Third Negro, Also Hunted for Attack on Girl, Eludes Posse, Crosses River, and Flees Into Arkansas

By The Associated Press

COLUMBUS, Miss., July 15.—Two negro farmers were lynched today by a mob near here and another was pursued by a posse of officers and citizens across the Mississippi River into Arkansas in connection with attacks or attempted attacks on women.

Bert Moore and Dooley Morton, each about 26 years old, were taken from Deputy Sheriff Parker Harris by a motorcade mob on the main highway four miles north of Columbus and were whisked to the negro Zion Church, eight miles south of the city, and hanged to a big oak tree.

Seek Third Negro

Another negro, said by Sheriff J. H. Dogan of Tallahatchie County to be Rayfield Sutton, 28, charged with attacking a farm girl Friday night four miles from Charleston, was pursued to the Arkansas state line by more than 100 citizens and officers with blood hounds, but the fugitive crossed the Mississippi and escaped. Arkansas officers were asked to search for him.

Columbus and Lowndes County were in a high state of excitement during the double lynching, but after the negroes had been hanged and the mob had dispersed Columbus quieted down and normalcy was restored.

The motorcade of six automobiles bearing some 35 citizens blocked the highway north of Columbus and cut off the route of Deputy Harris as he was driving his two prisoners to Aberdeen, where they were to be incarcerated on charges of attempting to attack the wife of an Arkansas lumberman who lives about a mile from the Zion Church.

The officers reported later that his automobile was surrounded by mob members and he was unable to resist them. They seized the two negroes, but did not molest the officer and he returned empty-handed to Columbus.

After capturing their prey the mob drove the negroes back through Columbus to the church grounds and hanged them.

Each was made to stand on top of an automobile with his hands tied behind him and a noose fastened around his neck.

The ropes were knotted to the tree limbs and at a given signal the cars were driven out and the bodies swung downward.

Birmingham, Ala. News
August 6, 1935

FEW LYNCHING DETAILS

Sheriff Has Little Information On Mob Hanging Negro

PITTSBORO, Miss.— (AP) —Sheriff Jack W. Powell said Tuesday he had but meager information about the lynching Sunday night of Bodie Bates, Negro, who was seized from his cell in the jail here by a mob which overpowered the turnkey. He was hanged from a bridge outside of town.

The identity of the lynchers was not known, he said, and no arrests had been made in the case.

The Negro was charged with an attempted attack on a young white woman. Officers said he attempted to force his way into her house after she had gone to bed.

Lynching-1935
Cases of.

MISSISSIPPI

4605

MISS. LYNCHING CALLED "DEATH BY UNKNOWNS"

Man Identified By Clothing Another Badly Beaten

WIGGINS, Miss.—"Death at the hands of unknown parties" was the verdict returned by the coroner after an inquest into the lynching of R. D. McGee and the severe beating of another man, by a posse, while Stone County was ruled by the frenzied passion of the mob. Nearly 300 citizens took the 25-year-old McGee from his bed, spirited him into the woods and there on the strength of an identification of wearing apparel strung him up in the nearby graveyard and riddled his body with bullets last Saturday, June 22.

McGee was alleged to have attacked an 11-year-old white girl, the daughter of a farmer. According to the report of physicians, the girl was not criminally attacked but was only choked into unconsciousness. She had been struck over the head with a shovel handle. According to the girl's father, her attacker had dragged her into the field nearby and left her to die. Then it is alleged that her attacker went home to his slumber from which he was snatched and lynched.

When carried before the girl he was identified by his clothing and according to the report brought back from the scene of the primeval festivities, by some of the participants, McGee admitted the attack. The mob members also quoted McGee as saying "I must have been crazy." That, they said, was his only reason.

After the mob had broken up, the sheriff and the coroner appeared, had the body cut down from the tree, "formally" made an inquest, announced that the man came to "death at the hands of unknown parties" and closed the case.

CHARLOTTE, N. C.
NEWS

JUN 25 1935

Leisurely Lynching.

Mississippi accounts for the third lynching this year, making two out of three for that sovereign state. Friday night a Negro who had attacked a white girl (but not criminally) was seized by a mob at eleven o'clock, taken before his victim and identified, hidden in the woods from officers until nine o'clock the following morning, when he was returned to town, strung up and bullets fired into his body.

In this space of time and with all these movements, however, not a single member of the mob was identified. A body of white men with a captive Negro went from the black's lodgings to the scene of the crime, thence to the woods and back to town in the morning without ever encountering an officer of the law to whom some of the mobsters might be known. It is remarkable, and the coroner's jury concedes it by determining immediately that the victim came to his death at the hands of parties unknown.

Thus a crime, horrible enough in itself, is avenged by the commission of another crime under the noses of the officers of the law.

TWO MORE FOR MISSISSIPPI

Nashville Globe, Nashville, Tenn. 6-26-35

They say there are two sides to every question, but you only hear one side when you read in your newspaper that one or more Negroes were lynched. You hear a report from alleged officers of the law that the Negroes were guilty of rape or attempted rape. The officers, in the opinion of the representatives of our newspapers and our news-gathering agencies, are the very last word in accuracy and integrity when a reporter is seeking the truth, the whole truth and nothing but the truth with regard to the cause of a lynching. Occasionally some of our great newspapers, impressed by the importance of a crime that has the inter-racial angle, will dispatch one of their headquarters men to the scene of the crime. Oftener than otherwise they find that the newspaper has been imposed upon and caused to give to the world an inaccurate report of the affair.

It would be interesting to see some enterprising newspaper go and get the real facts with regard to the lynching of two Negroes near Columbia, Miss., on Monday afternoon of last week.

The Chicago Tribune of Tuesday of last week tells how the two farmers were lynched and attempts to tell also "why they were lynched. That part of their news story is as follows:

"A mob of about 35 men intercepted Deputy Sheriff Parker Harris and seized his prisoners, Bert Moore and Morton Dooley, both 26 as he was seeking to spirit them away to Aberdeen for safekeeping. They hanged the farmers to an oak tree in the yard of the Zion church about eight miles south of here.

Attacked White Girl

The other colored man was identified as Rayfield Sutton, 28. He was charged with having attacked a white farm girl Friday night four miles from Charleston. He was pursued to the Arkansas state line by more than 100 citizens and officers with bloodhounds

The double hanging was done in a revised western style. The victims were made to stand on top of an automobile with their hands tied behind them, nooses around their necks. The ropes were knotted to the tree limbs and at a given signal the cars were driven from under the tree.

Deputy Harris said he was unable to resist the occupants of a motorcade of six automobiles which swept down on him as he was driving the colored men to the Aberdeen jail. The mob did not molest the officer. The victims were driven back through Columbus to the church grounds.

Threats Made to Women

Officers, said that two colored men appeared at the home of the wife of a lumber man near here and told her they were going to rape her. They were frightened away and a guard was posted at the woman's home.

Last Wednesday, it was said, one of the colored men returned and scuffled with the guard, seizing his gun and firing one ineffectual shot. The intruder fled when the woman threw a lighted kerosene lamp at him and it exploded."

Nashville Globe

Please note that this news story deals with the two men who are alleged to have been guilty of appearing at the home of the wife of a lumber man and "told her they were going to rape her." But they were frightened away and a guard was posted at the woman's home. But even with the guard on duty, and certainly armed to the teeth and instructed to shoot to kill these culprits, "it was said, one of the colored men returned and scuffled with the guard, seizing his gun and firing one ineffectual shot. The intruder fled when the woman threw a lighted kerosene lamp at him and it exploded."

You are called upon to believe these Mississippi farmers after drawing the public's attention to their vile and reckless deed sufficient to make it necessary to place guards at the home, still remained in the vicinity, continued their harming and one of the men dared to go back to the home, disarm the guard and make the second attempt to attack the Mississippi white lady. The tale, even though told to the newspapers by law officers, makes one wonder how it would stand up under a careful examination in a court of law.

It is our opinion that the usual fiction so prevalent in most of the lynchings that occur completely envelops the latest

Elwood Higgenbotham—Hero of Sharecroppers—Victim o

MEMPHIS, TENN.
COMMERCIAL APPEAL

JUL 21 1935

IN MISSISSIPPI

Lynched, near Zion Church eight miles south of Columbus, Bert Moore and Dooley Morton, 23-year-old negroes, by a band of 35 citizens in six automobiles, who took the negroes from a deputy sheriff, charged them with attempting twice to attack a Lowndes County woman. Tying the negroes to the limb of a tree, the mob dispersed quietly; identities not determined by a coroner's jury.

Lynch Mob

On Wednesday, Sept. 18, Ellwood Higgenbotham, a 28-year-old Negro sharecropper, was lynched by a mob at Oxford, Mississippi, while a Circuit Court all-white jury was "deliberating" at his trial for the "murder" of Glen Roberts, a white landlord. Daily Worker

The local press reported that "a restless crowd, estimated to number 100 to 150 men, stormed the jail, dragged the prisoner out of his cell and whisked him out into the country where his screaming pleas for mercy were refused and he was hanged to a tree beside a lonely, wooded road." 9-24-35

Official whitewash of the lynchers followed promptly. Circuit Court Judge McElroy, in whose court the "trial" took place, stated that Sheriff S. T. Lyles had told him that none of the mob was recognized either by the sheriff, his deputies or the jailer from whom they had obtained the keys to the prison "by force." New York

Was Leader of Union

"Sheriff Lyles told me the men were masked and could not be identified, so I don's suppose there is anything that can be done right now," Judge McElroy said. He "indicated" that the matter "might be referred" to the County Grand Jury "when it meets several months hence."

Higgenbotham was one of the leaders of the Share Croppers Union in Oxford and had long been singled out by the landlords. The "excuse" for the mob assault and lynching of this heroic worker goes back to another unsuccessful effort to murder him some months ago.

Higgenbotham had a field cultivated through which landlords tried to cut a short road. Higgenbotham fenced off the field to save it from destruction. This move immediately put him into the class of "uppity niggers," in the language of the arrogant landlord class.

Soon after this short cut was blocked off, Roberts, a white landlord, organized a lynch mob against Higgenbotham. [illegible] white worker, and Communist Party leader in Oxford, wrote at that time of the events of the succeeding two murderous days and nights, and of the final capture and jailing of Higgenbotham. New York

Tells of Lynch Attempt

The letter states: "Tuesday night a mob of at least 25 white farmers armed with pistols went to Higgenbotham's home. Higgenbotham, his wife and three children had gone to bed and were awakened by Tom Likkings demanding of him that he open the door and come out. Now, Glen Roberts with pistol in hand forced his way into the house. Higgenbotham who didn't have time to dress ran and when Roberts started after him Higgenbotham shot him down with a Winchester.

"When the mob of white lynchers on the outside heard the shot, they became so frightened they left the lynch leader to his own fate and sent to town to get the law to come. Now started one of the typical man-hunts with bloodhounds and the mob, armed to the teeth rushing through the woods, hills and swamps. Infuriated over the failure to capture Higgenbotham, Oxford 'finest' with the officers of the law leading them on, started to hunt up his family.

Sister Is Beaten

"A brother-in-law was dragged out of bed and lodged in jail without any charges against him, and released only a week after on bond and told to get out of town at once. Higgenbotham's sister was beaten so mercilessly by the mob while officers looked on until her clothes in tatters was mangled in with her flesh and blood. Daily Worker 9-24-35 The mob also hunted his brothers with the intention of burning them in the father's front yard should they fail to find and lynch Higgenbotham. Wherever kinfolk of Higgenbotham's could be found the armed mob fell over them like maddened hyenas bent on murder. New York N. Y.,

"The boys in the C.C.C. camps nearby were recruited for the murderous man-hunt.

Hunted in Swamp

"The second day after spending most of the day in the swamp in water, sometimes to his very neck, tired and hungry, not having a bite to eat and no clothes, having had to jump out of bed and run for his life, wounded and torn by briars, Higgenbotham was found by officers in an adjoining county unable to get out of the water. The fact that he was caught in another county is the only explanation for Higgenbotham being here yet. He was rushed to Jackson, Miss., for safekeeping. . . ."

This wanton murder of an innocent Negro sharecropper has aroused a tremendous anger among many Southern workers. At the same time the heroic struggle that Higgenbotham put up to save his life stands as another milestone in the blood-covered road to final emancipation. Daily Worker

The Mississippi white worker concludes his letter with the deep pledge of intensified working class loyalty, and of Higgenbotham he writes: 9-24-35

"There runs through the horrible two day man-hunt a thread of glorious and heroic self-defense of one single Negro with no clothes on and nothing to eat for two days and nights defending himself with a rifle against a maddened horde, running into the hundreds of the most lawless characters, armed with the finest high powered rifles to be had. The Negro workers of the South have reason to look with confidence to the coming struggle for power, while the white landlords have just as much reason to think about the same struggle with fear and despair. And we white workers should feel proud of our Negro brothers."

Charlotte, N. C. Observer
September 22, 1935

Lynched During Trial.

AFTER HIS TRIAL in court on a murder charge had gone to the jury and while the jury still was deliberating, Ellwood Higginbotham, negro, was lynched late Tuesday night by a mob estimated by officers at 150 to 200 men, which stormed the jail at Oxford, Miss.

The negro was charged with having slain Glen Roberts, a white planter, in "cold blood," last May.

The mob broke down the jail doors and seized the negro, took him to a lonely side road a few miles from town and almost within sight of the State university, and hanged him.

When Judge Taylor McElroy was officially informed of the lynching, he called the jury into court and dismissed it.

Spartanburg, S. C., Herald
September 19, 1935

Another Lynching

Mississippi records another lynching. This time it followed the disagreement of a jury and the defendant was taken from jail and hanged after the jury was dismissed by the presiding judge.

The state of Mississippi will come in for justifiable criticism for not making an effort to protect this prisoner. No matter how heinous the crime of which he was charged may have been the defendant was in the hands of the authorities and it seems they made no effort to protect him.

The case is more to be criticized because the negro defendant had been tried by a jury of white men and in the face of infuriated public opinion. Failure to reach a verdict under such circumstances would indicate that there was no excuse for a body fo 150 men to raid the jail, and execute the man whom a jury refused to convict. Incidents like this are the cause of agitation for a federal anti-lynching law.

I.L.D. Charges Negro Lynched In Miss. Was Share Cropper Leader

That Ellwood Higginbotham, 28-year old Negro lynched on September 17 at Oxford, Mississippi, was the subject of persecution by the white landlords because of his activities as a member of the Share Croppers Union; that Glen Roberts, the landlord for whose death Higginbotham was on trial at the time of the lynching, was killed by Higginbotham in self defense while Roberts was leading an infuriated lynch-gang against the Negro; and that a previous attempt had been made against Higgonbotham because he refused to allow a field he had cultivated be destroyed by a landlord's road, were the facts brought to light last week after an investigation on the ground by a young white farmer of Oxford, acting for the International Labor Defenes. The I. L. D. knows the investigator and vouches for his accuracy, but withthholds his name for fear he will become the object of reprisals. 10-5-35

The investigator reports that Higginbotham, as one of the leaders of the croppers' union in Mississippi, had long been singled out by the landlords. Further, he had cultivated a field through which landlords tried to cut a short road. Higginbotham fenced off the field to save it from destruction.

Glen Roberts, a white landlord, organized a lynch mob against Higginbotham. A gang of at least 25 white farmers armed with pistols went to the Negro's home. Roberts, pistol in hand, forced his way into the house Higginbotham ran out, and when Roberts started after him Higgonbotham shot him down in self defense.

Higginbotham was captured after a two day man hunt, charged with the murder of Roberts and lynched while the jury was deliberating.

Lynchings—1935
Cases of

Mississippi

4606

SENTINEL
Summit, Miss.
JUN 11 1935

LYNCHING IN MISSISSIPPI

Last week Northern newspapers rolled another juicy morsel from page to page: In Wiggins a mob had taken a negro to the woods, strung him to a tree and filled him with buckshot, bringing the year's total of lynchings to five, one less than at this time last year.

It evidently gives Northerners great pleasure to comment on the lynchings in our State. Nevertheless, statistics on the case prove nothing. The fact that we have one less to our credit than we had at this time last year, proves nothing except that we had one less offender. No sane citizen upholds the mob law. We fight conscientiously to preserve law and order and in most cases wnere lynchings occur, it is the result of a lack of confidence in the keepers of the law.

In other, and rarer, cases it is the result of a crime so brutal, so vicious, that even sane citizens feel an urge to take part in what they deem a lesson to other offenders. We take no pride in either case. The day is surely coming when we will demand so much of the keepers of the law that they will see that justice is done and mob violence will become less and less frequent.

Dogan of Tallahatchie County to be Rayfield Sutton, twenty-eight, charged with attacking a white farm girl Friday night four miles from Charleston, was pursued to the Arkansas State line by more than 100 citizens and officers with bloodhounds. He escaped.

Lynchers Block Sheriff

Columbus and Lowndes County were in a high state of excitement during the double lynching, but after the Negroes had been hanged and the mob had dispersed Columbus quieted down.

The motorcade of six automobiles bearing thirty-five white citizens blocked the highway north of Columbus and cut off the route of Deputy Harris as he was driving his two prisoners to the Aberdeen jail on charges of attempting to attack the wife of an Arkansas lumberman.

The officer reported later he was unable to resist the mob. He was not molested.

The mob drove the Negroes back through Columbus to the church grounds and hanged them. Each was made to stand on top of an automobile with his hands tied behind him and a noose fastened around his neck.

The ropes were knotted to the tree limbs, and at a given signal the cars were driven out and the bodies swung downward.

Negro Saved From Ohio Mob

CINCINNATI, July 15 (UP).—Two police squads saved Harry Logan, thirty-four, Negro, from a mob today after he purportedly attempted to criminally attack Esther Minton, seventeen-year-old white girl.

Logan allegedly seized the girl and dragged her to a parking lot.

NEW YORK DAILY NEWS

Sunday morning after two alleged attempts to attack a white woman, the wife of an Arkansas lumber man, who resided about a mile from Zion Church, the site of the double lynching.

The mob, reported to have numbered about 35 men, traveling in six automobiles, seized the victims about four mile north of Columbus as Deputy Harris was seeking to spirit them away to Aberdeen for safekeeping.

Cincinnati, O., July 15 (U.P.).—Two police squads saved Harry Logan, 34, colored, from a mob, today, after he reputedly attempted to criminally attack Esther Minton, 17-year-old white girl.

Bronx, N.Y. Home News
JUL 16 1935

Two Men Lynched in South

A mob of white men, numbering fewer than 50, lynched two colored men who purportedly confessed two attempts to attack a white farm woman near Columbus, Miss., yesterday. The colored men, Bert Moore, 23, and Dooley Morton, 17, were taken from three deputies as they were being hurried to Aberdeen, Miss., for safekeeping. The mob, in seven or eight automobiles, quietly took the colored men back through Columbus toward Alabama before carrying them out a side road a short distance to hang them from a tree. Morton confessed, officers said, to breaking into the woman's home with intentions of attacking her. He was quoted as saying he and Moore some time ago tried to break into the same residence but were frightened away.

New York Herald-Tribune
JUL 16 1935

Two Negroes Hanged by Mob In Mississippi

3d Suspect in Attacks on White Women Escapes by Crossing State Line

Churchyard Death Scene

Victims Are Taken From Officer, Die on Same Tree

By The Associated Press

COLUMBUS, Miss., July 15.—Two Negro farmers were lynched today by a mob in the Mississippi Delta, and another was pursued by a posse across the Mississippi River into Arkansas, in connection with attacks or attempted attacks on white women.

Bert Moore and Morton Dooley, each about twenty-six years old, were snatched from Deputy Sheriff Parker Harris on the main highway four miles north of Columbus and were taken to the Negro Zion Church, eight miles south of the city, and hanged to a tree.

Another Negro, said by Sheriff J. H.

MOB LYNCHES COLORED PAIR IN MISSISSIPPI

Columbus, Miss., July 15 (AP).—Two young colored farmers, Bert Moore and Dooley Morton, each about 26, were lynched today eight miles south of Columbus. A mob of white citizens wrested the prisoners from Deputy Sheriff Parker Harris of Lowndes County and hanged them to an oak tree.

The colored men were arrested

NEGRO IS SLAIN IN ATTACK CASE

Mississippi Mob Takes Bodie Bates From Calhoun Jail, Hangs Him Near River

8-6-35

PITTSBORO, Miss., Aug. 5 (AP)—Suspected of attempting to attack a white girl, a young Negro known as Bodie Bates was snatched by a mob from the Calhoun county jail during the night and early today his body was found swinging from a rope under a Yalbobusha river bridge.

Twelve hours after the body was cut down, officers said they had no information regarding the identity of the lynchers. The assault on the jail was not revealed until after the dead Negro was found.

Sheriff Jack W. Powell said he had been informed the mob overpowered the officer on duty at the jail and seized his keys.

Sheriff Powell said no arrests had been made and stated he had only meager information regarding the affair.

The alleged attack for which Bates was arrested was assertedly directed at a 22-year-old waitress of a Pittsboro cafe.

Sheriff Powell said the girl told him that a Negro appeared at a bedroom window of her home Saturday night shortly after she had retired. She said he demanded that he be admitted and that her screams, which were answered by neighbors, caused the Negro to flee.

Officers and citizens quickly formed a posse and trailed the Negro with bloodhounds. The search led to Bates' arrest near the home of another Negro who told officers that Bates had been at his home shortly after the alleged attempted attack.

The Negro was placed in the county jail and, according to Sheriff Powell, admitted he had visited the young woman's home.

Commercial Dispatch
COLUMBUS, MISS.

JUL 16 1935

LYNCH EPISODE IS CLOSED HERE

Negroes Met Death at "Hands of Unknown Parties" Is The Verdict

The lynching early yesterday of two Lowndes County negro farmers, Bert Moore and Dooley Morton, apparently was a closed incident today.

The verdict of the inquest was that the pair met death at the "hands of unknown parties."

The bodies were cut down at 5:30 o'clock yesterday afternoon, after hanging to the limb of a tree near Zion negro church, eight miles south of Columbus, for more than 12 hours.

Near the scene of the hanging the bodies were buried in coffins furnished by the county. The lynching and burial took place about a half mile from the home of the white woman whom the negroes were charged with having attempted criminal assault.

Hundreds visited the spot of the execution yesterday up to the time the negroes were cut down.

Commercial Dispatch
COLUMBUS, MISS.

JUL 15 1935

TWO NEGROES PAY FOR ACT ON TREE LIMB

Lynching Marks Attempted Assault on White Lady

Two negro farmers, Bert Moore and Dooley Morton, about 23 years of age, were reported lynched last night eight miles south of Columbus by a band of citizens who earlier had wrested the prisoners from Deputy Sheriff Parker Harris.

The bodies were found this morning suspended from the limb of oak tree near the Zion negro church about 8 miles from Columbus just off the Pickensville Road.

The negroes were arrested Sunday morning after two alleged attempted attacks upon a white woman, who resides about a mile from the site of the double lynching.

The band of men, reported to have numbered about 35, traveled in six automobiles. Those in the party seized the two victims from the officer four miles north of Columbus as they were being taken to Aberdeen for safe keeping.

The negroes were driven back through Columbus to the church where they were hung. Their bodies were left hanging to the tree and the band quickly dispersed.

The hands of the victims were tied behind their backs, ropes placed around their necks and then they were dropped from an automobile to their doom.

No shots were fired and the bodies of the victims bore no marks. When found they were completely attired although one of them wore no shoes.

Beneath the swinging bodies were heavy marks of automobile tires which indicated how the hanging was carried out.

A spirited search had been under way since the alleged attempted attacks. Officers reported that two weeks ago two negroes appeared at the home of the white woman and told her they were going to attack her, but that they were frightened away by the arrival of an automobile.

Thereafter a guard was posted at the woman's home to protect her and last Wednesday one of the negroes returned and scuffled with the guard, seizing his gun and firing one ineffectual shot.

The woman entered the battle and threw a lighted kerosene lamp at the negro and the fight ended and the negro fled after the explosion of the lamp which threw the scene into darkness.

Brooklyn, N. Y. Eagle

AUG 5 1935

NEGRO LYNCHED BY MOB

Pittsboro, Miss., Aug. 5 (AP)—Bodie Bates, a Negro accused of attempting to attack a 22-year-old white woman of Pittsboro Saturday night, was lynched by a mob which stormed the Calhoun County jail last night, it was reported here today.

MOB LYNCHES MAN ACCUSED BY WAITRESS

Raid Not Revealed Until Body Is Found Hanging From Nearby Bridge

MISS. TOTAL NOW 7

22 Year Old White Girl Says Negro Attempted To Enter Her Room

PITTSBORO, Miss.—Seized by a mob which stormed the Calhoun County jail here, Bodie Bates was brutally lynched Monday night. The body was found swinging from a rope under a Yalobusha River bridge later. Bates had been placed under arrest in the county jail for an alleged assault on a 22 year-old white woman here Saturday night.

Twelve hours after the body had been cut down, officers declared that they had no information regarding the identity of members of the mob. The assault on the jail itself, it was disclosed, was not revealed until after the body had been discovered, when Sheriff Jack W. Powell asserted that he had been informed that the mob had overpowered the officer on duty, seized his keys and removed Bates to a secluded section of the county where he was lynched in the usual manner.

Bates was taken into custody by a posse of officers and citizens who trailed him with bloodhounds after a white waitress in a cafe here reported to Sheriff Powell that Bates had made improper advances to her.

According to her story, Bates had appeared at her window Saturday night shortly after she had retired and demanded that she let him in. Her screams, she said, which were answered by the neighbors, caused the man to flee.

Sheriff Powell alleged that Bates admitted visiting the woman's home, when he was arrested near the home of another Negro.

The lynching of Bates is the seventh "field day" for Mississippians since the beginnig of the year.

MOB LYNCHES NEGRO TOILER IN PITTSBORO

Daily Worker

Body Found Hanging from Bridge—Dual Lynching Is Feared

PITTSBORO, Miss., Aug. 5. — A lynch mob whose leaders had keys to the County jail took two Negro workers from the jail in two separate trips last night and early today lynched one of them, and possibly the other, it was learned today.

Bodie Bates, whose body was found hanging from a bridge a mile south of Calhoun City, was taken out by the lynchers, said to number less than fifty, about 11 o'clock last night. The lynch gang later returned to the jail about 2 a. m. today and leisurely took out another Negro, whose identity has not been learned. He is believed to have been lynched, too, but his body has not been found.

The lynch gang had keys not only to the door of the jail, but to the cells of the two men. In both cases, they met with not the slightest opposition on the part of the warden or the law officers of the county. Marshall J. L. Lee, whose forces offered no resistance and have made no attempt to run down the lynchers, today came forward with the usual "rape" story by which the white ruling class attempts to justify its crimes against the Negro people. The two Negroes, he told press representatives, had been accused of attempting to assault a white woman here last Saturday.

The fact that the mob had keys to the jail and the cells of its victims has given rise to the belief here that the double lynching is another outrage in which officers of the law participated.

Marshall Lee gave out the following peculiar story of the alleged "attempted attack." The Negroes had appeared at the window of the woman's home while she was alone, he said. They allegedly asked her whether she wanted them to come in the window or go to the door. The woman, Marshall Lee said, told them to go to the back door, and when they did, she ran out the front door and called neighbors.

Marshall Lee added that he "understood" that the Negroes had "confessed." Though to what, he did not say.

PITTSBORO, Miss., Aug. 5 (UP).—Sheriff Z. W. Powell, of Calhoun County, said this afternoon he believed a mob lynched only one of two Negroes taken from the County Jail late last night after being accused of attempted assault upon a young white woman.

NEGRO LYNCHED BY MISSISSIPPI MOB

Charged With Attempted Assault, He Admitted Having Been At Woman's Home

PITTSBORO, MISS., Aug. 5.—(AP)—Twelve hours after they had cut down the body of Bodie Bates, negro charged with an attempted attack on a young white woman, from the end of a rope below the Yalobusha River bridge, peace officers were without information regarding the identity of his lynchers.

The negro was snatched from the Calhoun County jail here last night by a mob. News of the lynching did not spread until today, when the officers found the body swinging from the bridge.

The mob men, according to Sheriff Jack W. Powell, ascended on the jail late last night and overpowered the turnkey. Quietly but speedily, they removed the negro from his cell and rushed him to a secluded section of the county where the hanging was executed.

Sheriff Powell said no arrests had been made, and stated he had only meager information regarding the affair.

The alleged attack for which Bates was arrested was assertedly directed at a 22-year-old waitress of a Pittsboro cafe.

Sheriff Powell said the girl told him that a negro appeared at a bedroom window of her home Saturday night shortly after she had retired. She said he demanded that he be admitted, and that her screams, which were answered by neighbors, caused the negro to flee.

Officers and citizens quickly formed a posse and trailed the negro with bloodhounds. The search led to Bates's arrest near the home of another negro, who told officers that Bates had been at his home shortly after the alleged attempted attack.

The negro was placed in the county jail and, according to Sheriff Powell, admitted he had visited the young woman's home.

Lynchings—1935
Cases of.

Mississippi.

4607

NEGRO IS HANGED BY LYNCHING MOB

Telegraph

Man Charged With Slaying of Highway Worker Is Executed in Schoolyard

3-13-35

SLAYDEN, Miss., March 12 (AP)—Alternately singing and praying even as the rope was tightened about his throat, Ab Young, Negro tenant farmer suspected of slaying a highway employe, was lynched today in a school yard three miles east of here.

A mob of approximately 50 men hanged the Negro from a tall oak tree a couple of hours after he was seized at Rossville, Tenn., just across the Mississippi line. Young was wanted in the killing of Hardy Mackie, 45-year-old highway worker.

"You'd better sing a hymn," one of the group told the Negro as a rope was placed about his neck. The Negro endeavored to sing.

"You'd better pray, Negro," he was told. The Negro prayed.

The rope was fastened about his neck. The other end tied to the tree. The Negro was pushed atop a small coach automobile. One of his captors drove off in the car, leaving the Negro's body dangling in the air.

Hardie Killed Saturday

The hanging occurred about 4:10 p. m. as the members of the mob passed through Mount Pleasant with their captive an hour or so before they told people sitting around a garage that the Negro would be "lynched at sundown." The mob was traveling in about five automobiles at the time.

Mackie, a native of Marshall county, had returned from Holly Springs, Miss., Saturday night when he stopped his automobile in front of a store at Slayden.

The officers said Young had been drinking and was shooting across the road.

"Stop that shooting, or you will kill somebody," they said Mackie warned the Negro. The officers reported the Negro turned and fired in the direction of the highway employe, and Mackie fell, mortally wounded. The Negro fled under the fire of a group of men, escaping.

Investigation Promised

He had not been apprehended by officers when located at Rossville today.

Prosecuting Attorney E. C. Wright of Marshall county, said that he and Deputy Sheriff M. J. Coffey went to Slayden and pleaded with the mob to let "justice take its course." He said the Negro was "hidden away" at the time and that they did not see him.

Wright said he would launch a vigorous investigation into the lynching, but that he was not in possession of information as to the identities of those participating.

'SUICIDE' HINTED IN NEGRO'S LYNCHING

Post 3-14-35

No Action Is Taken After Slayer Is Hanged

Birmingham Ala.

By United Press.

HOLLY SPRINGS, Miss., March 13.—Declaring authorities were not sure whether Ab Young, Negro, was hanged or committed suicide, Pros. Atty. E. C. Wright, of Marshall County, announced today the Grand Jury would not be called into special session to investigate the Negro's lynch death near Slayden late yesterday.

Wright said, as an inquest was held over the Negro's body, that the next regular session of the Grand Jury would be in August.

"So far as the proof is concerned, we don't know whether it was suicide or a hanging," he commented.

Open Verdict Reached In Lynching of Negro

Constitution

3-13-35

SLAYDEN, Miss., March 13.—(AP) Ab Young, 29-year-old negro, lynched late yesterday near here, came to his death "by hanging, at the hands of parties unknown," a coroner's jury decided today.

Plans were made to continue the investigation to learn the identity of those responsible.

In New York the National Association for the Advancement of Colored People wired President Roosevelt and Attorney-General Cummings a demand for federal action in the lynching.

The association said the lynching should be investigated under the federal "Lindbergh kidnaping law," because the negro was taken across the state line from Tennessee.

Open Verdict Reached In Lynching of Negro

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NEW YORK TIMES

MAR 13 1935

NEGRO IS LYNCHED BY MISSISSIPPI MOB

Accused of Murder, He Sings Hymn as Rope Is Placed Around His Neck

SLAYDEN, Miss., March 12 (AP).—Ab Young, a Negro, was hanged to an oak tree in a school yard three miles east of here this afternoon by a mob of about fifty white men.

The Negro, who had been sought in connection with the shooting to death Saturday night of Hardy Mackie, 45 years old, a State highway worker, went to his death with a hymn on his lips.

He was placed on a small automobile with a rope around his neck. The other end of the rope was suspended to a tree. One of his captors drove off in the car, throwing him from the top.

Mackie, a native of Marshall County, had returned from Holly Springs, Miss., Saturday night when he stopped his automobile in front of a store at Slayden. The officers said Young had been drinking and was shooting across the road.

"Stop that shooting or you will kill somebody," they said Mackie warned the Negro.

The officers reported that the Negro turned and shot in the direction of the highway employe. Mackie fell, mortally wounded. The Negro escaped under the fire of a group of men.

He had not been apprehended by officers when found by the mob at Rossville today.

Young, known throughout this district as a man who worked his farm, attended his business, but who was not afraid of white hoodlums, had been the envy of his white neighbors for some time, and it was known that plans had been laid to "get" him. He went to his death with a song on his lips and a defiant shout to the mob that "a man can die but once."

NEW YORK JOURNAL

MAR 13 1935

NEGRO HANGED BY MOB

HOLLY SPRINGS, Miss., March 13.—The body of a Negro was found hanging to a tree in the woods near here today by a sheriff's posse which had sought him in connection with the slaying of Hardy Mackie.

Authorities believed a mob from Mississippi and Tennessee located the Negro and, not waiting for legal procedure, immediately lynched him.

The Negro's name was Alfred Young. E. C. Wright, County Prosecuting Attorney, said his office would attempt to get the names of the leaders of the mob if possible.

Negro Suspect Hanged By Mississippi Mob

Constitution

3-13-35

SLAYDEN, Miss., March 12.—(AP) Ab Young, a negro, was hanged to an oak tree in a schoolyard three miles east of here this afternoon by a mob of white men.

The negro, who had been sought in connection with the shooting to death Saturday night of Hardy Mackie, 45, a state highway worker, went to his death with a hymn on his lips.

He was placed atop a small coach automobile, with a rope around his neck. The other end of the rope was suspended to a tree, one of his captors drove off in the car, throwing him from the top, and leaving his body dangling at the end of the rope.

Mississippi Mob Lynches Negro

Advertiser

3-13-35

Noose Silences Hymn On Lips Of Slayer, Caught Across Tennessee Line

Montgomery Ala.

SLAYDEN, MISS., March 12.—(AP)—The tightening of a lynch rope about his throat stilled the hymns and prayers of Ab Young, negro tenant farmer and slaying suspect, this afternoon as he was hanged from a tall oak tree in a school yard three miles east of here.

A mob of about 50 men participated in the lynching a couple of hours after the negro was seized at Rossville, Tenn., just across the Mississippi line.

"You'd better sing a hymn," one of the group told the negro as a rope was placed about his neck. The negro endeavored to sing.

"You'd better pray, negro," he was told. He prayed.

The rope was fastened about his neck. The other end tied to the tree. The negro was pushed atop a small automobile. One of his captors drove off in the car, leaving the negro's body dangling in the air.

The negro had been sought in connection with the fatal shooting Saturday night of Hardy Mackie, 45, State highway worker.

Mackie, a native of Marshall County, had returned from Holly Springs, Miss., Saturday night when he stopped his automobile in front of a store at Slayden.

The officers said Young had been drinking and was shooting across the road.

"Stop that shooting, or you will kill somebody," they said Mackie warned the negro. The officers reported the negro turned and fired in the direction of the highway employe, and Mackie fell, mortally wounded. The negro fled under the fire of a group of men, escaping.

He had not been apprehended by officers when located at Rossville today.

Jury Finds Negro Died By Hanging

Advertiser

3-14-35

SLAYDEN, MISS., March 13.—(AP)—A preliminary inquiry into the lynching of Ab Young, 29-year-old negro tenant farmer and slaying suspect, resulted in a coroner's inquest verdict today that he came to his death yesterday "by hanging, at the hands of parties unknown."

The inquest, held at Holly Springs, was presided over by Justice of the Peace W. C. Earney as coroner. Four witnesses were heard. An officer testified to finding the negro's body swinging from a tall oak tree two miles east of here. Other witnesses identified the negro and testified he was the man who shot to death Hardy Mackie, 45-year-old State highway employe last Saturday.

County Prosecuting Atty. E. C. Wright said he would pursue his investigation in an effort to determine those responsible for the lynching, but he added he was [illegible] since those responsible [illegible] "naturally [illegible] and the [illegible] "However," he said [illegible] good officers working on the case and we will present the entire matter to the Grand Jury in August."

The negro, sought since Saturday night's shooting, was seized at Rossville, Tenn., yesterday and taken to a schoolyard two miles east of Slayden, where he died at the end of a lynch rope.

"A Man Can Die But Once!" Shouts Dixie Lynch Victim

Farmer Dies Defying Mississippi Mob

SLAYDEN, Miss., March 15.—As southern members of Congress continue to obstruct the passage of the Costigan-Wagner anti-lynch bill by declaring that there is no need for one, the good white folks of Mississippi continue to pile up its impressive lynch league score.

The latest lynch victim was Ab Young, tenant farmer, who was captured by a mob Tuesday across the state line in Tennessee and brought here for the murder. Young was accused of having slain Hardy Mackie, a relief worker who invaded his home Saturday night. Although there were no witnesses to the killing of Mackie, Young was charged with the crime, and a man hunt ensued that resulted in the capture of the farmer Tuesday.

The mob, composed of more than 100 white men, women and children, dragged Young to a schoolyard three miles east of this town and hanged him to a tree where all the little children might see just how a first class lynching is staged.

Hardy Mackie, 45, State Highway worker, of Holly Springs, Miss., was shot to death Saturday night. Officers had been seeking a young Negro in connection with the case.

The Press Scimitar quoted people "around Mount Pleasant, Miss.," as saying the Negro would be "lynched at sundown" at Slayden, Miss.

Officers from the sheriff's office at Holly Springs were reported en route to the scene.

when Mackie, returning from Holly Springs, reproached him.

'Stop that shooting across the street or you'll kill someone," the highway worker was quoted as saying. The negro, witnesses said, then turned the gun on Mackie and shot him through the heart.

AFTER MISSISSIPPI'S BARBARISM The body of Abe Young as it dangled from a tree at Slayden. A mob of fifty whites murdered the youth. They placed a rope around his neck while he was in a truck and drove the vehicle from under him. This is the second lynching to take place in Mississippi this year.



NEW YORK AMERICAN

MAR 13 1935

LYNCHING

Negro Hanged in Mississippi School Yard

50 IN MOB

SLADE, Miss., March 12 (AP).—Ab Young, a Negro, was hanged to an oak tree in a schoolyard three miles east of here this afternoon by a mob of about 50 white men.

MEMPHIS, Tenn., March 12 (AP).—A Negro sought in connection with a slaying was reported seized by citizens this afternoon at Rossville, Tenn., and rushed to Slayden, Miss., near the scene of the slaying.

MOB LYNCHES NEGRO FOR FATAL SHOOTING

Killed Mississippi Highway Worker While Drunk

SLAYDEN, Miss., March 12.—(UP)—A mob of about 50 men lo today lynched a negro, Ab Youn near here for the fatal shooting o Hardy Mackie, 45, state highway worker, here last Saturday night.

The negro, singing religious song and praying, went to his death when members of the mob placed a rope around his neck in a truck tied the rope to the limb of an oak tree in a schoolyard, and drove the truck out from under him at 4:10 p.m.

The country school was three miles east of Slayden and near the Tennessee line.

Young had been captured by the mob at Rossville, Tenn., a short distance fro mthe Mississippi line, earlier in the afternoon.

Sheriff's offices at Holly Springs were notified that a lynching was in the offing and a squad of deputies started searching for the mob, but the negro was already dead when they reached the scene and the mob had dispersed.

Witnesses said the negro was drunk and shooting his pistol promiscuously across the street here

Dadeville, Ala., Record
March 14, 1935

NEGRO WHO SHOT WHITE MAN IS LYNCHED IN MISS

A mob of about fifty white men went over into Tennessee from Slayden, Miss., Tuesday afternoon and brought Ab Young back and hung him to a tree in the school yard of Slayden.

The negro was averred to have shot a white highway employe who had asked the negro to stop shooting across the public road or he would kill somebody. The negro is said to have turned the gun in the direction of Mackie, the white man, and fired. Mackie fell dead.

The negro is said to have been drinking.

Negro Farm Leader Killed

SLADEN, Miss., March 24. — Charges of intentional distortion and conscious suppression of facts, in the lynching of Abraham Young, Negro share cropper, here last week, were leveled at the Associated Press by indignant share croppers.

The Associated Press carried stories to the effect that Young was murdered by a lynch gang after he had shot Hardy Mackie, white, in the heat of an argument.

Eyewitnesses to the shooting declare that, contrary to the Associated Press reports, it was Mackie who first whipped out a pistol to kill Young. In self-defense, Young drew his gun and shot Mackie.

Share croppers declare that Young was lynched by the landowners after Mackie, a hireling of the landowners, had failed in his attempt to kill him.

Young was hated and feared by the landowners because he organized share croppers into a union to fight against their brutal exploitation. When the landowners, with the aid of the government, grabbed the cash compensations for the cotton crops and number of hogs that the share croppers were forced to curtail, Young helped organize a mass campaign of protest. The landowners then decided to get rid of Young.

Lynchings-1935
Cases of

Mississippi

4608

4608

Leavenworth, Kans
TIMES
JUL 15 1935

MOB LYNCHES TWO NEGROES.

Columbus, Miss., July 15—(AP)—Two negroes, identified as Bert Moore and Dooley Morton, were lynched today eight miles from Columbus by a mob of infuriated white citizens.

The negroes were accused of two attempted attacks on white women in this section during the past two weeks.

NEGRO LYNCHED

Telegraph

Mob Takes Accused Man While Jury Is Deliberating

9-19-35

OXFORD, Miss., Sept. 18 (AP)—Ellwood Higginbotham, Negro defendant in a murder trial here, was taken from the Lafayette county jail last night by a mob and lynched.

Higginbotham was seized and hanged while the jury was deliberating his case. He was on trial for the slaying of Lyn Roberts, a white man last May.

Lynching of Negro Protested in Wire By Defense Group

Daily Worker

An indignant protest on the lynching in Oxford, Miss., Tuesday night of Ellwood Higginbotham, Negro tenant farmer, was wired to Governor Mike S. Corner of Mississippi by the National Committee for the Defense of Political Prisoners yesterday. 9-20-35

Higginbotham was taken from the Lafayette County jail, Oxford, Miss., and hanged while an all-white jury was "deliberating" his case. He was on trial for the slaying of Glen Roberts, white plantation owner, last May.

New York

Sheriff S. T. Lyles and three deputies on guard at the jail offered no resistance to the lynch gang, which is said to have numbered about 50 men. The deputies revealed the lynching Wednesday morning. Their story is that the lynch mob "broke" into the jail and "overpowered" them. As usual, their memories suffered a sudden impairment. They could not identify any of the mob members, although none of them wore masks.

Higginbotham was taken three miles from the city and hanged.

NEGRO IN MISSISSIPPI IS LYNCHED BY MOB

Commercial Appeal

OXFORD, Miss., Sept 18.—(AP)—While a jury weighed evidance in his trial on a charge of killing a white farmer, Ellwood Higginbotham, 28-year-old negro, was lynched near here last night. 9-18-35

The screaming, terrified negro accused of shooting Glen Roberts, Lafayette county planter, was seized in the county jail by a mob of between 100 and 150 persons and hanged to a tree two and a half miles from town.

The jury, which had been deliberating a verdict since late yesterday, was dismissed by Presiding Judge Taylor McElroy. It was not learned how it stood when dismissed.

Belief was expressed that failure of the jury to return a quick verdict prompted the lynching.

NEGRO HANGED BY MOB AS JURY DELIBERATES

Commercial Appeal

Frenzied Crowd Drags Man on Trial from Oxford Jail

9-19-35

DEPUTIES OVERPOWERED

Witness Tells Court of Slaying of Farmer and Citizens Take Law Into Own Hands—Near University

Memphis

By The Associated Press

OXFORD, Miss., Sept. 18.—While a Lafayette County jury was deliberating his fate last night, Ellwood Higginbotham, 28, a negro alleged slayer of a white man, was taken from his county jail cell and lynched.

Today Judge Taylor McElroy, presiding over the negro's trial, called the jury into the court room and dismissed the panel.

The lynching was blamed by Sheriff S. T. Lyles, of Lafayette County, on a mob of between 100 and 150 citizens who stormed the jail and overpowered the jailer and his deputies but none of the members of the mob had been identified today.

Farmer Murdered

Higginbotham was on trial for the murder of Glen D. Roberts, a prominent Oxford farmer, who, witnesses at the trial yesterday said, was shot down in cold blood when Roberts went to the negro's home to "talk with him."

The slaying occurred last May 21 and Higginbotham fled from the scene. He was trailed by a posse of officers and citizens with blood hounds for more than 24 hours. Volleys of shots were fired on him every time he was sighted until the officers finally overtook him submerged in a ditch of water six miles from Pontotoc and captured him uninjured.

The mob spirit reared its head then and the sheriff and his deputies quickly spirited Higginbotham away to the strong Hinds County jail at Jackson and kept him there until yesterday when he was returned here to stand trial.

At the time of the arrest of Higginbotham, Sheriff D. B. Anderson, of Pontotoc County, and ex-Sheriff Roberts, a brother of the slain man, told the Tupelo News that Higginbotham had admitted killing the Oxford farmer.

Furious Attack

Last night's lunching was carried out with a furious attack. Leaders of the mob invaded the jail, seized the keys from the jailer's office and started breaking down doors after the jailer had refused to identify the key to Higginbotham's cell.

Finally the right key was found and the prisoner was seized by members of the mob and he scream for mercy.

The negro was dragged from the jail, placed in an automobile and whisked outside of the town limits where he was hanged to a big tree in the woods, about two miles from Oxford.

Sheriff Lyles and his deputies went to the scene after the lynching, took down the body and turned it over to an undertaking establishment for burial.

The mob gathered and seized the negro within sight of the state university.

Mississippi Mob Lynches Negro

Advertiser

Jury Deliberating Fate Of Farmer's Alleged Slayer Dismissed After Hanging

9-19-35

Montgomery, Ala.

OXFORD, MISS., Sept. 18.—(AP)—The nob and lynch law today abruptly ended the murder trial of Ellwood Higginbotham, 28-year-old Lafayette County negro, and the Circuit Court jury deliberating his fate was dismissed before arriving at a verdict.

Higginbotham was placed on trial yesterday on a murder charge in connection with the slaying of Glen D. Roberts, a well known Oxford farmer last May.

Witnesses testified at the trial that the white man was "shot down in cold blood" when he went to Higginbotham's door to "have a talk" with him and that the negro fled into Pontotoc County after the slaying.

The case was rested with the jury last night about 6 o'clock. After its members had deliberated for several hours without returning a verdict, a restless crowd of white citizens, estimated by Sheriff S. T. Lyles, of Lafayette County, to number from 100 to 150 men, stormed the jail, dragged the prisoner out of his cell and whisked him out into the country where his screaming pleas for mercy were refused and he was hanged by the neck to a tree beside a lonely, wooded road.

The sheriff and three deputies went to the section, about two miles from Oxford, took the body down and turned it over to an undertaker for burial. Judge Taylor McElroy, presiding over the trial, then called in the jury and dismissed them.

The mob attack on Higginbotham was the second demonstration against the prisoner since his arrest on May 23 in Pontotoc County by a firing posse of officers and citizens with the use of bloodhounds.

After a cross county chase in which a number of shots were fired at him without effect, Higginbotham was taken from a ditch where he had submerged his body under water in an effort to escape the posse.

After his arrest at Pontotoc a mob formed with violent intent but officers outwitted the mob and carried Higginbotham to Jackson where he remained in safety until he was returned here yesterday for trial.

Last night the mob overpowered the jailer and his assistants, seized the keys, smashed jail doors and finally opened the cell with a key and seized their quarry, thereby adding another lynching to the name of Mississippi.

Today's lynching was the sixth in Mississippi in 1935, the equal of the five-year record recorded in 1934. There were three Mississippi negroes lynched in 1933, none in 1932, three in 1931 and four in 1930.

New York Herald-Tribune

SEP 19 1935

Negro Lynched While Jurors Debate Verdict

Mississippi Mob Seizes Man Tried for Murder of White Planter and Hangs Him

Sheriff Is Overpowered

Jury Dismissed Without Revealing How Ballots Stood

By The Associated Press

OXFORD, Miss., Sept. 18.—While a jury considered evidence in his trial on a charge of killing a white farmer, Ellwood Higginbotham, twenty-eight-year-old Negro, was lynched near here last night.

The screaming, terrified Negro, accused of having shot Glen Roberts, a planter, was seized in the county jail by a mob of between 100 and 150 persons and hanged to a tree two and a half miles from town.

The jury, which had been deliberating a verdict since late yesterday, was dismissed by Judge Taylor McElroy. It was not learned how it stood. Belief was expressed that failure of the jury to return a quick verdict prompted the lynching.

Members of the mob stormed the jail, overpowered Sheriff S. T. Lyles and three deputies and started smashing doors with the officers trying vainly to prevent seizure of the prisoner.

Sheriff's deputies said mob leaders demanded the jail keys, and when this was denied took charge of the office, finding the keys in a desk drawer. After trying several of the keys, the one to Higginbotham's cell was found and the prisoner was taken to an automobile.

A large crowd joined the procession to the scene of the lynching, almost within sight of the State University campus. The body was left swinging from the tree. It was cut down later by the Sheriff and his aids.

Officers announced that an investigation would be made, but said none of the mob had been identified.

Roberts was shot on May 21 when tense and the prisoner was transferred he went to Higginbotham's home to to the jail at Jackson, where he re- talk with him. The state presented mained until his return yesterday for testimony the planter was killed "in trial. cold blood" upon attempting to enter Sheriff D. B. Anderson and former the place after the Negro had called Sheriff Roberts, brother of the slain out, "if you want to see me, come into man, said Higginbotham had con- the house." fessed the killing.

With the aid of bloodhounds a posse trailed the fugitive twenty-four hours, finally capturing him after firing several ineffective shots. Feeling was

New York American

SEP 19 1935

NEGRO SLAYER LYNCHED

MOB TAKES HIM FROM CELL

DELAYED JURY VERDICT

OXFORD, Miss., Sept. 18 (AP).—While a jury weighed evidence in his trial on a charge of killing a white farmer, Elwood Higginbotham, 28-year-old Negro, was lynched near here last night.

The screaming, terrified Negro accused of shooting Glen Roberts, planter, was seized in the county jail by a mob of between 100 and 150 persons and hanged to a tree two and a half miles from town.

SMASHED DOORS

The jury which hed been deliberating a verdict since late yesterday was dismissed by Judge Taylor McElroy. It was not learned how it stood. Belief was expressed that failure of the jury to return a quick verdict prompted the lynching.

Members of the mob stormed the jail, overpowered Sheriff S. T. Lyles and three deputies and started smashing doors with the officers trying vainly to prevent seizure of the prisoner.

IN SIGHT OF CAMPUS

Sheriff's deputies said mob leaders demanded the jail keys and when this was denied took charge of the office, finding the keys in a desk drawer.

After trying several of the keys the one to Higginbotham's cell was found and the prisoner was taken to an automobile. A large crowd joined the procession to the scene of the lynching, almost within sight of the State University campus.

The body was left swinging from the tree.

Brookhaven, Miss. Leader
September 21, 1935

Lafayette Mob Lynches Negro As Jury Ponders

Murder Suspect Dragged From Jail and Hanged at Oxford.

Oxford, Miss., Sept. 18. — While a Lafayette county jury was deliberating his fate last night, Ellwood Higginbotham, 28, a negro alleged slayer of a white man, was taken from his county jail cell and lynched.

Today Judge Taylor McElroy, presiding over the negro's trial, called the jury into the court room and dismissed the panel.

The lynching was blamed by Sheriff S. T. Lyles, of Lafayette county, on a mob of between 100 and 150 citizens who stormed the jail and overpowered the jailer and his deputies but none of the members of the mob had been identified today.

Higginbotham was on trial for the murder of Glen D. Roberts, a prominent Oxford farmer, who, witnesses at the trial yesterday said, was shot down in cold blood when Roberts went to the negro's home to "talk with him."

The slaying occurred last May 21 and Higginbotham fled from the scene. He was trailed by a posse of officers and citizens with bloodhounds for more than 24 hours. Volleys of shots were fired at him every time he was sighted until the officers finally overtook him submerged in a ditch of water six miles from Pontotoc and captured him uninjured.

The mob spirit reared its head then and the sheriff and his deputies quickly spirited Higginbotham away to the strong Hinds county jail at Jackson and kept him there until yesterday when he was returned here to stand trial.

At the time of the arrest of Higginbotham, Sheriff D. B. Anderson, of Pontotoc county, and ex-Sheriff Roberts, a brother of the slain man, told the Tupelo News that Higginbotham had admitted killing the Oxford farmer.

Last night's lynching was carried out with a furious attack. Leaders of the mob invaded the jail, seized the keys from the jailer's office and started breaking down doors after the jailer had refused to identify the key to Higginbotham's cell.

Finally the right key was found and the prisoner was seized by members of the mob and he began to scream for mercy.

The negro was dragged from the jail, placed in an automobile and whisked outside of the town limits where he was hanged to a big tree in the woods, about two miles from Oxford.

Sheriff Lyles and his deputies went to the scene after the lynching, took down the body and turned it over to an undertaking establishment for burial.

The mob gathered and seized the negro within sight of the state university.

Lynchings—1935
Cases of

North Carolina

4611

SLAYER LYNCHED BY TARHEEL MOB

Axe Murder of White Farmer Is Avenged in Spite of Guard Mobilization

LOUISBURG, N. C., July 30 (AP)—An angry mob of Negroes and white men today lynched Gowan Ward, 25-year-old mentally deficient Negro, known by the nickname "Sweat," for the axe slaying of a white farmer.

Within four hours after Ward had chopped off C. G. Stokes' head with an axe as the climax of what Sheriff J. T. Moore said apparently was a mad frenzy, the bullet-riddled body of the saffron-colored Negro was left swinging from an oak tree half a mile from where Stokes was slain.

Moore said there were about 25 men, some white and some Negroes, in the armed group which halted his automobile and took the Negro from him and a deputy, T. J. Bean, as they were taking him to Rocky Mount for safe-keeping.

The mob carried Ward back to Hayesville township, about half-way between Louisburg and Henderson, and lynched him while national guardsmen and state highway patrolmen, ordered out by Gov. J. C. B. Ehringhaus, sped futilely in an effort to halt the mob violence.

"At Hands of Parties Unknown"

While several hundred curious milled about in the grove where Ward was hanged and his body filled with pistol and shotgun slugs, Coroner R. A. Bobbitt took the body down and held an inquest. The verdict was death at the hands of parties unknown.

Ward lived with a sister, Rowena Kearney, about 10 miles from here and this morning suddenly attacked her, beating her unconscious with a rock. Sturgeon Ayscue, a white farmer, went to her assistance and Ward knocked him down with a "pop" bottle.

Stokes was working in a field across the road from the Kearney woman's house and intervened. As he was trying to reason with the Negro, Ward struck him with a rock, knocked him down, and then cut off his head with an axe.

Negro field hands at work in the section overpowered Ward and held him until officers arrived.

LYNCHING PROBE CLOSED

LOUISBURG, Aug. 1 (AP)—With no evidence to link "any one to hold anyone" having been brought out at a three-hour judicial inquiry into the lynching Tuesday of Roosevelt Gowan Ward, Negro who earlier that day had chopped off the head of a white farmer, Judge W. C. Harris recessed the hearing indefinitely this afternoon.

Negro Lynched By White Mob

No Attempt Was Made By Sheriff to Save Life of Victim

HENDERSON, N. C., July 30.—A mob of white farmers lynched "Sweet" Ward, Negro farm laborer, near here today.

Ward was reported to have killed Charlie Stokes, a white farmer, in a fight. The fight is believed to have been over wages due the Negro laborer and withheld by the white farmer as is the general custom hereabouts.

No effort was made to prevent the lynching by the local sheriff. The coroner's jury is expected to return the usual verdict of "death at the hands of persons unknown."

Link Sheriff To Lynching Of Negro

LOUISBURG, N. C., July 31.—Gowan ("Sweat") Ward, Negro farmer, who was lynched near here yesterday by a mob of white farmers, was handed over to the lynchers by Sheriff J. T. Moore and Deputy T. J. Bean. The delivery was made ten miles out of this city by the officers who were taking Ward in an automobile to Rocky Mount "for safe keeping."

As predicted in yesterday's dispatch to the Daily Worker, the coroner's jury has returned the usual verdict of "death at the hands of persons unknown," although the lynchers are undoubtedly well known to the sheriff and his deputy.

Ward was tied to a tree and shot through the head, chest and stomach while swinging from the ground. The mob then tried to set fire to the body.

Ward, a tenant farm hand, had had a quarrel earlier in the day with Charlie Stokes, a white farmer. In the fight that ensued, Stokes was killed. The sheriff and the local correspondents of the Associated Press and the United Press, all connected with the local press, have concocted an elaborate story to "show" that Ward was a "madman." The U. P. story has him attacking Stokes "without cause" while the latter was "priming" tobacco. The A. P. story places Stokes in the role of a chivalrous defender of a Negro woman, Ward's sister, who, it claims, was attacked by her brother. An earlier A. P. dispatch from this lynch-ridden community even included Negro farm hands in the mob which lynched Ward. Investigation shows that there is absolutely no basis for this statement. This version was omitted from later A. P. dispatches.

National Guardsmen and State Police ordered to the scene of the lynching by Governor Ehringhaus have been "unable" to locate the lynch leaders.

Crowd Lynches Negro Ax-Killer

Four Hours After Slaying, Murderer Is Hanged By White And Negro Mob

LOUISBURG, N. C., July 30 (AP)—An angry mob of negroes and white men today lynched Gowan Ward, 25-year-old mentally deficient Negro known by the nickname "Sweat" for the axe slaying of a white farmer.

Within four hours after Ward had chopped off C. G. Stokes's head with an axe as the climax of what Sheriff J. T. Moore said apparently was a mad frenzy, the bullet-riddled body of the saffron-colored negro was left swinging from a limb of an oak tree half a mile from where Stokes was slain.

The sheriff, who, fearing violence, was taking the negro from the county, was forced to surrender him to the mob 10 miles from here.

Moore said there were about 25 men, some white and some negroes, in the armed group which halted his automobile and took the negro from him and a deputy, T. J. Bean, as they were taking him to Rocky Mount for safe keeping.

The mob carried Ward back to Hayesville township, about half-way between Louisburg and Henderson, and lynched him while national guardsmen and State highway patrolmen, ordered out by Governor J. C. B. Ehringhaus, sped futilely in an effort to halt the mob violence.

While a crowd of several hundred curious milled about in the grove where Ward was hanged and his body filled with a pistol and shotgun slugs, Coroner R. A. Bobbitt took the body down and held an inquest. The verdict, rendered in five minutes, was death at the hands of parties unknown.

Solicitor William Y. Bickett, of Raleigh, prosecuting officer for this judicial district, and County Attorney Charles Green both said their offices would bend all efforts to prosecution of the mob's members if they could be identified.

Constables C. O. Wren, W. E. Neal, and Ashley Fuller, who arrested Ward, said they were told by witnesses that the negro apparently had been crazed when he killed Stokes.

Ward lived with a sister, Rowena Kearney, about 10 miles from here and this morning suddenly attacked her beating her unconscious with a rock Sturgeon Ayscue, a white farmer, went to her assistance and Ward knocked him down with a soft-drink bottle.

Stokes was working in a field across the road from the Kearney woman's house and intervened. As he was trying to reason with the negro, Ward struck him with a rock, knocked him down, and then cut off his head with an ax.

Negro field hands at work in the section overpowered Ward and held him until officers arrived.

CASE

GREENSBORO, N. C.
RECORD

LENGTHY LIST OF WITNESSES IS EXAMINED

AUG 1 1935

Many Details of Lynching of Negro Ward Are Given At Investigation

INVOLVE NONE DIRECTLY

Doctor Is of Opinion Negro Was Under Influence of Drug When He Ran Amuck

LOUISBURG, Aug. 1.—(AP)—No evidence to link any one with the lynching Tuesday of Roosevelt Ward, negro axe slayer of a Franklin county farmer, was adduced at the forenoon session of a judicial inquiry opened here today.

From officers who arrested Ward Superior Court Judge W. C. Harris received details of the rampage the negro went on when he chopped off C. G. Stokes' head, but none of the witnesses connected any one with the lynching.

Solicitor William Y. Bickett, of Raleigh, did most of the questioning of witnesses, assisted by Attorney General A. A. F. Seawell.

Dr. H. G. Perry, of Louisburg, who saw the negro an hour or so before he was taken from Sheriff J. H. Moore and two deputies by 25 armed men and hanged to an oak tree, testified he believed Ward was under the influence of a narcotic when he ran amuck.

Some 30 witnesses were summoned for the hearing which opened with the court room of Franklin county's 82-year-old courthouse, intended to seat 250, jammed with upwards of 400 spectators who crowded in despite the stifling heat.

C. O. Wrenn, deputy sheriff of Hayesville township, was the first witness called.

He described how he and Deputies A. A. Fuller and Elmer Neal went to the home of Otho Kearnby to arrest Ward for assault on Ayscue and learned there of the murder of Stokes and an assault on Rowena Kearney, Ward's sister, by the negro.

Wrenn said he last saw Ward alive when Sheriff John H. Moore and two deputies were putting him into a car to take him from the county because of the high feeling in the Hayesville section.

Wrenn said he drove from Louisburg to Kearney's home then and found about 75 people there, including J. H. Goodson, Coroner R. A. Bobbitt and Ira Weldon. It was there, he said, that he first heard the mob had seized Ward.

He went on home to lunch, he continued, and when he returned was told Ward had been hanged.

From Vance.

Asked by Bickett from which direction most of the cars came which visited Stokes' home, Wrenn replied they came from the Vance county direction, towards Epsom.

A. A. Fuller, resident of Hayesville

township who was deputized to assist in the arrest of Ward, drew a laugh from the crowd when he said he was churning when Wrenn came to get him.

Fuller also related the arrest of Ward and said the negro was sitting in a chair at Otho Kearney's home with Stokes' head in a cloth at his feet when the officers found him. Stokes was killed 75 yards away.

"I've killed one man. Turn me loose and I'll clean the world," Fuller quoted the negro as saying as they were bringing him to Louisburg.

Fuller said he did not remember any one he saw at Stokes' home or the lynching scene except Clyde Evans, Ceby Weldon and one or two others.

Not Recognized.

Neal followed Fuller to the stand and testified he came to town to bring Ward and went back to the filling station he operates. He said some one in a car told him Ward had been lynched and under questioning by Bickett said it was some one "I never saw on that road before." He added he did not recollect what kind of car his informant was in.

He said a group from Henderson was at his filling station when he returned, but that he did not recall the names of any except Roger Duke, a mail carrier.

L. O. Frazier, justice of the peace of Hayesville township, told of Ayscue swearing out the warrant charging Ward with assault and related that after he heard Stokes had been killed he got his gun and went to Kearney's house where he saw J. H. Goodson and Hugh Burnett.

Whole Community.

"I might call every man's name in the community," Frazier replied to a question as to whom he recognized at Stokes' home around 11 a. m. Tuesday, an hour or more before the lynching.

He then named D. T. Dickey, George Ayscue, Warner Ayscue, Henry Jones, Horace Stokes and "some of the Weldons."

Cars were coming and going all the time, he said, and he saw many people leave the home, but did not see Horace Stokes leave.

Attorney General Seawell took over the questioning when Spurgeon Ayscue, who had been sent for, took the stand. Ayscue related the attack upon him by Ward and said he heard of the killing of Stokes, a cousin of his father, about 10 a. m. while at Weldon's mill. Others at the mill, he said, were Andrew Faulkner, another man named Faulkner, Tom Collins and Ira Weldon. He went to Stokes' home, he continued, but left there about noon and went to Henderson to have the wound in his head treated and first heard of the lynching in Henderson.

The governor reiterated his assurance of full backing for the inquiry, and posted a reward of $400 for the conviction of "unknown person or persons" who took part in the lynching.

Franklin county officers, who served subpoenas upon prospective witnesses, declined to disclose who had been directed to appear.

None Recognized.

After the lynching, Sheriff J. T. Moore and the two deputies who were trying to take Ward from the Franklin jail to a safer prison as a precaution, declared they recognized none of the mob members.

A coroner's jury Tuesday afternoon reported a finding that the negro "came to his death at the hands of parties unknown."

Ward had been arrested for the killing of Charles G. Stokes, 67-year-old farmer, apparently in a frenzy of madness. The negro struck Stokes down and severed his head with an axe. A short time earlier he had beaten his own sister and attacked another white man of the community.

Sheriff Moore reported that about 25 men, whites and negroes, forced him to give up his prisoner. A short while afterward Ward's body, bullet perforated, was found swinging to a limb of a scrub oak about half a mile from where the farmer was slain.

As soon as he heard of the threat of mob violence, Governor Ehringhaus ordered out national guardsmen and state highway patrolmen but they arrived too late to prevent the lynching.

The governor issued a statement making caustic reference to the failure of local officers to notify him of the situation and to ask protection for their prisoner.

GREENVILLE, S. C.
NEWS
AUG 1 1935

A TARHEEL LYNCHING

North Carolina, a state which has had relatively few lynchings in recent years, is now to be added to the 1935 list of states in which mob violence has been substituted for the orderly processes of the courts.

A mob of indignant citizens in Franklin county seized from the custody of officers a negro who killed a farmer with an axe and administered summary justice by hanging him.

One reason why North Carolina has had so few lynchings may be found in the sincere and vigorous efforts which have been made by its government on such occasions to bring the guilty parties to justice. And the present occasion, it is gratifying to note, proves no exception. Governor Ehringhaus has taken the initiative to give the local authorities fullest cooperation and assistance in apprehending the mob members. "Two horrible crimes have been committed today in Franklin county," says his statement. "The first by an apparently crazed and degenerate individual, the second by a mob of supposedly responsible citizens."

It is clear that the North Carolina state government is not going to let the affair go by default—as some other southern states appear to have usually done under similar circumstances. One would not venture to make prediction that the members of this mob will be apprehended, tried and punished. It was a peculiarly outrageous crime and there seems no question as to the identity of the criminal. There will be a tendency in some quarters to feel that he got just about what he deserved. But the governor is very evidently determined to do what he can to avenge this insult to the majesty of the courts and this trampling under foot of all the principles of justice in civilized society. And one feels safe in predicting that at least these mob members will be made to feel very uncomfortable before it is all over. And even that will be a help in maintaining North Carolina's reputation as a state which looks with unequivocable disapproval upon such crimes.

WILMINGTON, N. C.
NEWS
JUL 30 1935

Negro Is Hanged Before Troopers Arrive At Scene

Governor Calls Upon All Resources In Effort To Prevent Lynching

VICTIM IS TAKEN AWAY FROM SHERIFF

Lynching Takes Place Near Where Negro Earlier Beheaded Farmer

LOUISBURG, July 30. — (AP) — Govan (Sweat) Ward, 25-year-old negro, axe-slayer of C. G. Stokes, Franklin county farmer, was lynched today by a mob which took him from officers and hanged him to an oak tree half a mile from the scene of the killing.

While state highway patrolmen, a national guard company and county officers sought the mob in an effort to prevent the lynching, its members hanged the negro, described by Sheriff J. T. Moore as crazy, to a huge oak half a mile down the road from where he chopped off Stokes' head with an axe this morning.

His body was filled with pistol and shotgun wounds, but whether he was shot and then hanged or the slugs fired into his body after it was hoisted by the rope could not be determined.

Ward, a medium-sized gingercake negro, was taken from the

(Continued on Page 7, Column 5)

sheriff and Deputy T. P. Bean 3 miles from here shortly before noon as they were hurrying from the county with him as a precaution against violence.

25 In Mob

The sheriff said there were about 25 men, some negroes and some white, in the group which stopped his car and took Ward.

Immediately after the mob went off with the negro, the sheriff advised his office.

When word of it reached Governor J. C. B. Ehringhaus, he ordered all available members of the state highway patrol here and also had Company C, 120th Infantry, North Carolina national guard (Henderson) called out.

The negro was hanged, however, before the patrolmen or the guardsmen could reach the scene.

Farmer Decapitated

Ward killed Stokes and decapitated him with an axe this morning when the farmer sought to calm the negro, who had attacked a negro woman and another farmer, Stu.geon Ayscue, in what apparently was a mad frenzy.

Officers who brought the negro to Louisburg after the killing said witnesses told them Ward suddenly went amuck about 9 a. m. at the home of his sister and struck her down with a rock. Ayscue, who was passing by, intervened and was knocked down with a bottle.

Stokes was working in a field across the road from the woman's home and started to the assistance of Ayscue. As he tried to reason with the crazed negro, he was knocked unconscious with a rock. Ward then seized an axe and severed the farmer's head.

Other negroes working nearby overpowered Ward and held him until officers arrived at the scene.

After being brought here, Ward was taken to the office of Dr. H. G. Perry for an examination, but tried to escape and was overpowered only after he had broken up furniture in the physician's office.

He was then taken to the jail and it was shortly afterwards Sheriff Moore decided to take him to Rocky Mount, fearing a mob attack on the jail here.

Several hours after the lynching, the body was still hanging from the tree while Coroner R. A. Bobbitt was summoning a jury. Scores of the curious streamed to the section and in mid-afternoon between three and four hundred people thronged the grove where the negro was hanged.

Solicitor William Y. Bickett, of Raleigh, district prosecuting officer, and County Attorney Charles Green arrived before the body was taken down and conferred with the coroner and officers.

The handcuffs put on Ward by Sheriff Moore when the officer left Louisburg with him were still on the body.

Forty automobiles of state highway patrolmen arrived after the lynching and the officers found occupation in directing the traffic as cars filled the roads leading to the grove.

Lynchings-1935
Cases of.

North Carolina

4612

RALEIGH, N. C.
NEWS OBSERVER
AUG 1 1935

State Attorney General To Aid in Mob Inquiry

Seawell to Assist Solicitor Bickett at Louisburg Today In Effort to Reveal Members of Lynch Mob; Harris to Sit as Committing Magistrate; 50 Witnesses Subpoenaed

The State of North Carolina today will exert its full legal force to pierce the shroud of silence surrounding the perpetrators of the Franklin County lynching.

Governor Ehringhaus yesterday assigned Judge W. C. Harris of Raleigh to preside over the judicial inquiry which will begin in the Franklin County courthouse at Louisburg at 10 o'clock this morning, and authorized Attorney General A. A. F. Seawell to assist Solicitor William Y. Bickett in the case.

Expect 50 Witnesses.

Solicitor Bickett, son of the wartime Governor who personally faced and was credited with dispersing a mob in Raleigh during his administration, said last night that subpoenas had been issued for upward of 50 persons and that every effort would be made to identify and bring to justice members of the mob which lynched Govan "Sweat" Ward, 25-year-old Negro, Tuesday after the Negro had decapitated Charles G. Stokes, white farmer of the Epsom section.

Governor Ehringhaus, who expressed determination to bring the responsible parties to trial, conferred at length with Solicitor Bickett during the day; and the solicitor asked for the assistance of the Attorney General's office.

Later, it was learned that the Attorney General planned to participate in the inquiry himself. The attorney general talked over the matter with the governor late yesterday. The Chief Executive said that other than talking with Solicitor Bickett, he had not received any report of the occurrence from officials of the county.

Judge Harris was designated yesterday to sit as committing magistrate. He was on vacation, but agreed to return and conduct the hearing.

Offers Reward.

The governor also offered a reward of $400 for the arrest, delivery and conviction of the "unknown person or persons" who participated in the lynching.

A national guard company of 60 men from Henderson and a squad of highway patrolmen from Raleigh were dispatched to Franklin County in an effort to prevent the lynching when the chief executive was informed by the Associated Press of the slaying and threatened mob violence.

The lynching had taken place already when the troops and patrolmen arrived.

Stokes Funeral Held.

Funeral services for Mr. Stokes were conducted this afternoon at New Bethel Baptist Church, near the tobacco field where the 67-year-old farmer was killed. The Epsom Masonic lodge was in charge of the service. Mr. Stokes is survived by his widow, who was his second wife, and by seven children, most of whom are grown.

Charles Green, Franklin County attorney, who assisted Bickett in the preliminary investigation shortly after the slaying and lynching, was aiding yesterday in efforts to round up witnesses for questioning tomorrow. Sheriff J. P. Moore and his deputies were making investigations also.

LOUISBURG IS QUIET; NO ARRESTS REPORTED

Louisburg, July 31.—No arrests had been reported here tonight as county officers worked to bring to justice members of the mob which lynched Govan "Sweat" Ward near here yesterday.

The town was quiet today after yesterday's excitement, although the lynching and the murder and violence that preceded it constituted the topic of conversation.

Some enterprising persons were hawking pictures of the victim, but the business was not brisk. There was a feeling expressed in several quarters that outside appraisals of the occurrence were too harsh, and that Franklin County officials did all they could to preserve order.

"Happened Like a Flash."

The explanation as to why the Governor was not asked for assistance was that " it all happened like a flash, there just wasn't time."

During the day it was learned that Coroner R. A. Bobbitt, acting as Sheriff until Sheriff-elect John P. Moore qualified, was at the scene of the lynching shortly after it occurred and interceded with a group which proposed to burn the body. The Coroner, however, said he knew none of the members of the mob.

Sheriff Moore was elected by the County Commissioners Monday to fill the vacancy caused by the death of Sheriff T. N. Spivey in an automobile accident last week. It was from Sheriff Moore and two deputies that the victim was taken by an unmasked mob in broad daylight, while the officers were attempting to take him to Raleigh for safe-keeping.

Solicitor Bickett was here this morning in conference with County Attorney Charles Green on summoning witnesses, but had to return to Raleigh this afternoon for a habeas corpus hearing.

No Arrests.

About 50 witnesses were being subpoenaed, but no arrests had been reported tonight.

Visitors here today reported that a filling station man between Raleigh and Louisburg was very accomodating about giving directions, answering inquiries with the statement that "the lynching frolic" took place just the other side of Louisburg.

Charles G. Stokes, the farmer who was decapitated by Ward, was buried with Masonic honors at Epsom today. Ward's sister and Spurgeon Ayscue, white, who were injured by the crazed Negro, were recovering today.

Miss Lucy Timberlake, Dr. Herbert Perry's office assistance, who was struck by the manacled Negro was today little the worse for her experience.

Conversation about the town indicated that few persons expected the identity of the mob members to be revealed.

"Who ever heard of such a thing?" observed one citizen.

ROCKY MOUNT, N. C.
TELEGRAM
JUL 31 1935

Franklin Has Lynching; Some Sidelights Taken At Scene

Whether Or Not He Was Crazy "Sweat" Ward Paid For His Crime With His Life

By W. CARLTON MASON
Telegram Staff Writer

Louisburg, July 31.— Whether he was crazy or just insanely mad, seeking to spill the blood of human beings, "Sweat" Ward paid for a furious morning's doings which included the slaying and decapitation of C. G. Stokes, 68 year old prominent Franklin County farmer, with his own life, being snuffed out violently as he hung beside a slender oak about one mile from the scene of his most tragic crime.

After having waged a one man war here and there throughout the vicinity of Epsom, about 15 miles from Louisburg Tuesday morning, this negro man, medium of stature, known as "Sweat" Ward, Joe Van Ward and also called "Govan" Ward, was wrenched from the custody of Sheriff J. P. Moore and deputies by a mob of approximately 35 men and carried to his life's ending place, "strung up' and then shot through the body several times before Governor Ehringhaus, sheriffs, deputies and constables, a squad of approximately 40 state highway patrolmen and a company of North Carolina National Guard from Henderson were able to intervene.

Ward started out Tuesday morning upon his path of cruelty by slaying Mr. Stokes and then cutting his head off even with his chin, taking the dead man's head under his arm and starting up the country road. When he arrived home he wanted to know of his sister if her throat didn't hurt and insisted that he rub it. When she refused he deliberately cracked down upon her head two times with a piece of iron. Then along came Spurgeon Ayscue in an automobile. When he stoped Ward assailed him with a bottle and raised a terrible knot on the side of his head. Ayscue immediately went to the home of O. P. Frazier, a justice of the peace, to swear out a warrant against him for assault upon himself.

Arrested For Assault

It was for this offence that Constable Clarence Wrenn, and two deputies, A. A. Fuller and Red Neal arrested the negro after considerable trouble in their attempt to do so. Mr. Fuller stated that the first blow he cracked at Ward was with his black jack and that blow on the enraged negro's head failed to stun him. The three officers, with the assistance of several negro men, did succeed in hand cuffing him and getting him the back seat of an automobile. Fuller was in the back seat with him.

It was Fuller who said that he did not act like an insane person. He said that the thing that made him think he was not insane was the manner in which he picked his chances to attempt to break away from the custody of the officers. He said he lent. To the contrary everybody seemed pleased.

The company was under the command of Commander C. B. Sturger.

It was about 9:30 when Mr. Stokes was killed. It was about 10:30 when Ward was arrested. It was about 11:[illegible] when the sheriff started away with him and it was about 12:30 when he was hanged. He was lowered to the ground at 25 minutes of three.

Mob Was Forming

Sheriff Moore and other deputies found that a mob was rapidly organizing and thronging into the city from all of the city were virtually blocked and Ward was dragged out of the highway leading town sheriff's automobile and thrown into the vicinity of the ax slaying. Fearing that he would not be safe in the local jail they slipped him out and started out of the city toward Nashville either to turn to Rocky Mount to Raleigh to seek a safe place for him. Up town a large crowd had or- ing the road ahead of him. When the sheriff was forced to stop a large enraged negro the three officers had a large number of the mob entered pursuit and passed the sheriff, block- him lodged in the city jail where he stayed only a very few minutes. or to Raleigh and all the highways leading ville e[illegible]

Mr. Stokes and cut off his head with an ax. Not being able to controll the was compelled to keep him knocked unconscious just as fast as he would come to from the stunning blow from a pistol butt. He also said that he thought he was going to have to "plug" him on several intervals during the ride to Louisburg.

When at Louisburg the three officers took him to the office of Dr. Herbert G. Perry where they had hoped to have his badly battered head dressed before lodging him in jail.

All this time the three officers knew nothing of the major crime the negro had committed.

While in the doctor's office one of the officers remained with the doctor and his nurse, Miss Lucy Timberlake, while the other two made haste to contact Sheriff Moore. Suddenly the enraged and head-mellowed negro came to his senses again from the last stunning blow dealt him by Mr. Fuller and started on a rampage in the doctor's office. He wrecked approxi-mately $500 worth of office equipment, broke out windows, did Dr. Perry quite severely and with his hand cuffed hands dealt Miss Timberlake a fierce blow about the face, injuring and frightening her severely.

It was while here at the doctor's office that a negro man, Percie Mitchell, reported to the three officers that

one of the mobsmen's cars. They cut through a dirt road that led off this highway back to the Louisburg-Henderson highway, and when they were back within about one mile of the place he killed Mr. Stokes, they dragged him into the woods, tied a rope around his neck, pulled him up to a hanging position and then fired several bullets into his body. They abandoned the Negro then and it was about one hour later that Sheriff Moore found him hanging. Soon curious started gathering and by 2:30 in the afternoon approximately 1,000 men, women and children had already viewed the hanging body who just a few hours before had been beast like in his fierce war path of action. There was a scarcety of negroes around the gallows tree however. Not a negro was in sight.

Sheriff's First Day

This was Sheriff J. P. Moore's first day as Sheriff of Franklin county. He was appointed the day before and although he had not been bonded and qualified completely did find plenty of action to start off the job. County Coroner R. A. Babbitt had been sheriff of the county since the accidental death of the high sheriff of the county about two weeks previously.

Ward died hanging on the slender oak beneath a grove of giant oaks still wearing the handcuffs belonging to J. E. Hight, a county constable.

There was an attempted lynching in the same vicinity of the county about one year ago but never materialized because a mob could not definitely ascertain who the guilty negro was among four suspects held for an attempted criminal assault upon a white girl.

Louisburg people were not excited about the lynching, just interested. Many citizens of the quaint old town merely curiously milled here and there occasionally asking a question or passing a remark to a friend. Many ladies and children sat on their lawns enjoying a shady afternoon breeze.

The state highway's silver fleet of patrol cars on their first cruise, the first time they have left headquarters created as much interest as did the major event of the day with Louisburg people. They were the last group to reach the scene of the lynching. Upon arriving at Louisburg the leading car took the road out toward Nashville instead of the road toward Henderson and had to turn back to Louisburg before ever finding the scene. The negro had been lowered from his hanging position, loaded in a truck and was ready to be sent back to Louisburg when they arrived. They were nice to look at but there wasn't anything they could do that would help then.

Company C. of the 120 regiment of North Carolina National Guard left Henderson as soon after they received the call at 20 minutes to one and were on hand at 15 minutes past two. There wasn't anything they could do then because the crowd wasn't vio-

RALEIGH, N. C.
NEWS OBSERVER
JUL 31 1935

Sheriff and Deputies Say They Recognized None of Unmasked Members Who Took Prisoner From Them on Highway

SOLICITOR SUBPOENAS WITNESSES FOR COURT INQUIRY ON THURSDAY

Coroner's Jury Returns Verdict of Death at Hands of 'Persons Unknown'; Hundreds View Body of Negro Swinging From Scrub Oak; C. G. Stokes, White Farmer, Decapitated by Crazed Negro Who Assaulted Two Others With Deadly Weapons; Prisoner Was Being Taken From Louisburg for Safe-Keeping When Seized by Mob

By CHARLES J. PARKER.
Staff Correspondent

Louisburg, July 30.—A band of unmasked men, in broad daylight on a well-traveled country highway five miles from here, at noon today, took a Negro prisoner from Sheriff John P. Moore and two deputies, carried him five miles further to within half a mile of where he had slain a respected white farmer three hours before, and lynched him.

For more than two hours the battered body of Govan "Sweat" Ward, 25, swung by a cotton ploughline from a scrub oak. Hundreds of men, women and children inspected it and most of them expressed approval of the action of the mob in taking into its hands the law and murdering the murderer of Charles G. Stokes, 67-year-old farmer living in Epsom in the northwestern part of the county 11 miles from Louisburg, whose decapitated body was attracting another throng to a Louisburg undertaking establishment.

Troops Too Late.

Troops from Henderson and Oxford, responded to a call from Governor Ehringhaus, arrived too late to prevent the lynching, as did the State Highway Patrol, which sped from Raleigh in 26 new patrol cars, but took the wrong road out of Louisburg and did not arrive at the scene of the lynching until after the body had been cut down.

Court Inquiry Thursday.

Moving into action immediately upon learning of the mob disorder, Solicitor William Y. Bickett, of the seventh judicial district, sped from his home in Raleigh to the scene of the lynching, and tonight announced that a formal inquiry would be conducted in the Franklin County Courthouse here beginning at 10 o'clock Thursday, and Governor Ehringhaus, who tomorrow will offer the maximum State reward of $400 for apprehension of mob members, will assign a Superior Court judge to conduct the investigation. The Solicitor said that subpoenas had been issued for 30 persons and that probably as many more would be issued before the beginning of the court's inquiry.

Coroner's Verdict.

Before the court will be the verdict of the jury impanelled at the scene of the lynching by Coroner R. A. Bobbitt, which retired behind a tree and in five minutes returned an open verdict setting forth that the Negro met his death at the hands of "persons unknown to us."

The coroner's jury was composed of G. H. Phelps, E. R. Allen, W. M. Fuller, Jr., E. M. Bartholomew, Walter G. Kearney and W. P. Wilson, all of the section in which the murder of Mr. Stokes and the lynching occurred within four hours of one another this morning.

"I was new at the job. I was confused. I saw I was helpless . . ." related Sheriff Moore, as he told of losing his prisoner. "If there is any way to find out who did this, we are going to find out, and I had rather not divulge informatoin now that may hinder us in our investigation."

But prompted by County Attorney Charles G. Green, he declared that the mob that took his prisoner was armed. He declined to answer questions as to whether he or his deputies, P. E. Dean, who was driving the Chevrolet car carrying the prisoner, or J. E. Height, offered resistance to the demands of the mob.

Didn't Take License.

Declaring that the men who took the prisoner were in "either a Buick or a Plymouth" car, Sheriff Moore admitted he did not take the license number.

"I wish we had," he added.

None of the 20 or more men in the three or four cars that blocked the road were known to him or his deputies, although they were unmasked, the Sheriff said. He explained this by saying that he thought the mob came from the upper end of the county or over the line in Vance, and that neither he nor his deputies were well acquainted in that section.

The sheriff, who has served two terms as constable of Louisburg Township, lives near the town, and Deputy Dean lives in Cedar Fork, seven miles east of Louisburg, while Deputy Height lives in Franklinton Township, 10 miles west.

Whether the Negro was dead be-

COLUMBIA, S. C.
RECORD
JUL 31 1935

NORTH CAROLINA LYNCHING.

There are many things typical about the lynching of the negro, Covan Ward, axe-slayer of a prominent Franklin county, North Carolina, farmer, yesterday.

The negro was already under arrest and the orderly processes of the law were available to deal with his case. The community had nothing more to fear from him. The lynchers had no real difficulty in getting possession of the prisoner. Twenty-five men met the sheriff and his deputy with their handcuffed prisoner and took the negro away from them without serious opposition apparently. There was no shooting or the mob might have been turned back; lynchers generally do not care to risk their own necks. The highway patrolmen and the militia sent to the rescue arrived too late to prevent the lynching. All of which is as more or less usual in lynchings.

And like all other lynchings it was useless, accomplishing nothing but the death of the victim. Ward was obviously mentally deranged and the lynchers did not therefore have even the excuse that their senseless brutality might deter some other person from crime. Lynchings cannot prevent insanity.

The coroner's verdict was the usual verdict, arrived at after only a perfunctory inquiry if any at all. The negro came to his death at the hands of "persons unknown."

But it was also an unusual lynching in that both whites and negroes participated jointly in it, a circumstance understandable after a fashion perhaps when it is remembered that Ward's victim, a white farmer, had been killed when he came to the rescue of a negro woman, Ward's sister, who had been the crazed man's first victim. But after all it is hardly susceptible of reasonable explanation—negroes participating in a lynching, giving aid and comfort to the mob law theory when even they must have known that the negro more than anyone else stand to lose by law and order's negation and the nullification of courts and juries. Not always do mobs get the right man. This time the lynchers did, but it is even so a sorry distinction. Insanity got him first.

Lynchings - 1935
Cases of.

North Carolina

4613

NEW ORLEANS, LA
TRIBUNE
AUG 2 1935

Another Lynching

NORTH CAROLINA does its bit to raise the South's lynching score. The victim is a crazed Negro, captured after he had cut off the head of a white farmer and attacked two other persons. The provocation was extreme, but so was the unreason that fired the mob. When a Negro is arrested for alleged assault upon a white woman, the traditional "justification" for mob action, and doubt of his ultimate conviction may exist, or the mob may be able to pretend that it exists. But a Negro who has run amuck and killed is as sure of execution at the hands of the law as at the hands of the mob, for the body of his victim is incontrovertible evidence. That being so, the mob that takes him from the law can't claim to be making justice doubly sure; they can only admit that the blood of vengeance is exceedingly sweet in their nostrils. But of course this is pointing a distinction which is rarely a difference. Vengeance, not justice, is the usual mob purpose.

Lexington, N. C. Dispatch
August 1, 1935

HE SAVED THE ROPE

THE sheriff of Franklin county saved the rope with which a mob hanged a crazy negro that about a score of men took from that official and two deputies. The governor of North Carolina has declared he will try to save the honor of the state. May it not be hoped he has as good luck in salvaging as did the sheriff.

It is the usual story. Strangers did the lynching, hence the sheriff and deputies did not know any of them though they were unmasked. Being a new sheriff, he was naturally too excited to think about taking the license number of the car in which the mob placed the prisoner. He thought it was either a Buick or a Plymouth. Afterwards he was sorry, he said, he didn't get more data on the car, or any other cars that might have been involved. It did not appear that either the sheriff or his deputies made any resistance to protect their prisoner. Presumably they are hospitable folks and wouldn't hurt a stranger for anything.

Likewise it is noted that the coroner's jury had little curiosity about strangers. They held a five-minute session behind a tree and "found" that deceased became such by the act of "unknown persons." We are glad they got behind a tree. They saved that much of their county's honor. And the sheriff saved the plowline. So nobody can say we don't do something about lynchings in North Carolina.

New Bern, N. C. Sun Journal
August 5, 1935

North Carolina's Lynching

A group of North Carolinians, stepping aside the other day from their usual role of good, law-abiding citizens within a proud commonwealth, gave themselves over to the passion which supplanted law and reason and which left a handcuffed negro hanging dead from the limb of an oak tree a scarce half mile from the spot at which he had committed a murder.

There was some doubt as to the sanity of the negro. Members of his own race, working nearby, captured and held him for the officers who arrived later and took him in custody. He had gone on a rampage, as negroes and white men sometimes do, and had killed and decapitated a farmer of the community with an axe.

The mob, it is said, consisted of both negroes and whites. It took the prioner away from the sheriff and his deputy who were, they said, hurrying the negro from the county in fear of violence. The governor, informed of the loss of the prisoner, made every effort to prevent the lynching; but, as is usually the case, his efforts were too late.

Members of the mob, it may be assumed, were just such citizens as one meets every day on the street and in the homes throughout North Carolina. A lynching is possible in any community when citizens forget law and order. There is little chance, when officers of the law have made a mistake and have surrendered a prisoner, for higher authorities to intervene.

Prevention lies with proper protection, and in the teaching of citizenship and respect for law and order to such a degree that no community need bear the shame of mob violence and suspicion need not rest upon all of its citizens.

Bristol, Va., Herald-Courier
August 1, 1935

Lynching In North Carolina.

Goven Ward, twenty-five-year-old Negro who is said to have been mentally deficient, killed a white farmer with an axe near Louisburg, North Carolina. Sheriff Moore arrested the murderer and was taking him to a place of safekeeping when he was forced to deliver him over to an armed mob which is said to have included some Negroes. The mob hanged the Negro to a tree and riddled his body with bullets.

Governor Ehringhaus of North Carolina has pledged the full support of his office to Solicitor Bickett in an effort to apprehend the lynchers and has criticised local officers for failing to ask for assistance when they saw the possibility of violence. The Governor, who would have sent assistance promptly, said the first information he had of the affair came through the Associated Press and not from any officer.

Remembering that North Carolina has a better record than most of the States for dealing with mob lawlessness, the public will await with interest further developments in this case. It is possible that some of the lynchers will be found and that responsible local officers will be called upon to explain their conduct.

But Verdict Is Mobbists Not Identified

An Investigation Is Ordered By County Authorities

VICTIM KILLED MAN

Went Beserk Before And After Cutting Off Man's Head

By CHARLES FRAZIER
A Journal and Guide Correspondent

LOUISBURG, N. C. — Govan Ward, a youth about 22 years old, was swung to the limb of a small oak tree with a plow line, about two and a half miles east of Epson in Hayesville township of Franklin County, by an infuriated mob estimated by officers to be about 75 in number, for the slaying of

NEGROES IN MOB?

LOUISBURG, N. C.—Sheriff J. P. Moore was quoted here Tuesday as declaring that colored as well as white men were in the mob which lynched Govan "Sweat" Ward, a native of this section who until lately lived in Norfolk, Va.

Of the twenty five men in the crowd which kidnaped the prisoner from officers, half were colored men—the sheriff was quoted as saying. Verification of this assertion so far is lacking. Ward beat up some Negroes, including his sister, when he went suddenly insane. He murdered a white man.

C. G. Stokes, prominent white farmer of Hayesville township, in his tobacco field about 8 o'clock Tuesday morning, July 30.

It was reported to authorities that Surgeon Ayscue picked up Ward during the morning of the crime and carried him to the home

of Otha Kearney, husband of Ward's sister, Rowena; that there he refused to get out of the car and struck Mr. Ayscue over the head with a bottle, after which Mr. Ayscue kicked him out of the car. Ward was said to have become mentally abnormal.

Police Notified

On being notified of the man's fury Constable Wrenn and A. A. Fuller came to Kearney's home to arrest Ward. They went for more help, leaving a man in charge of Ward.

In their absence, according to a statement made to officers by a man whose name was not learned, Ward made three trips into the tobacco field across the road from the Kearney home.

Cuts Off Man's Head

There, in the tobacco field, he dragged Mr. Stokes body across five rows of tobacco and, with an axe, severed his head from his body.

Ward, it was stated, hit his sister, Rowena, over the head with a blunt instrument.

When officers arrived, they found Ward in Kearney's home, sitting in a chair with Mr. Stokes head near his feet.

Carried To Jail

Officers immediately took Ward and started for Louisburg jail. It was reported that he fought them on the way and was slugged by one of the officers.

He was taken to the office of Dr. H. G. Perry, in Louisburg to have his wounds dressed. There, after an apparent relaxation, he knocked down a nurse, smashed a window and badly damaged the office furniture.

He was then carried to the Louisburg jail.

Taken By Mob

Mob violence was feared in Louisburg and officers started out of this city with Ward to the Nashville jail for safekeeping. They were overtaken by a mob which, at the point of a gun, took the prisoner and carried him to about a mile and a half of the scene of the crime and swung him up, using a looped rope.

He was shot in the left breast and had a large hole in his left temple.

Troops Too Late

Governor Ehringhaus sent extra officers and troops to the scene.

A order was sent to Company C Militia, infantry unit at Henderson, to mobilize and proceed to the danger area immediately, but the lynching had occurred when they arrived.

Investigation Started

Franklin County Attorney C. P. Green and Franklin officers, assisted by Solicitor W. Y. Bickett, went to the scene of the lynching and immediately began an investigation Tuesday.

A coroner's jury examined the body and cut it down at 2:25 p. m., on the day of the crime. The coroner's verdict was "That the Negro came to his death by causes and persons unknown to the jury."

Many Go To Scene

Scores of people from Raleigh, Franklinton, and elsewhere, flocked to the scene, as news of the lynching spread.

And as the night came on a steady and unusual stream of automobiles contiuned toward Epson, near which the slaying and lynching occurred.

Special to Journal and Guide

LOUISBURG, N. C.—Many coroner's juries return verdicts of "death at hands of parties unknown" where lynchings take place at night—and there is conceivably some excuse then—but few so promptly rendered such a verdict where a band of unmasked men, in broad daylight on a well-traveled county highway, took the law into their own hands.

But that is exactly what the coroner's jury called here did after Govan "Sweat" Ward was lynched Tuesday. Officers had ample time to scrutinize the mobbists who took the prisoner from them, but none in the crowd was identified.

The body was Ward swung from a scrub oak tree for over two hours and was viewed by hundreds of men, women and children—most of whom expressed approval of the mob's act. The man, Charles G. Stokes, whom Ward slew was a respected white farmer of 67 years.

The lynching took place eleven miles from here. The decapitated body of Stokes attracted another crowd to an undertaking establishment here.

In addition to the troops ordered out by the governor, 26 cars of state Highway Patrol police rushed here from Raleigh. They were late, having taken the wrong road out of Louisburg. The body had been cut down when they arrived.

A court inquiry was set for this Thursday, August 1, by Solicitor W. Y. Bickett of the seventh judicial district, who rushed here from his home in Raleigh. It will be held in Franklin County court house at 10 a. m. Thursday, the announcement said.

Governor Ehringhaus offered the maximum state reward of $100 for apprehension of the mob members Wednesday. He assigned Judge W. C. Harris of Raleigh, resident Superior Court judge seventh district, to sit as committing magistrate.

Summons have been issued for 30 persons. Many more may be issued before the hearing starts.

The coroner's jury retired behind a tree and returned its open verdict in five minutes.

It was composed of G. H. Phelps, E. R. Allen, W. M. Fuller, Jr., E. M. Bartholomew, Walter G Kearney, and W. P. Wilson, all of the section in which a lynching followed by four hours the murder of Stokes.

"I was new on the job. I was confused. I saw I was helpless." This was the excuse of Sheriff John P. Moore. He said he would exert every effort to find out who lynched Ward. He declined to say whether he or his deputies, P. E. Dean or J. E. Height, offered resistance to the mob, which he said was armed.

He said the mob's car was a Buick or Plymouth, but he did not take the license number, he said. Three or four cars blocked the road. The mob at this point was estimated at 20 or more men.

He said the mob probably came from the upper end of the county or over the line in Vance County, and he was not acquainted with these sections.

The ride that ended with the work of the mob began about 11:40 Tuesday morning.

Ward had been living in Norfolk, although a native of this section, and had only recently returned here. He apparently went suddenly insane.

Spurgeon Ayscue, who gave him a ride early on the fateful day, is a white man. He got hit with a bottle. He got out a warrant for assault with a deadly wapon.

Then Ward attacked his sister, Mrs. Rowena Kearney, with an iron bar. While officers were shackling Ward and permitting him to change his trousers, Percy Mitchell brought news to the officers of Stokes's murder.

Enroute to jail, Ward was violent.

An accident kept Ward from being dead before the mob got him. During the struggle from the scene of the murder to the doctor's office and ultimately jail here—Deputy Fuller's gun became unbreached and his bullets fell on the floor of the car. At the office of Dr. H. G. Perry, where Ward's wounds from the beating from officers were treated, Fuller placed his gun to Ward's head and fruitlessly snapped the trigger. Ward had become violent again.

"I wanted to kill him then, but they would not let me," Fuller declared. He meant by "them"—Acting Sheriff Bobbitt (the coroner was acting as sheriff until Sheriff-elect Moore formally takes office) and other officers.

Ward atacked a nurse and did damage to the doctor's office.

Officers got wind of the mob when, about five miles from Louisburg, they noticed cars following them. They turned off onto a dirt road and planned to circle around to get to Raleigh. They were overtaken.

The sheriff returned to Louisburg for reenforcements and set out in search of the mob.

He did not explain why aid was not asked from Raleigh, where the governor had to learn of the mob's gathering from the press and himself called out troops and extra officers without advice from Franklin County officers.

An old woman, examining the lynched man's body, said: "They done exactly right." Young girls, knitting and so forth, stood around the scene and discussed what had happened.

After Ward was hanged, someone put a cigarette in his mouth and one white person cut off his little to for a souvenir.

The body hung from the tree until nearly three o'clock.

No motive was advanced for the murder of Mr. Stokes.

In addition to the Highway Patrol getting on the wrong road and arriving at the scene late, the National Guard unit from Henderson arrived an hour and five minutes after being called out. This unit of 60 men was commanded by Capt. Conrad Sturgess.

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4615

MOBBISTS IN TENNESSEE USE PISTOL

Officer's Revolver Used As Death Weapon

SHOT THROUGH CHEST

Five In Mob That Overcame Two Policemen

WHITE BLUFF, Tenn.— The slapping of a white woman in a drunken fit has been added to the long list of reasons by which southern white men justify the form of murder termed lynching by the informed populace and "death at the hands of unknown persons" by most southern courts.

The long list of varied and incredulous circumstances in which the actual seizure of the unfortunate takes place also has its addition in the relating of the latest evidence of unscrupulous mob murder.

The details of the crime occuring in this section on Monday, November 4, are: the "mob" consisted of only five men; the seizure of the prisoner, who was in the hands of a city marshal and a deputy sheriff was made in the heart of the downtown section of this town; the street on which the seizure occurred was described in an authentic news release, as being busy; the prisoner, Baxter Bell, was taken four miles from the city and shot through the chest and his body was thrown in a nearby thicket, an action that required 25 minutes; the lynchers "borrowed" the city marshal's gun, used it and returned it after the murder, which they said they committed with the gun; five men gave themselves up after the murder; the men laughed and joked about the crime; neither the marshal or the deputy took any steps to retrieve their stolen prisoner or stolen gun during the 25 minutes in which the crime was taking place just out of the town.

Deputy Sheriff Robert H. Williams, of Cheatham County, said Bell slapped Mrs. Luther Dotson as she alighted from a bus on the night before the lynching near Kingston Springs. She swore out a warrant.

City Marshal Louis Donnelly and Deputy Sheriff Clyde Petty started with Bell for the Ashland City jail on Monday morning. A small armed band halted the party at the point of guns and drove off with the man.

"We'll be back in a few minutes and bring your gun," Donnelly quoted one of the men as saying. He said that "about 25 minutes later they came back and gave up."

Deputy Sheriff Williams moved the five men to Cheatham County jail late that day. He said he had sworn out a warrant charging them with murder.

Williams said they were listed on the warrant as Luther Dotson, Jimmie Dotson, Clyde Dotson, Jesse Dotson and Allie Brown.

NEGRO IS LYNCHED BY TENNESSEE BAND

WHITE BLUFF, Tenn., Nov. 4.—(AP)—A small band of armed white men arrested a negro accused of slapping a white woman from officers on a busy downtown street here today and lynched him.

Shortly after the incident five men surrendered at the jail to Deputy Sheriff Ed Hutton and no charge was placed against them. He added that they would be taken to Ashland City, seat of Cheatham county, in which the actual lynching occurred.

The negro, Baxter Bell, was charged with assault and battery.

Tennessee White Kill Man for "Insulting" Woman

WHITE BLUFF, Tenn. — A colored man listed as Baxter Bell, 35, was killed early this week by a group of white men who riddled his body with bullets for an alleged insult to a white woman as she alighted from a bus.

The killing occurred on a road to Kingston Springs, some distance from White Bluff. The man's body was thrown from the roadside into a thicket.

A short time later Deputy Sheriff Clyde Petty said five white men appeared at the jail here and surrender. They told the officer the white woman they claimed had been insulted was the wife of one of their number.

Negro Slain For Slapping Woman

WHITE BLUFF, TENN., Nov. 4.—(AP)—On a daring daylight raid into the center of town, five white men captured a negro from two officers today, took him for a ride into the country and lynched him for reportedly slapping a white woman.

The negro, Baxter Bell, about 45, was shot once through the chest. The killing occurred about four miles from here over the Cheatham County line. Bell's body was found lying in a thicket where the killers had thrown it.

City Marshal Louis Donnelly said the five men held up Deputy Sheriff Clyde Petty and him about 9 a.m. today. Petty had arrested Bell here in Dickson County last night on charges brought in Cheatham County by Mrs. Luther Dotson.

Donnelly said Mrs. Dotson told him that the negro approached her as she got off the bus and offered "to give me $5 for a date to walk down the road."

The marshal quoted Mrs. Dotson as saying that she "cursed the negro" and that then he slapped her.

After the negro was slain, five men surrendered to officers here. They gave Donnelly back the pistol which had been taken from him, he said.

"They were all just laughing and seemed like they enjoyed what they had done," he reported. "They told me they shot the negro with my gun. I don't know. It had an empty shell in it when they gave it back to me."

Late this afternoon Deputy Sheriff Williams moved the five men to the Cheatham County Jail. He said he had sworn out a warrant charging them with murder.

Negro Lynched In Tennessee

WHITE BLUFF, Tenn., Nov. 4.—Baxter Bell, 45-year old Negro worker, was taken from officers hanged and his body riddled with bullets today by the husband and three brothers-in-law of Mrs. Luther Dodson, white woman whom the Negro allegedly "struck and insulted," according to Sheriff W. E. Hutton of Dickson county.

The four lynchers, who met no resistance from the officers of the law, later surrendered, confident they would not be prosecuted.

Bell was arrested last night and charged with "assault" on Mrs. Dodson in adjoining Cheatham county. He was being returned there when he was seized by Dodson, husband of the complainant, his three brothers, Clyde, Jesse and Tom Dodson, and a cousin named Brown.

Bell was taken about a mile out of town and strung up, the lynchers firing a fusillade of shots into his body. The brothers and cousin then leisurely returned to town and surrendered.

Mrs. Dodson claimed that as she was walking to her home, Bell accosted her, insulted her and struck her in the face. Bell denied that he had even seen the woman.

FIVE SURRENDER AFTER LYNCHING

Negro Is Shot to Death After Arrest on Charge of Slapping White Woman

WHITE BLUFF, Tenn., Nov. 4. (AP)—On a daring daylight raid into the center of town, five white men captured a Negro from two officers today, took him for a ride into the country and lynched him for reportedly slapping a white woman.

The Negro, Baxter Bell, about 45, was shot once through the chest. The killing occurred about four miles from here. Bell's body was found lying in a thicket where the killers had thrown it.

City Marshal Louis Donnelly said the five men held up Deputy Sheriff Clyde Petty and him about 9 o'clock this morning. Petty had arrested Bell here in Dickson county last night on charges brought in Cheatham county by Mrs. Luther Dotson.

Today the two officers had started to deliver the Negro to authorities at Ashland City, Cheatham county seat.

A "crowd," Donnelly said, gathered and watched the seizure of the Negro, unable to do anything against the five armed with two shotguns and three pistols.

After the Negro was slain, five men surrendered to officers here. They gave Donnelly back the pistol which had been taken from him, he said.

"They were all just laughing and seemed like they enjoyed what they had done," he reported. "They told me they shot the Negro with my gun. I don't know. It had an empty shell in it when they gave it back to me."

Deputy Sheriff Robert H. Williams of Cheatham county said a Negro slapped Mrs. Dotson as she got off a bus near Kingston Springs early last night.

"I don't know what I done," Marshal Donnelly quoted the Negro as saying shortly before he was lynched. "I was just drunk."

Late today Deputy Sheriff Williams moved the five men to Cheatham county jail. He said he had sworn out a warrant charging them with murder.

Preliminary hearing for the group was set for 10 o'clock at Ashland City Tuesday morning.

MOB ACCUSES MAN; SAYS HE HIT WOMAN

Officers Give Up Victim To Murderers; No Charges Made

WHITE BLUFFS, Tenn.— Citizens throughout the state who believe in Gov. Hill McAlister and others scattered about the country who were impressed with his action in calling out the militia more than a year ago to thwart a lynching, are watching keenly for his action in the mob murder which shocked this community Monday.

Once before Governor McAlister acted just in time to save another unfortunate from the hands of mob violence. This time he had no chance as the uncivilized forces of a mob struck too quickly.

Victim Flung In Thicket

Disrespect for law and order here balked justice this week when the lifeless body of Baxter Bell, 45, was thrown into a muddy thicket, after the victim had been wrested from the hands of officers by a savage mob, who with full display of firearms had their will. Bell had been arrested and was being taken to the Ashville city jail on a charge of assault after allegedly "slapping" a white woman.

That same crew of headhunters returned and with hellish glee gave

was able to point out to the Ashland City jail when they
apped Mrs. Dotson. In were halted on a busy downtown
on there are those whostreet by a small band, who, with
ask if any attack tookfull display of firearms, took the
Mr. Dotson, thou victim and drove off with him.
a warrant against Bell About four miles from here near
sault and battery. has Kingston Springs, Bell was shot
why she was struck once through the chest and his body
risoner City Marshall was thrown into a thicket, where
lly and Deputy Sheriff it was removed later by order of
started on the journey the coroner.

"Cause" For Slaying
of fact is that neither the mob nor Clyde Petty

Oneida, Tenn. News
November 8, 1935

MOB SURRENDERS AFTER LYNCHING NEGRO

Daylight Mob Takes Negro From White Bluff Officers

On a daring daylight raid into the center of White Bluff, Tenn five white men captured a Negro from two officers, took him for a ride into the country and lynched him for reportedly slapping a white woman.

The Negro, Baxter Bell, about 45, was shot once through the chest. The killing occurred about four miles from White Bluff over the Cheatham county line. Bell's body was found lying in a thicket where the killers had thrown it.

took him for a ride into the country and lynched him for reportedly slapping a married woman.

Bell was shot once through the chest. The killing occurred at a point five miles from White Bluff near the Kingston Springs road, in Cheatham county. Bell's body was found in a thicket where the killers had thrown it.

Luther Dotson, 37, husband of the woman who was reported to have been struck by the negro last night, told officers that he fired the shot that killed Bell. He added that he shot the negro in the breast when he fired ten feet distant.

Others held in jail here are Dodson's three brothers, Clyde, Jesse and James Dotson and their cousin Allie Brown.

City Marshal Louis Downely of White Bluff said the five men held up Deputy Sheriff Clyde Petty and him about 9 o'clock this morning. Petty had arrested Bell at White Bluff in Dickson county last night on charges brought in Cheatham county by Mrs. Luther Dotson, 26.

Today the two officers had started to deliver the negro to authorities here.

A "crowd," Donnelly said, gathered and watched the seizure of the negro, unable to do anything against the five armed with two shotguns and three pistols.

After the negro was slain, five men surrendered to officers at White Bluff. They gave Donnelly back the pistol which had been taken from him, he said.

"They were all just laughing and seemed like they enjoyed what they had done," he reported. "They told me they shot the negro with my gun. I don't know. It had an empty shell in it when they gave it back to me."

After leaving the White Bluff jail with Bell, Petty and Donnelly drove to a restaurant and the negro had breakfast. He was alone on the back seat of the car, the marshal said. Donnelly sat on the front seat. Petty went across the street to a drug store to make a phone call.

"I hadn't paid any particular attention to some men parked in an automobile behind mine," Donnelly related. "Suddenly they ran up and covered me with guns, two with shotguns and three with pistols.

"One of them said, 'We've come after this negro.'"

The marshal, his hands up, got out of the car and was disarmed. Petty, crossing the street from the drug store, was similarly treated.

"We'll be back in a few minutes and bring your gun," Donnelly quoted one of the men as saying. He said that "about 25 minutes later they came back and gave up. They said, 'Here we are.'"

Mrs. Dotson said that the negro hit her in the eye with his fist last night about 6 o'clock when she resisted his advances as she was drinking beer in a negro store on highway 1, about four miles from White Bluff.

She declared that she had gotten off a bus from Nashville a few minutes before and stopped at the store before walking on to her home. The store was owned by Ed Daniels, negro.

According to the woman, Bell grabbed her by the shoulder while she was in the store and demanded: "Do you know who I am?"

She said she told him who he was and that he offered her $5 to go with him.

Mrs. Dotson remonstrated with the negro, she said, and he struck her in the face with his fist. Ellis Parker, only white man present, went to her aid and scuffled with the negro.

Parker and the negro were separated and Mrs. Dotson went to the home of 'Squire J. W. Greer at Kingston Springs to swear out a warrant.

The warrant charged the negro with assault and battery and with using abusive language.

The negro lived at Kingston Springs. He was married and was the father of a 10-year-old boy.

Mr. and Mrs. Dotson have two children, Ewell, 6, Doris, 3.

The Dotson brothers live in Cheatham county where Jesse and James have been on relief. Brown is a resident of Dickson county.

Nashville, Tenn.
Morning Tennessean
NOV 5 1935

NEGRO TAKEN AWAY FROM OFFICERS AND SLAIN IN CHEATHAM

Five Kinsmen of Woman Surrender, Charged With Murder

ASHLAND CITY, Tenn., Nov. 4—(Spl.)—Four brothers and a cousin were being held in the Cheatham county jail tonight, following their surrender to Dickson county officers after they took a negro away from the officers and shot him to death near here this morning.

Deputy Sheriff R. H. Williams said the quintet declared they would waive examination before Squire W. B. Adkisson here Tuesday morning at 10 o'clock, when trial for the five will be called on a charge of murder.

"It is my opinion," Williams said, "that they will be sent to the Davidson county jail at Nashville for safekeeping."

Officers said the five prisoners captured the negro, Baxter Bell, from two officers this morning,

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New York World Telegram
NOV 13 1935

Lynchings 'Will of People,' Say Judge and Prosecutor

County Attorney Defends Texas Mob That Strung Up Two Negro Boys as White Girl's Murderers—Jurist Holds Law Could Not Have Punished Them Adequately.

By the Associated Press.

COLUMBUS, Tex., Nov. 13.—County Attorney O. P. Moore said today he believed the lynching of two youthful Negroes by a mob of 700 persons, including several women, on a farm near here last night, was "an expression of the will of the people."

Moore's statement came soon after Justice of the Peace E. C. Thrower said he would conduct a court of inquiry into the lynchings during the day.

The town was quiet. The mob seized Ernest Collins, 15, and Benny Mitchell, 16, who assertedly had confessed the criminal attack and subsequent drowning of Miss Geraldine Kollmann, high school honor graduate, from officers and left them dangling from an oak tree near the girl's home.

"I do not call the citizens who executed the Negroes a mob," said Mr. Moore. "I consider their action an expression of the will of the people."

County Judge H. P. Hahn, said, however:—

"I am strongly opposed to mob violence and favor orderly process of the law. The fact that the Negroes who so brutally murdered Miss Kollmann could not be adequately punished by law because of their ages prevents me from condemning those citizens who meted justice to the ravishing murderers last night."

At Austin Governor James V. Allred said he did not know the facts, but the thought of "lynching was deplorable at any time."

groes allegedly made statements involving a third negro. The mob left the bodies hanging and went in search of the third negro.

About 500 men were in the party which took the negroes away from Sheriff Frank Hoegemeyer and deputies as they were being brought here from Houston for trial in juvenile court tomorrow. Both were under 17 years old.

Oldest Boy Was 16

The town was quiet. The mob seized Ernest Collins, 15, and Benny Mitchell, 16, who assertedly had confessed the criminal attack and subsequent drowning of Miss Geraldine Kollmann, high school honor graduate, from officers and left them dangling from a live oak tree near the girl's home.

"I do not call the citizens who executed the Negroes a mob," said Moore. "I consider their action an expression of the will of the people."

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Deplored by Governor

At Austin, Gov. James V. Allred said he did not know the facts, but the thought of "lynching" was deplorable at any time."

Sheriff Hoegemeyer said he didn't think there would be an immediate investigation of the incident.

"I didn't recognize any of the members of the mob and I have no clues to go on," the sheriff said. "I guess the grand jury will make an investigation. It meets in February.

"All the license plates on the cars of the mob were covered with cloth or had pieces of paper twisted over them."

SHERIFF YIELDS VICTIMS TO MOB WITHOUT RESISTANCE

EVERYONE KNEW ABOUT LYNCHING

Episcopal Priest Pleads With Mob To Let The Law Take Its Course

COLUMBUS, TEXAS.—The savage, merciless roar of a blood-maddened mob thundered in terrifying fashion at Altair, 11 miles from here Tuesday night and left in its wake the murdered bodies of two Negro boys, one 15 and one 16.

The boys, who had been held in Houston for a month for safekeeping, were taken from Sheriff Frank Hoegmeyer and a deputy at a bridge over the Colorado river by a mob estimated to have included at least 700. Despite the fact that the sheriff claimed that secrecy shrouded the move to return the boys to Columbus, where they would have been tried in the juvenile court Wednesday, everyone in and near Columbus seemed to know from early morning Tuesday that a lynching was to take place and approximately where.

The lynch victims were Ernest Collins, 15 and Benny Mitchell, 16. They were charged with the brutal murder of Geraldine Kollmann, 19, on October 17. Officers claimed the boys confessed to the crime.

Auto Caravan

The mob had ridden to the point where the boys were "captured" from the sheriff in a caravan of automobiles. There the long line of machines halted and their occupants "visited" with each other as a bottle of whiskey passed freely among them. Plans for handling the "lynching bee" were discussed and a spot for the actual commission of the crime was chosen.

When the sheriff's car, traveling at a very moderate rate of speed reached the bridge, the boys quickly passed from the custody of the sheriff to that of ten men, whom the sheriff claims were armed and masked. One of them called the sheriff by his first name, it is said, and the officer is said to have responded in a similar manner.

Then the two boys were beaten, kicked and manhandled as they were being taken to the car of their abductors. With blood streaming down their childish faces, the boys were flung into the machines of the mob and rushed away perhaps a half mile where other cars were already drawn up in a semi-circle, headlights making a glittering circle of radiance centered about a huge oak tree.

Collins Wasn't Afraid

Young Collins, crimson staining the deep brown of his face, disdainfully spat out several teeth which had been broken by a blow from the butt of a gun wielded by a lyncher and grinned crookedly at the rim of hostile white faces which surrounded him.

"Go on an' kill me," the boy is reported to have said. "That's all you can do and I can't die but once. Anyway I didn't do anything."

But Bennie Was

But his companion, Bennie Mitchell, was not made of such stern stuff. Above the rumbling roar of the hundreds who pressed closer to see the "fun" his shrill young voice protesting his innocence and praying could be heard. His voice rose in a childish treble above the din and even some of the members of the murder mob are said to have turned their heads at the spectacle.

The one redeeming feature of the whole ghastly affair was the courageous attempt of the Rev. E. B. Marmion, an Episcopal minister of Columbus, to stop the murders.

The minister leaped to the top of a car and in a voice filled with

Brooklyn, N. Y. Eagle
NOV 13 1935

Prosecutor Defends Lynching of 2 Boys As Will of the People

Wouldn't Call Them a Mob, He Says of Texans Who Executed Negroes for Attack on Girl—Judge Calls Hangings Justice

Columbus, Texas, Nov. 13 (AP)—County Attorney O. P. Moore said today he believed the lynching of two youthful Negroes by a mob of 700 persons, including several women, on a farm near here last night, was "an expression of the will of the people."

Moore's statement came soon after Justice of the Peace E. C. Thrower said he would conduct a court of inquiry into the lynchings during the day.

TWO YOUNG NEGROES ARE LYNCHED IN TEXAS

COLUMBUS, Texas, Nov. 12.—(AP) Two negro youths charged with slaying a young white woman October 17 were seized by a mob at Altair, 11 miles south of here tonight, and hanged to a liveoak tree a mile from the girl's home.

Before they were hanged, the ne-

11-13-35

pleading. begged the mob not to go on with their "sinful, barbaric acts." The minister, his face pale in the light of the automobile lamps, pleaded for the mob to let the proper legal procedure be carried out. But his impassioned plea was greeted with boos and jeers—and the two boys were placed under the limbs of the giant oak, loops placed around their necks and they were hauled aloft where within a few minutes their frenzied jerkings had ceased.

Then the lynchers, more quiet now, piled into their cars and drove off sedately—some towards Columbus—and some toward Houston.

Columbus Quiet

In Columbus, the streets were deserted. An air of guilt hung over the town like a visible pall.

Later the bodies of the boys were delivered to the homes of their grief-stricken parents, while the Negro section of the town seethed in an ineffectual anger which dared not to give expression to its feelings.

In one of the most morbid bits of advertising ever seen in these parts, a drug store in Columbus displayed the two nooses which chocked the boy's to death while hundreds passed by to see them.

R. Weinert, district attorney when "notified" of the lynching had no idea as to what could or would be done. Everybody concerned said nobody was recognized among the mob.

Greensboro, N. C., News
November 13, 1935

RATE TEXAS MOBS LYNCH NEGRO BOYS

Two Youths Said to Have Confessed Murder of Girl—Posse Hunt Third Suspect.

Columbus, Tex., Nov. 12.—(AP)—Two negro youths charged with slaying a young white woman October 17 were seized by a mob at Altair, 11 miles south of here, tonight and hanged to a live oak tree a mile from the girl's home.

Before they were hanged, the negroes allegedly made statements involving a third negro. The mob left the bodies hanging and went in search of the third negro.

About 500 men were in the party which took the negroes away from Sheriff Frank Hoegemeyer and deputies as they were being brought here from Houston for trial in juvenile court tomorrow. Both were under 17 years old.

The negroes, Benny Mitchell and Ernest Collins, were alleged to have attacked and killed Miss Geraldine Kollman, 19, after she came up on them in her father's pasture and accused them of stealing pecans. Officers said soon after their arrest that they had confessed the crime.

The girl's body was found floating in Cummins creek by her brother and it was believed at first she had drowned.

Officials said the limit of punishment for the negroes had they been tried in juvenile court would have been imprisonment in a juvenile prison until they were 21 years old.

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NEGROES HANGED BY MOB IN TEXAS

Telegraph
11-13-35

Lynchers Go in Search of Third Suspected of Complicity in Murder of Girl

COLUMBUS, Texas, Nov. 12 (AP).—Two Negro youths charged with slaying a young white woman near here Oct. 17, were seized by a mob at Altair, 11 miles south of here, early tonight and hanged to a live-oak tree about a mile from the girl's home.

Macon, Ga.

Before they were hanged, the Negroes allegedly made statements involving a third Negro. The mob left the bodies hanging and went in search of the third Negro.

About 500 men were in the party which took the Negroes away from Sheriff Frank Hoegemyer and deputies as they were being brought here from Houston for trial in juvenile court tomorrow. Both were under 17 years old.

The Negroes, Benny Mitchell and Ernest Collins, were alleged to have attacked and killed Miss Geraldine Kollman, 19, after she came upon them in her father's pasture, and accused them of stealing pecans. Officers said soon after their arrest that they had confessed the crime.

The birl's body was found floating in Cummins creek by her brother and it was believed at first she had drowned.

She was graduated last spring from Columbus high school with highest honors.

Officials said the limit of punishment for the Negroes had they been tried in juvenile court would have been imprisonment in a juvenile prison until they were 21 years old.

Two Negroes Are Hanged In Texas

Altair
11-13-35

COLUMBUS, TEXAS, Nov. 12.—(AP)—Two negro youths charged with slaying a young white woman near here Oct. 17 were seized by a mob at Altair, 11 miles south of here early tonight and hanged to a liveoak tree on Highway 71, about a mile from the girl's home.

Before they were hanged, the negroes allegedly made statements involving a third negro. The mob left the bodies hanging and went in search of the third negro.

About 500 men were in the party which took the negroes away from Sheriff Frank Hoegemeyer and deputies as they were being brought here from Houston for trial in juvenile court tomorrow. Both were under 17 years old.

The negroes, Benny Mitchell and Ernest Collins, were alleged to have attacked and killed Miss Geraldine Kollman, 19, after she came up on them in her father's pasture and accused them of stealing pecans. Officers said soon after their arrest that they had confessed the crime.

BROOKLYN, N. Y.
TIMES UNION
NOV 13 1935

TEXAS MOB HANGS 2 COLORED BOYS

Youths Confessed Killing White Girl—Sheriff Says No Arrests Will Be Made.

(By United Press.)

Columbus, Tex., Nov. 13.—Sheriff Frank Hoegmeyer announced today that he would make no arrests in connection with the lynching of two colored boys.

"The men were masked," he said. "Their automobiles had licenses from other counties. I didn't recognize any of them. The Grand Jury will meet in February and may investigate the lynching then."

The boys, both 16, were seized by a masked mob last night. Accused of slaying a white girl, they had been sent to Houston several weeks ago to frustrate a mob. They were both returned for arraignment in juvenile court, guarded by only two deputies.

Mayor O. A. Sumwalt issued this statement: "Feeling has been high here ever since the boys confessed they killued Miss Kollman.

"Under the law the killers could only be tried in juvenile court and the only punishment possible was confinement until they became of age. The citizens didn't think that was punishment enough."

The boys, Benny Mitchell and Ernest Collins, were hanged from the limb of an oak tree. The mob was reported to have extracted a confession involving another colored youth in the slaying and there were reports he would be lynched if found.

Miss Geraldine Kollman, 19, a farm girl, was assaulted and killed while patrolling the family pecan orchard on horseback.

New York American
NOV 13 1935

Mob Lynches Two Murder Suspects

Negroes Accused of Killing Girl Jerked from Sheriff's Car

COLUMBUS, Tex., Nov. 12 (AP).—A mob estimated at 700 persons, including several women, tonight took two Negro youths accused of the murder of Miss Geraldine Kollman, 19, from Colorado County officers, and hanged them to a live oak tree, four miles north of Columbus.

The mob then scattered in search of another Negro believed to be implicated in the crime.

The two prisoners, Benny Mitchell and Ernest Collins, both less than 17 years old, were being taken from Houston to Columbus by Sheriff Frank Hoegemeyer and Deputy Berry Townsend to stand trial tomorrow in juvenile court for criminally attacking and killing the girl Oct. 17.

As the officers and their prisoners reached the Colorado River bridge at Altair, 11 miles south of here, the mob stopped them, jerked the Negroes from the car and rushed them to a spot a mile from the farm of the slain girl's parents. Asked for any last statements, the two youths allegedly implicated another young Negro.

The leaders of the mob placed knotted ropes around the necks of the pair and pulled their kicking bodies into the air.

Miss Kollman, honor graduate of Columbia High School, was slain and her body thrown into Cummins Creek, which flows through her father's pasture

New York World Telegram
NOV 13 1935

TWO NEGRO BOYS LYNCHED BY MOB IN DEATH OF GIRL

Taken from Deputies, Hanged on Nearby Oak—Third Faces Like Fate.

NO ARRESTS ARE PLANNED

No Chance of Identifying Men Who Took Suspects, Sheriff Declares.

By the United Press.

COLUMBUS, Texas, Nov. 13.—Sheriff Frank Hoegmeyer announced today that he would make no arrests in connection with the lynching of two Negro boys.

"The men were masked," he said. "Their automobiles had licenses from other counties. I didn't recognize any of them. The Grand Jury will meet in February and may investigate the lynching then."

The boys, both 16, were seized by a masked mob last night. Accused of slaying Miss Geraldine Kollman, a white girl, they had been sent to Houston several weeks ago to frustrate a mob. They were being returned for arraignment in Juvenile Court, guarded by only two deputies.

Feeling High in Town.

Mayor O. A. Sumwalt issued this statement:—

"Feeling has been high here ever since the Negroes confessed they killed Miss Kollman.

"Under the law the Negroes could only be tried in Juvenile Court and the only punishment possible was confinement until they became of age. The citizen's didn't think that was punishment enough, and some of them apparently decided to take matters into their own hands."

The boys, Benny Mitchell and Ernest Collins, were hanged from the limb of an oak tree. The mob was reported to have extracted a confession involving another Negro youth in the slaying and there were reports that he would be lynched if found.

Attacked In Orchard.

Miss Kollman, a farm girl, was assaulted and killed while patrolling the family pecan orchard on horseback. Mitchell and Collins were arrested and were said to have confessed. They were being returned here for arraignment tdday.

As Hoegmeyer and his deputy, Berry Townsend, drove onto the Colorado River bridge near Altair several automobiles blocked their path. Bobsen leaped on the car and seized the Negroes, snatching the ignition key to block pursuit.

The lynching party sped to Columbus and beyond to the tree, apparently selected in advance, a mile from the home of Miss Kollman.

Hoegmeyer found them and cut them down an hour later. Coroner E. C. Thrower held an in quest and issued a verdict that the Negroes died at the hands of persons unknown.

Reports varied concerning the size of the mob. The sheriff said some ten or fifteen men were in the party that stopped his car. Other reports said 700 men were in the mob.

New York Herald-Tribune
NOV 13 1935

2 Negro Youths Hanged by Mob Of 700 Texans

Boys Under 17 Years Old Lynched for Assaulting and Killing White Girl

Crowd Hunts 3d Culprit

Prisoners Seized on Eve of Juvenile Court Trial

By The Associated Press

COLUMBUS, Tex., Nov. 12.—A mob estimated at 700 persons, including several women, tonight took two Negro youths accused of the murder of Geraldine Kollman, nineteen years old, from Colorado County officers and hanged them to a live oak tree four miles north of Columbus.

The two prisoners, Benny Mitchell and Ernest Collins, both less than seventeen years old, were being taken from Houston to Columbus by Sheriff Hoegemeyer and Deputy Berry Townsend to stand trial tomorrow in Juve-

...ails Court for criminally attacking and killing the girl October 17 last. They had been taken to Houston for safe-keeping.

"While we were crossing the bridge," the sheriff said, "a large body of men stopped us. Before I could make a move, they opened the automobile door and took out the two prisoners. They placed the Negroes in another car and sped away toward Columbus. Seven cars on the bridge blocked my way so I could not follow them. None of the men was masked, although some carried guns."

After the mob had dispersed in search of a third victim the bodies were cut down and left lying under the tree. The two ropes, each with its noose, were taken into Columbus and placed in a drug store, where they were viewed by hundreds of curious persons.

"We knew all afternoon this was going to happen," several citizens remarked tonight.

Miss Kollmann was killed when she rode into her father's pasture in search of thieves who had been stripping pecan trees. The Negroes said in their confessions they were seated on a log on the farm when the girl approached on her horse. When they denied they had been stealing pecans, she told them to follow her and she would show them a tree that had been stripped.

As they walked behind her, according to statements attributed to the Negroes, one of them picked up a limb and knocked the girl from her horse. Then both attacked her, the confessions said. Her body was found in a creek.

C. C. C. Foreman Hanged, Burned

RIPLEY, W. Va., Nov. 12 (AP).—The blazing body of a white man identified as J. S. Gunnoe, fifty years old, a C. C. C. camp foreman, was found hanging from a tree on a farm near Ripley late tonight. He was identified by a tag. His clothing had been soaked in oil or gasoline and set on fire.

NEW YORK DAILY NEWS

NOV 13 1935

2 BOYS STEAL PECANS—SLAY GIRL, 19—LYNCHED

(By Associated Press)

Columbus, Tex., Nov. 14.—Two colored boys who had confessed that they attacked and killed a 19-year-old white girl who caught them stealing pecans on her father's ranch were taken from the sheriff tonight and hanged by a mob of 500 men. They were taken to Altair, 11 miles south of here, and hanged side by side from a live oak tree within sight of the home of their victim, pretty Geraldine Kollman on Oct. 18. At first it was thought she had been thrown from her horse and been killed. An examination showed that she had been attacked, however, and a manhunt started that led to the arrest on Oct. 22 of Benny Mitchell and Ernest Collins, both under 17.

Before they were hanged the youths involved a third colored boy. Leaving the bodies swinging in the tree, the mob turned their cars and went in search of the third youth.

Miss Kollman's body was found in Cummings Creek by her brother. They confessed to Sheriff Frank Hoegemeyer that they were stealing pecans on the Kollman ranch whe nthe girl came upon them, riding a horse. She told them to follow her to the house. Instead, one of them pulled her from the horse and struck her over the head wit ha club. Then they attacked her and threw her into the creek.

Tell of Hiding Body.

"Ernest took her by the shoulders and I got her legs and we carried her to the creek and threw her in," Mitchell told Hoegemeyer.

When news of their arrest spread, a mob gathered around the "hanging" oak on the courthouse grounds and demanded the boys be turned over.

The sheriff spirited the boys to Houston for safekeeping, and he and deputies were bringing them back tonight for trial in Juvenile Court tomorrow when the mob met the officers.

Cartersville, Ga., News
November 28, 1935

Texans Lynch Negro Youths

Columbus, Tex., Nov. 27—A mob of masked men took two 16-year-old Negroes from officers bringing them here for trial today on charges of murdering a white girl and hanged them from a limb of an oak tree.

The victims were Benny Mitchell and Ernest Collins. They were said to have confessed assaulting and beating to death Geraldine Kollman, 19, a farm girl. She was patrolling the family pecan orchard.

"I don't plan any arrests," Sheriff Frank Hoegmeyer said. "The men were masked. Their automobiles had licenses from other counties. I didn't recognize any of them. The grand jury will meet in February and may investigate the lynching then."

Mitchell and Collins were taken to Houston for safekeeping because of high feeling subsequent to the slaying of Miss Kollman. Hoegmeyer and Deputy Berry Townsend were bringing them back for Juvenile Court trial scheduled today.

As the officers drove onto the Colorado River bridge near Altair several automobiles blocked their path. Mobsmen leaped on the car and seized the Negroes, snatching the ignition key to black pursuit.

The lynching party sped to Columbus and beyond to the tree, apparently selected in advance, a mile from the home of Mis Kollman. Ropes were placed around their necks and thrown over a limb. The struggling youths were then jerked into the air.

MONTREAL, QUEBEC
DAILY ~~STAR~~ Gazette
NOV 13 1935

3 NEGROES LYNCHED UPON A SINGLE DAY

Two Hanged at Columbus, Texas, Third at Ripley, W.Va.

19 CASES FOR YEAR 1935

Two of Victims Taken From Police Custody—Body of Other Soaked in Gasoline and Burned

Two negroes were hanged at Columbus, Texas, and a third at Ripley, W. Va., yesterday, bringing to 19 the number of lynchings in the United States for 1935.

The negroes lynched at Columbus were 'teen aged youths who allegedly had confessed assaulting and killing a young white girl. The mob which took them from the sheriff and a deputy went looking for a third believed implicated in the crime.

The West Virginia victim apparently was soaked with an inflammable fluid and hanged in flames. He was burned so badly no identification was available immediately.

Columbus, Texas, November 12.—(AP)—A mob estimated at 700 persons, including several women, tonight took two 'teen age Negroes accused of the murder of Miss Geraldine Kollman, 19, from Colorado county officers and hanged them to an oak tree four miles north of Columbus.

The mob then scattered in search of another Negro believed to be implicated in the crime.

The two prisoners, Benny Mitchell and Ernest Collins, both less than 17 years old, were being taken from Houston to Columbus by Sheriff Frank Hoegemeyer and Deputy Berry Townsend to stand trial tomorrow in juvenile court for criminally attacking and killing the girl October 17.

As the officers and their prisoners reached the Colorado river bridge at Altar, 11 miles south of here, the mob stopped them, jerked the Negroes from the car and rushed them through Columbus to a spot only a mile from the farm of the slain girl's parents. Asked for any last statements, the two youths allegedly implicated another young Negro.

The leaders of the mob placed knotted ropes around the necks of the youths and pulled them into the air. Leaving them hanging, the crowd then started toward the home of the third negro implicated. Late tonight they were reported still searching for him.

Miss Kollman was criminally attacked, slain and her body thrown into a creek which flows through her father's pasture. Finding of the body next day and the discovery that she had been beaten started a manhunt that ended in the arrest of the two youths.

Fearing mob action, Sheriff Hoegemeyer took his prisoners to Houston for safe keeping. After their arrival there they admitted the crime in a signed statement, officers said.

The sheriff had hoped to slip the prisoners into town tonight without notice, and was approaching Columbus in a roundabout way when the mob intercepted him.

Lynchings - 1935
Cases of.

West Virginia.

4617

BLAZING BODY FOUND HANGING FROM TREE

RIPLEY, W. Va., Nov. 12.—(AP)—The blazing body of a white man identified as J. S. Gunnoe, 50, a CCC camp foreman, was found hanging from a tree on a farm near Ripley late tonight.

The body was identified by a tag and by Roy Bradley, commander of the Jackson Civilian Conservation Corps camp several miles from Ripley.

Attracted by the flames, James Elliott found the body on his farm four miles from this Ohio river valley town.

Elliott told police the dead man's clothing had been soaked in oil or gasoline and set on fire.

State police from Charleston and Ripley said Gunnoe had been slain. They ordered the body removed to Ripley.

RIPLEY, VA., Nov. 12.—(AP)—A strange light burning on his farm led James Elliott tonight to the discovery of the flaming body of an unidentified Negro hanging from a tree.

Elliott who lives about four miles from this Ohio valley community in Jackson County, said he was attracted by the flames and went to investigate.

He added he heard no commotion before he made the discovery.

Coroner C. R. Kessel of Jackson County, Corporal William Beckett and Trooper Wayne Lanham of the State police ordered the body removed to Ripley.

New York Evening Post
NOV 13 1935

CCC Foreman Lynched And Burned in W. Va.

Veteran Found Hanging in Flames—Texas Mob Kills Two Negro Boys as Girl-Slayers

RIPLEY, W. Va., Nov. 13 (AP).—A placid evening's walk terminated in a flaming death from a tree limb last night for J. Fulton Gunnoe, fifty-five-year-old war veteran and CCC camp foreman.

A frightened farmer, James Elliott, saw flames lighting his window. In his night clothing Elliott ran out to a low ridge about 150 yards from the Charleston-Parkersburg highway and found Gunnoe's blazing body hanging from a tree.

He hurried four miles to Ripley to tell State police a Negro had been hanged. Troopers discovered later, however, a tag identifying Gunnoe as a white man and foreman of the Jackson Civilian Conservation Corps camp some miles from Ripley.

Roy Bradley, superintendent of the camp, confirmed the identity.

State police said a heavy wire was wrapped six times around the dead man's neck. His body had been burned from head to foot after gasoline was poured over it.

Pocketbook Empty

Gunnoe's hat, lashlight and empty pocketbook were found a few yards from the tree. It was not known whether he had any money with him.

"The flames were up around the neck when I got there," said Elliott. "The body was so badly burned it couldn't be recognized.

"The light was the first thing that aroused me. I never heard any automobiles pass by, nor was there any noise to disturb me."

Lieutenant James H. Filinger of Charleston organized a detail of troopers to start covering the rain-soaked woods and hills near the farm for clues to the torch death.

Officers said their first investigation failed to disclose how Gunnoe's body reached the Elliott farm, nor could they learn of any motive for the slaying.

Two Negro Boys Lynched

COLUMBUS, Tex., Nov. 13 (AP).—A mob of 700 persons, including several women, hanged two Negro boys last night for the brutal slaying of Geraldine Kollman, nineteen, high school honor graduate.

Ten masked and armed men forced two officers to surrender Ernest Collins, fifteen, and Benny Mitchell, sixteen, who allegedly had confessed attacking the girl and throwing her body into a creek, October 19.

The mob hurried its victims to a tree a mile from the Kollmann farm and quickly strung them up despite the plea of the Rev. E. B. Marmion, Episcopal rector, to let the law take its course.

The mob listened to him in silence and then broke into jeers.

Pleads for His Life

"White folks, please don't do this," pleaded iMtchell as the hangman's knot was slipped about his neck.

Collins, apparently unshaken peered into Mitchell's face and grinned.

The two prisoners were chained together about the neck. Failing in an effort to break the chain, the mob hustled the youths beneath the tree and threw two ropes over a limb. Twenty men seized the ropes and pulled up the kicking Negroes.

Sheriff Frank Hoegemeyer and Deputy Harry Townsend were returning the prisoners from Houston, where they had been held for safekeeping, to Columbus for juvenile court trial today.

The maximum sentence they could have received was confinement in a reformatory until they were twenty-one.

Blocked By Caravan

A large caravan of motor cars blocked the officers path at a bridge eleven miles south of Columbus. The mob sped away with the prisoners, leaving the road blocked by automobiles so the officers were unable to pursue.

Mitchell assertedly told his captors the name of another Negro he said planning the slaying of Miss Kollmann. Some of the mob went in search of the third Negro but were told that he had left this section.

Miss Kollmann was killed on her father's farm after she had gone in search of pecan thieves.

Nashville, Tenn. Banner
November 13, 1935

CCC Foreman Found Lynched Near Camp

Ripley, W. Va., Nov. 13—(U)—Discovery of the burning body of J. S. Gunnoe hanging from a tree on a Jackson County farm brought state troopers and county authorities here for an intensive search for the slayers today.

Gunnoe, forestry foreman at a Civilian Conservation Camp four miles south of here, was found lynched late last night by Jim Elliott, a farmer, 200 feet from his home. Officers could give no immediate motive for the lynching. No trace of Gunnoe's assailants had been found.

Ripley, W. Va., November 12.—(AP)—The body of an unidentified Negro was found hanging from a tree four miles from here late tonight. The clothing had been soaked in gasoline or oil and the body was burned beyond identification.

Passing motorists saw the flames and discovered the body.

State police from Ripley and Charleston started for the scene.

In their absence reports that a mob had lynched the Negro and burned his body for attacking a white woman could not be confirmed.

Lynchings- 1935
Discussions.

Association of Southern Women for the Prevention of Lynchings.
4516

LYNCHINGS IN SOUTHERN STATES DECLINED 50 PER CENT IN 1934

Association of Women Report 55 Killings Were Prevented in Dixie

ATLANTA, Jan. 10 (AP)—The Association of Southern Women for the Prevention of Lynching received a report today that there were 50 per cent fewer lynchings in 1934 than the year previous.

Representatives of the association in 13 Southern states, who gathered here to study further activities to prevent lynchings, were informed there were 55 prevented lynchings last year. Forty-five of these occurred in the territory of the association.

The report was contained in the association's official bulletin.

Mrs. Jessie Daniel Ames of Decatur, Ga., executive director of the association, explained that the purpose of the council was to agree on further methods of prevention and to restate the association's policy of education.

The council was to be presided over by Mrs. Atwood Martin, chairman of Louisville, Ky. Mrs. W. A. Newell, of Salisbury, N. C., is the secretary.

Members Active

"Every member of our association has been particularly active in every instance where there has been a threatened lynching," said Mrs. Ames, discussing the report.

"The policy of the association is based on the profound relief that education and enlightenment of the Christian citizens of the South was the surest way to create public opinion which would not tolerate lynching."

She said the association was formed because it recognized the belief that lynchings were tolerated by the public "as needful for the protection of Southern white women."

Since its organization, Mrs. Ames said it was found that only about 20 per cent of the lynchings resulted from attacks on white women.

Claim Repudiated

"We felt that the least we could do was to repudiate this claim not only in resolutions but by public speeches and pledges on the part of women to educate along this line."

In four years the association has grown from 30 signatory members who indorsed its program to 26,000 signatures coming from all the Southern states, she said. The members represent over 1,000 of the 1,400 counties and approximately 2,600 cities.

The sheriff, a deputy and one other county official of Bedford county, Shelbyville, Tenn., accepted the program, Mrs. Ames said. It was at Shelbyville where an enraged mob of citizens burned down a courthouse recently after an unsuccessful attempt to get a Negro in the custody of the sheriff.

Governors Back Plan

Thirteen governors have committed themselves to the program, and five made pledges to prevent lynchings during recent political campaigns, she said.

During the past year association members obtained signatures from 287 county officials.

Besides state representatives, attending the session here also are representatives at large from the following organizations:

Woman's missionary union of the Southern Baptist convention; woman's council of the Southern Methodist church; woman's committee of the Southern Presbyterian church; National Council of the Protestant Episcopal church; National Congress of Parents and Teachers; Association of Professional and Business Women, and the National Young Women's Christian Association.

LYNCHING ON WANE IN TEXAS

FORT WORTH, Tex., Jan. 3 — (ANP)—That 22,000 Southern white women have joined the Association of Southern Women for the Prevention of Lynching [illegible] than 200 sheriffs in Southern states have pledged their efforts to the same end, were stated at a meeting here of the State Interracial Commission and the Texas branch of the Women's Anti-Lynching Association. It was reported that the Association has more than 4,000 signed members in the state and that 38 Texas sheriffs and other officers have personally signed the Association's pledge.

Reports as to interracial conditions were made from various sections of the state, and Dr. Channing H. Tobias, of New York, national secretary of the Y. M. C. A., delivered an address upon the general situation. Another speaker was Mrs. Jessie Daniel Ames, director of Woman's Work of the Commission on Interracial Cooperation and organizer of the Association of Women.

Mrs. J. L. Brock, of Bryan, was elected chairman of the commission for the coming year and President W. R. Banks of the State College for Negroes, was reelected secretary. Dr. M. W. Dogan, president of Wiley College, was elected vice president.

ANTI-LYNCHING GROUP BARS POLITICAL STAND

Body Refuses to Indorse Costigan-Wagner Bill in Congress.

The Association of Southern Women for the Prevention of Lynching, meeting here Thursday, declined to take a position concerning the Costigan-Wagner anti-lynching bill proposed in congress.

Two suggestions came from the floor asking that the council clarify its position as regards legislative matters, but the council indicated it loooked with disfavor on indorsing as a body any political measures.

Instead, a resolution was adopted giving further emphasis to the association's program of educational activities to prevent lynchings.

Resolution Offered.

Mrs. John W. Hanna, of Dallas, Texas, former president of the national Y. W. C. A., and now council representative of the Texas association, and Mrs. Walter S. Jones, of Jacksonville, Fla., asked that the association adopt a resolution stating members "as individuals" were interested in "becoming conversant" with legislation for the reduction of crime.

The resolution was not voted on.

In 1934, the council stated that "we look with favor upon any legal measure which promises sure and permanent eradication of this crime of lynching."

A suggestion was made that the council restate this statement, but it was opposed.

Mrs. Jessie Daniel Ames, of Decatur, executive director of the association, advised the council to steer clear of political legislation until the group became "large enough to be felt."

The resolution expressed the association's belief that lynchings "generally grow out of a racial hysteria caused by fear that white supremacy is in danger. We know that in many places any person, man or woman, can create a mob and incite it to destruction of life and property by arousing this ever present fear. In condemning lynching, we must face these factors and publicly acknowledge them."

The association said areas still retarded by ignorance and prejudice should be intelligently cultivated by social, educational and religious forces to reduce the crime.

The 1935 objectives were: To enlist 10,000 men and women in this work; to give immediate publicity to causes behind every lynching; to secure the signature of every sheriff in the south through personal calls by local constituents; and to enlighten the public.

The Association received a report Thursday that there were 50 per cent fewer lynchings in 1934 than the year pervious.

Representatives of the association in 13 southern states were informed there were 55 prevented lynchings last year. Forty-five of these occurred in the territory of the association.

The report was contained in the association's official bulletin.

Association's Growth.

In four years the association has grown from 30 signatory members who indorsed its program to 26,000 signatures coming from all the southern states, she said. The members represent over 1,000 of the 1,400 counties and approximately 2,600 cities.

Thirteen governors have committed themselves to the program, and five, during recent political campaigns, made pledges to prevent lynchings, she said.

During the past year association members obtained signatures from 287 county officials.

Besides state representatives, attending the session here also are representatives-at-large from the following organizations: Woman's Missionary Union of the Southern Baptist convention; woman's council of the Southern Methodist church; woman's committee of the Southern Presbyterian church; national council of the Protestant Episcopal church; National Congress of Parents and Teachers; Association of Professional and Business Women, and the National Young Women's Christian Association.

Atlanta, Ga. Journal
January 10, 1935

50 PER CENT DROP IN 1934 LYNCHING RECORD REPORTED

Association of Southern Women Here to Study Prevention Plans

The Association of Southern Women for the Prevention of Lynching received a report Thursday that there were 50 per cent fewer lynchings in 1934 than the year previous.

Representatives of the association in thirteen southern states, who gathered here to study further activities to prevent lynchings, were informed there were fifty-five prevented lynchings last year. Forty-five of these occurred in the territory of the association.

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The council was to be presided over by Mrs. Atwood Martin, chairman, of Louisville, Ky. Mrs. W. A. Newell, of Salisbury, N. C., is the secretary.

"Every member of our association has been particularly active in every instance where there has been a threatened lynching," said Mrs. Ames, discussing the report.

"The policy of the association is based on the profound belief that education and enlightenment of the Christian citizens of the south is the surest way to create public opinion which would not tolerate lynching."

She said the association was formed because it recognized the belief that lynchings were tolerated by the public "as needful for the protection of southern white women."

Since its organization, Mrs. Ames said it was found that only about 20 per cent of the lynchings resulted from attacks on white women.

"We felt that the least we could do was to repudiate this claim not only in resolutions but by public speeches and pledges on the part of women to educate along this line.

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Atlanta, Ga. Georgian
January 11, 1935

WOMEN REPORT LYNCHINGS OFF 50 PER CENT

Forty-two women from 13 states, delegates to the convention of the Association of Southern Women for the Prevention of Lynching, returned to their homes Friday, following a session Thursday at the Piedmont Hotel in which marked progress in the educational campaign against lynching was reported.

Encouraged by a report that lynchings decreased 50 per cent during 1934, the women decided to continue their educational work.

They adopted these objectives for 1935:

To enlist 10,000 men and women in the fight against lynching; to give immediate publicity to the causes underlying every case of mob violence; to enlist peace officers throughout the South and to spread public enlightenment.

The association decided not to work now for state or federal legislation. The pending Costigan-Wagner anti-lynching bill was not taken up.

Mrs. Jessie Daniel Ames, of Decatur, executive director of the association, explained that the affiliated church and educational organizations could take such action as they chose regarding legislation and the association might be able to act later, but felt it could do more valuable work now in spreading information and exacting pledges from officials to prevent violence. Every Southern Governor has enlisted in this, she said.

In four years the association has grown from 30 signatory members to 26,000.

New York Times
JAN 11 1935

FIFTY-FIVE MEN IN 1934 SAVED FROM LYNCHING

Success of Fight by Southern Women's Group Is Told at Atlanta Convention.

Special to THE NEW YORK TIMES.

ATLANTA, Jan. 10.—Fifty-five lynchings were prevented in the United States in 1934 and there were 50 per cent fewer victims of mob violence during the year, members of the Association of Southern Women for the Prevention of Lynching were told today as they heard annual reports and mapped new objectives for their 1935 program.

The association tabled a resolution favoring the Wagner-Costigan Anti-lynching Bill. This was done at the suggestion of Mrs. Jessie Daniel Ames, executive director, who advised the council "to steer clear of political legislation until we become really large enough to be felt."

Objectives for 1935, as approved by the council, are as follows:

1. To enlist 10,000 more men and women in the work.
2. To give immediate publicity to causes behind every lynching.
3. To obtain the signature of every Sheriff in the South, through personal calls by local constituents, that he will do his utmost for the prevention of lynchings.
4. To enlighten the public on the causes and cures of the lynching evil.

Mrs. Ames said thirteen Governors had committed themselves to the program of the organization.

PHILADELPHIA, PA.
BULLETIN
JAN 12 1935

REAL ANTI-LYNCHING POWER

Members of the Association of Southern Women for the Prevention of Lynching at their annual meeting at Atlanta found encouragement in the record of the past year, showing that in 55 cases lynchings were prevented by the action of the authorities entrusted with the protection or the custody of threatened persons. That record suggested as part of their effort in 1935 the attempt to secure from every sheriff in the South, through personal calls from citizens of his bailiwick, the written pledge that he will do his utmost to prevent lynchings in his county.

Official laxity in dealing with lynchings occurs mainly in cases where the sheriff or other responsible official feels that the community sympathizes with the mob and would resent efforts to protect the victim. Demonstration such as the Southern women propose to give that there will be community support for a man endeavoring to do his duty, affords the best possible means of stiffening official backbone.

The formation of this association of women, and the active part which educators, editors and other public men in the South have taken in organizing sentiment against this form of outrage are welcome signs of the times. Outside condemnation makes little impression on a community in which mob violence is condoned by popular sentiment. When the South's natural leaders, and its women, combine to brand the crime as a disgrace to the section, results may be expected.

Charlotte, N. C. Observer
April 24, 1935

HEAR MRS. AMES AT JOINT MEET

Interracial Expert Tells Status of Negro Under Phases of New Deal.

Mrs. Jessie Denial Ames, director of woman's work of the Southern Interracial commission, was the principal speaker at a joint meeting of the Young Women's Christion association and the Council of Social Agencies at the Y. W. C. A. yesterday afternoon.

Mrs. Ames declared that negroes are facing new economic conditions under the New Deal and that the commission is devoting its time to efforts in working out these problems.

"Hardships have been wrought upon the negroes by the agricultural policies of the New Deal," she continued. "With the plowing up of crops and the reduction of acreage, there is less demand for negroes to work in the fields at chopping and picking cotton, ginning, hauling and loading at the docks."

She said that she favored the proposed plan of the government whereby homesteads would be arranged for jobless negroes, where they would be allowed to have their own places and work them under proper supervision.

She said that the commission has done much to educate the people of the South against lynching. "We Southern women," she said, "do not believe that lynching is necessary for the protection of southern womanhood. That excuse has been used by the white men to get absolute control over the negro."

She predicted that by 1937 anti-lynching laws will have been proposed by governors of each of the southern states.

Mrs. Ames stopped in Charlotte to deliver her address as she was on her way from Washington to her headquarters in Atlanta.

Charlotte, N. C., News
April 23, 1935

Atlantan Says Negroes Face New Problems

Interracial Commission Director Says Education To Stamp Out Lynching.

Negroes in the South are facing new economic problems under the New Deal and the Southern Interracial Commission is devoting its energies to help work out these solutions as well as to educate the populace against lynching, according to Mrs. Jessie Daniel Ames, director of woman's work of the commission, who was in Charlotte this afternoon.

Mrs. Ames came to Charlotte en route from Washington to her headquarters in Atlanta for the purpose of addressing a joint meeting of the Young Women's Christian association and the Council of Social agencies this afternoon at 4:30 o'clock at the Y. W. C. A. building on East Trade street.

Discussing the interracial situation in the South, Mrs. Ames said that while in some communities the negroes were given the same consideration as whites in the handling of relief funds, in many communities they were given less relief because they were assumed to have lower standards of living to uphold.

Bring Hardships

"The agricultural policies of the New Deal have also wrought hardships on the negroes," she said, "for with the plowing up of cotton and other crops and the reduction of acreage, there is less demand for negroes to work chopping and picking cotton, ginning, hauling and loading cotton at docks."

Mrs. Ames said that she favored the proposed plan of the government's arranging homesteads for jobless negroes and allowing them to have their own places and work them under supervision.

"Education of the southern people in the matter of lynching is a goal of the Interracial Commission and also the Association of Southern Women for the Prevention of Lynching. We southern women believe that lynching is not necessary for the protection of southern womanhood and never has been. That excuse has simply been used by the white men to obtain definite control over the negroes. Women were used as a screen and such a use is definitely humiliating."

Educational Work Stressed

By educational work through churches and missionary societies, women's clubs, Y. W. C. A. groups and other women's organizations in the south, the Interracial Commission and the Association to Prevent Lynching have cooperated in the attempt to mold public opinion of the south to take a bold and definite stand against lynching under any circumstances, Mrs. Ames explained. They have also sent speakers to state associations of sheriffs and other officers and have secured the signed statements of these officers and of thousands of southern women to take every possible precaution against lynching.

Sentiemnt for the anti-lynching bill now before congress is divided, Mrs. Ames said, with many of the southern cities strongly in support of it.

"We believe, however," she declared "that by 1937 we sall have state anti-lynching bills introduced by the governors of every southern state in their own legislatures. The south can and will want to handle the situation itself."

Jacksonville, Fla., Times-Union
April 30, 1935

Anti-Lynching Group Meets This Morning

Mrs William P. Cornell, chairman of the Florida Council of the Association of Southern Women for the Prevention of Lynching, announced last night that she had called a meeting to be held at 10:30 o'clock this morning in St. John's Episcopal Community House, 328 Market Street.

Mrs. Cornell said that she expected members of the council to assemble from various parts of Florida, in addition to all local members of the group.

ANTI-LYNCHING PLAN SUBMITTED TO CONNER

Kentucky Women Request Governors' Study

From Jackson, Miss., Bureau of The Commercial Appeal.

JACKSON, Miss., May 8.—Consideration of a proposal for the eradication of lynching by the governor's conference at Biloxi in June was suggested to Governor Conner today by the Kentucky Council of the Association of Southern Women for the Prevention of Lynching.

"The state of Mississippi has laws against lynching, and our governors have uniformly done everything in their power to prevent these unfortunate occurrences," was the attitude of the governor on the proposal.

As to the recently defeated Costigan-Wagner bill in Congress, the governor said:

"The enactment of that bill would have destroyed the last vestige of state's rights, and would have violated the fundamental principles of the federal constitution."

Lynchings-1935
Discussions.

Association of Southern Women for the Prevention of Lynching.

4517

CHARLOTTE, N. C.
NEWS

APR 23 1935

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Perry, Fla., News
June 20, 1935

Women Are Wrong About Lynching Law

Members of the federation of women's clubs, returning from the Detroit convention revealed that the entire delegation from Florida supported birth control and anti-lynching resolutions.

We cheerfully concede that the first proposition is peculiarly within the woman's field and we have no comment to make on the stand taken by federation members.

But we regret the necessity of disagreeing with the federation on the anti-lynching bill.

The Daily Democrat has maintained a firm position for law and order and against extra legal methods of inflicting punishment upon those who offend society.

Our stand against lynching is no less firm than that of the federation of women's clubs.

But we are in sharp disagreement on the remedy suggested in a bill pending before congress and which was endorsed by the federation. This bill would penalize the taxpayers of the county where each lynching took place.

It requires but little thought to realize that such a penalty would be unfair and would fail to serve the purpose.

In the first place the membership of mobs is seldom drawn heavily from property taxpayers. Those who pay no property taxes would not be hindered by the penalty. In the second place, it is seldom possible to determine who took part in a lynching or where it was held. An example is the recent unfortunate incident in Marianna. The victim was taken from an Alabama jail and left in the Marianna court yard. Where was the victim lynched and by whom? Does anyone know?

Should the taxpayers of Jackson county be penalized for an act which may have been committed in Alabama? Or should the taxpayers of some Alabama county be penalized for an act in which their own residents had no part. — Tallahassee Democrat.

Six White Women Protest Lynching In Miss. State

JACKSON, Miss.—Following the double lynching near Columbus on July 15 six prominent white women of this state sent Governor Sennett Conner a telegram calling attention to the outbreak and expressing the conviction that if local authorities continue indifferent in such cases, federal intervention will be imperative.

"This opinion," the women said, "is growing in the South, as well as throughout the nation. Such outbreaks as that at Columbus strengthen the claim made by many people that only by federal law can lynching be eradicated. Federal intervention is necessary and inevitable, unless our public officials take a more active part in apprehending and punishing lynchers than they are doing at present."

Replying to the communication, Governor Conner assured the committee that he concurred in their views and agreed that everything possible should be done to prevent lynchings and punish lynchers. He called attention to the fact, however, that "under our system of jurisprudence persons guilty of the crime of lynching must be indicted, tried and convicted in the county where the crime occurred before they may be punished." He further stated that under Mississippi law the Governor has no authority to remove or punish any officer who does not perform his duty in this connection.

The telegram to the Governor was signed by Mrs. Lester Greer, of Potts Camp; Mrs. L. W. Alford, of McComb City; and Mrs. C. H. Alexander, Mrs. W.W. Epperson, Mrs. E. M. Weston, and Mrs. Theo D. Bratton, of Jackson, comprising the Executive Committee of the Mississippi Council of Southern Women for the Prevention of Lynching. The Mississippi Council has a signed membership of 3,000 and is part of the Southern Association of Women for the same purpose, which has a total of 26.722 signed members.

Mobile, Ala., Press
July 19, 1935

WOMEN'S UNIT PROTESTS LYNCHING OF NEGROES

JACKSON, Miss., July 19.—(AP) The lynching of two negroes near Columbus, Miss., early this week by a mob of infuriated white citizens, today brought a storm of protest from the executive committee of the Mississippi division of the Association of Southern Women for the Prevention of Lynching.

At a call meeting of the committee here today, presided over by Mrs. Lester Greer, of Potts Camps, chairman, a telegram of protest was dispatched to Gov. Sennett Conner.

"Unless our public officials take a more active part in apprehending and punishing lynchers than they are doing at present we cannot hope to maintain our integrity as sovereign states," the telegram stated.

Commercial Dispatch
COLUMBUS, MISS.

JUL 19 1935

WOMEN OF STATE PROTEST HANGING

Double Lynching Early This Week Causes Meeting Of Mississippi Group

JACKSON, Miss., July 19—(AP)—The lynching of two negroes near Columbus, Miss., early this week by white citizens, today brought a storm of protest from the executive committee of the Mississippi division of the Association of Southern Women for the Prevention of Lynching.

At a called meeting of the committee here today, presided over by Mrs. Lester Greer, of Potts Camp, chairman, the following telegram was dispatched to Governor Sennett Conner:

"We, the executive committee of the Mississippi division of the Association of Southern Women for the Prevention of Lynching, respectfully call your attention to the outbreak of mob violence on July 15 in Lowndes County, the fourth one in the state this year.

"These outbreaks strengthen the claim made by many people that only by federal law can lynchings be eradicated. We believe that each state is entitled to administer its own criminal law without interference by other agencies. Nevertheless we cannot fail to recognize that there is growing a national public opinion extending into the South which demands that when local authorities do not or will not punish lynchers, resort should be made to the federal courts."

Talladega, Ala. Home
July 20, 1935

PROTEST AIMED AT LYNCHING FLAREU

JACKSON, Miss., July 20.—Th lynching of two Negroes near Colum bus, Miss., early this week by a mob c infurated white citizens Friday brough a storm of protest from the executiv committee of the Mississippi Divisio of the Association of Southern Wome for the Prevention of Lynching.

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"Unless our public officials take a more active part in apprehending and punishing lynchers than they are doing at present we cannot hope to maintain our integrity as sovereign states."

Albany-Decatur, Ala. Daily
July 19, 1935

PROTEST VOICED IN LYNCHING OF TWO

Women Members of Anti-Lynching Unit Make Appeal

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MIAMI, FLA.
NEWS
JUL 22 1935

PUBLIC OPINION
on a Question a Day

QUESTION: Do you believe lynching is ever justified?

Alice Garrett, 57 E. Flagler st.: Lynching sometimes is justifiable, I think. Take a case such as the Fort Lauderdale affair, where a white woman was attacked by a negro man, lynching was too tame for him. In these days of supposed advanced intelligence and higher civilization, attacks of this nature, which bring back thoughts of the days of barbarism, are not to be condoned. And the one and only way to curb this is to resort to swift and drastic measures, such as lynching.



J. L. Harrison, 1236 Obispo ave., Coral Gables: Lynching is never justified. The law should take its course. Intelligent people nowadays do not resort to mob influence, believing and knowing that the courts of our land mete out proper justice. The negro arrested at Fort Lauderdale, and held by the sheriff, never had a chance to prove himself not guilty. He most certainly should have had a trial by jury like any other citizen, white or black.



J. T. Robertson, 258 N. W. 27th terrace: I think the law should handle situations of this nature. If the negro accused and identified by Mrs. Jones at Fort Lauderdale had confessed, then there would have been some excuse for the mob lynching. In her excitement it is quite possible she may have identified a negro who had no connection with the attack. This is why I think the law should deal with these cases, eliminating any chance of hanging the wrong person.



Jeanne King, 253 N. E. 14th st.: No; our courts are most able to carry out justice at all times, to both white and black. I think Governor Sholtz, in ordering an immediate and searching investigation of the lynching in hopes of bringing the guilty ones to justice, is doing quite the lawful thing. Acts of violence and committed in undue haste, such as the lynching of the negro at Fort Lauderdale Friday, do Florida little good.



MEMPHIS, TENN.
PRESS SCIMITAR
JUL 18 1935

'A Healthy Sign'

By JOHN QUINCY JOHNSON,
Pastor Allen Chapel
1023 N. Manassas St.

The abatement of mob law is a healthy sign of the times. For the past 40 years, in the daily press of the state, more or less on this subject I have written. The statistics of lynch law will show that in these later years it has been substantially reduced.

Nowhere has this evil in our national life been more effectively condemned than in the South. The white women of the South have, in club organizations, condemned lynching in no uncertain terms; also the General Conference of the M. E. Church, South, and the Southern Baptist Convention.

The national conscience has been quickened about this evil, as seen in certain bills introduced, but defeated in the Congress now in session.

The Tuskegee Year-Book took note of 13 lynchings in 1934. We are gradually moving on toward a government of law. That the states can handle the mob was shown last winter in the way Governor McAlister handled the Shelbyville, Tenn., mob. This old town is one of the best in the nation. Black and white are on the best of terms. I taught 20 years in Turner College in Shelbyville.

The United States is the most lawless nation in the world; more murders are committed than in any other civilized country. The cheapness of the negro's life has made all life cheap.

In England murderers are hanged; in the United States they escape the gallows thru legal technicalities.

Government of law, and not government by the mob, is a consummation devoutly to be wished in this our great nation.

WINSTON SALEM, N.C.
JOURNAL
AUG 1 1935

Punish the Lynchers

It is unnecessary to comment at length upon the horror, the brutality and the inmate savergy which characterized the lynching of Govan Ward, insane Negro, by a Franklin county mob. Incidents of this kind are always heinous and horrible. They bring a flush of shame to a state which had prided itself on the apparent fact that hoodlumism was at last beginning to die out within its borders.

The circumstance that the Negro victim was insane adds to the gruesome and macabre aspects of an unforgivable group murder. But the Negro was not quite so insane as that crazy mob which allowed emotion to sweep beyond the control of decency and common sense to blotch with blood the name of this State.

To this extreme in mob sadism and butchery the State must resolve to put an end. The sheriff of Franklin county has been quoted as saying that the lynching is a closed incident. Common decency demands that it not be considered as a closed incident.

Surely the sheriff and his deputies must have recognized some members of the mob that relieved them of their prisoner, else broad daylight doesn't have the virtues in Franklin that it has in Forsyth. These men should be brought into court that in this way the authorities might learn the identity of other members, the ring-leaders of that mob.

When these facts are learned the State should proceed to make an object lesson of these men to the discouragement of butchery and barbarism in North Carolina. Then and then only will the affair become a "closed incident."

That Governor Ehringhaus and Solicitor Bickett do not consider the affair closed is the most encouraging aftermath of the atrocity.

Lexington, Ga., Echo
August 1, 1935

DEPUTY PAUL COMMENDED

Deputy Sheriff John Paul is in receipt of letters from the Association of Southern Women for the Prevention of Lynchings and from the Woman's Missionary Society of the North Georgia Coference commending him highly upon his prevention of the possible lynching of the Negro Semmie Gaines who, on the morning of June 26th, slew Mrs. G. C. Goolsby and daughter, Miss Mettie, in their home near Vesta, and who after a day's man hunt by hundreds of men was caught and by strategy of Sheriff Paul was probably saved from drastic treatment by the party. Both the associations commend him highly for having "saved the state [illegible]."

Woman Defends Lynchings.

AUSTIN, Texas, Nov. 14 (AP).—A white-haired woman, protesting against demands for an investigation into the lynchings of two Negroes, shouted today:

"Nothing in the world will save Southern women from those brutes except lynching."

Unrecognized by the chair, Mrs J. R. White, of Coleman, rose at the Texas Federation of Women's Clubs Convention and assailed demands for an inquiry by Governor Allred into the hanging of two Negroes accused of assaulting and slaying a white girl at Columbus, Texas.

The demand had been voiced by Mrs. Jessie Daniel Ames of Atlanta, Ga., executive director of the Association of Southern Women for Prevention of Lynching, who had said that such lynchings made the South and Texas "ridiculous."

Lynchings - 1935
& Discussions.

Association of Southern Women for the Prevention of Lynching.

4519

SAN ANGELO, TEX.
TIMES

NOV 15 1935

Coleman Club Woman Challenges Speaker Who Deplores Lynching

"Nothing In World Will Save Southern Women From Brutes Except Lynching," Mrs. White Says

AUSTIN, Nov. 14. (AP)—A lone delegate at the Texas Federation of Women's Clubs convention today protested a speaker's demands for a state investigation of a dual lynching at Columbus.

White-haired and elderly Mrs. J. R. White of Coleman arose without recognition at the conclusion of a plea to Governor Allred for an inquiry and said:

"Nothing in the world will save Southern women from those brutes (negroes) except lynching."

Mrs. Jesse Daniel Ames of Atlanta, Ga., executive director of the Association of Southern Women for the Prevention of Lynching, demanded in a speech before the federation that Governor James V. Allred order an inquiry.

A mob of men lynched two negroes accused of criminally assaulting and murdering a young white school teacher. County Attorney O. P. Moore said he believed the action was an "expression of the will of the people."

"The county attorney's attitude being what it is," said Mrs. Ames, formerly of Georgetown, Texas, "I think the governor owes it to the state to order a speedy investigation. Such lynchings not only make the South and Texas ridiculous to other states but appear lacking in civilization."

She said absence of decisive action "makes it appear that we're helpless or don't care."

WACO, TEX.
TIMES HERALD

NOV 18 1935

HITS TEXAS LYNCHINGS



Mrs. Jessie Daniel Ames of Atlanta, executive director of the Association of Southern Women for Prevention of Lynchings, in a speech at Austin, Texas, called on Governor Allred to investigate the lynching of two negroes at Columbus, Texas, and assailed the attitude of the county attorney there. (Associated Press Photo)

Corpus Christi, Tex.
CALLER

NOV 15 1935

Woman Demands Lynching Probe

Member of State Federation Asks Governor To Order Inquiry

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Negro Press, Northern.

Lynchings-1935
Discussions.

4908

16 LYNCHINGS KNOWN SO FAR FOR 9 MONTHS

Figure But Fraction Of Mobbings Says ILD

10-5-35

NEW YORK, N.Y., Oct. 4.—Sixteen lynchings, fifteen of them Race citizens, came to light during the arst nine months of 1935, according to a compilation made public last week by the national office of the International Labor Defense in this city. Half of the total number of lynchings occurred in Mississipi.

Four of the lynchings were a direct result of the terror of landlords against the Share Croppers Union.

Alabama saw three lynchings between January 1 and September 30; California, North Carolina and Florida one each; Louisiana two; and Mississippi eight.

Evidence that the lynchings that are discovered an dreported in the press are only a fraction of the lynchings that acually occur, is more abundant than ever this year, the I.L.D. announced.

The lynching of Joe Spinner Johnson, at Greensboro, Ala., was carried out with considerable secrecy, and was brought to light by friends of Johnson and by inmates of the jail where he was confined.

This lynching was not mentioned in the press until representatives of the Share Croppers Union and the International Labor Defense made the matter public; even the then the enormous majority of newspapers chose to ignore it.

That the terror of the landlords in the cotton belt was responsible for even more than the four reported lynchings, is indicated by reports from that territory. Al Jackson, secretary of the Share Croppers Union, with headquarters in Montgomery, stated in a report to the I.L.D.:

"Two unidentified bodies were found in the swanmps between one was found about five miles northwest of Fort Deposit. It is practically impossible to check up on who they were because so many local union leaders and strikers have been hiding out in the woods in fear that they would be killed on sight by the landlord thugs. The county made no attempt to find out who the dead persons were and dumped the bodies is hastily-dug graves."

The fate of John Foster, Race worker of Birmingham, is stilll a question mark. Foster went into Selma, Ala., on May 19, to investigate the whereabouts of Robert Washington, who had been arrested there and beaten by a gang. Foster was arrested after he had been in town two hours, and then released, but efforts to trace him since he stepped out of the door of the Selma jail met with little success.

Shortly afterwards two Race farmers of the locality found the dead body of a man not far from Selma. They were cautioned by the local police not to mention the matter.

The White Press

A Tennessee Lynching

THERE have been more brutally executed lynchings than that which occurred this week at White Bluff, Tenn., but rarely if ever one as brazen. The victim, a Negro accused of slapping a white woman, was taken from a deputy sheriff and another official who were enroute with their prisoner to the county jail.

The "mob" consisted of five armed men. They took the deputy's pistol but assured him that they would "be back in a few minutes and bring your gun." The promise was kept. In less than half an hour they returned and surrendered to the official. "They were all just laughing and seemed like they enjoyed what they had done," he says. "They told me they shot the Negro with my gun." The sheriff placed no charge but said that they would be taken to the county seat for arraignment.

Only less shocking than the crime itself is the cheerful confidence of this quintet that the law which they boast of flouting will not punish them for it. In the history of lynchings, to be sure, they have ample assurance for such a belief. Officials in most cases offer little resistance for such a belief. Officials in most cases offer little resistance to a lynching mob. Seldom is there even an effort afterward to identify its members, although in the case of the ringleaders at least that should be comparatively simple. Instances in which they have been brought to trial are still more infrequent. A conviction is almost unknown.

But no mob has had the audacity to do its barbarous, bloody deed and then deliver itself to the law in the attitude of "What are you going to do about it?" The country waits to see how Tennessee will meet an unprecendented challenge. —Dayton (O.) News

"THE WILL OF THE PEOPLE"

Two Negroes were lynched in Texas Tuesday night. They were accused of murdering a white girl. The crime is alleged to have been committed on October 17. The youthful victims were being taken to the juvenile court for trial by deputy sheriffs who were overpowered by the mob consisting of about 700 including several women.

11-15-35

Of course nobody will be prosecuted. The county attorney announced that this act of barbarism was the "will of the people." Take notice Moussillini. Come over and civilize this country.

Yes, we agree with the county attorney that it was the will of the people, but are we to allow the will of some people to undermine our civilization? It is the will of Italy that its directing head prosecute an unjust war against Ethiopia but does that make it right? It is the will of the south that Negroes are disfranchised and otherwise discriminated against — and the north too in many instances— but does that make it right? No. not by a long shot.

This is the best argument in the world that our constitution and the Supreme Court are essential to the very existence of minorities for the will of the majority becomes very unjust at times.

Why the Bad Name

It is reasonable to take the word of the Tennessee daily paper, white, about the facts leading up to the lynching in that state recently. Instead of having slapped the woman as she alighted from a bus, as alleged in the story of the lynching, the Negro victim of the mob had been the woman's companion in a Negro drinking joint, where trouble arose between them. The woman took revenge in typical southern fashion.

Negroes by the hundreds of thousands in Tennessee—and other southern states—live industrious, sober, moral lives. But their good works get no attention in press or public opinion, nor earn any semblance of the equal treatment promised every citizen by federal and state constitutions. But the Negro, bad from choice or mental blight, is first page news even though others involved in his offense are not highly esteemed themselves.

11-22-35

The American habit of calling special attention to offenses by Negroes is the follow-up of the nation's need during the slave era of an excuse for its inhumanity. Having said the blacks are no good, and continued to mistreat them, it still must emphasize every shortcoming they have, and minimize every virtue.

Whatever the relations which the dominating sentiment of the South would have exist between the races, partnership violations of them should not be charged up to Negroes alone. The reasonableness of that view is admitted by southern whites, whenever they put forward fake causes of lynchings.

Heaven only knows how many Negroes have been lynched, poor fools who did not see that for them illicit relations were always a game of "heads I win and tails you lose" against them.

Other lynch victims are Negroes who resisted the invasion of their homes but whose death was heralded to the world as the result of their own sins, their confessions attested by their slayers.

Lynching, like slavery, is such an abomination to men of good sense and human impulses that its defenders realize they must besmirch its victims. Gangsters by

Letters to the Editor

Dear Editor:

On Tuesday night, November 4th Baxter Bell, a Negro was lynched at Kingston Springs, Tennessee, charged with "slapping" a white woman. According to the Nashville Tennessean the slapping took place in a Negro drinking place where the white woman was drinking.

The lynching of Baxter is the fifteenth since January 1st and the tenth since the filibuster against the Costigan-Wagner anti-lynching bill in the United States Senate succeeded in sidetracking the bill during the last session of Congress. In addition to these known lynchings, two other Negroes were shot to death in the Gretna, Louisiana, jail on Nov. 1st. There have been several other killings which will probably be proved to be lynchings after the facts are gathered.

But leaving these aside and considering for the moment only the ten proved lynchings since the filibuster, they present a problem and a challenge to American Negroes which I ask your permission to place before your readers.

The forces fighting for passage of the Costigan-Wagner bill succeeded in tying up the Senate for eight straight days. Informed persons in Washington were unanimous in believing that had we been able to hold our lines for a few days longer the filibuster might have been broken.

Why weren't we able to hold on a few days longer? For the simple, practical reason that we did not have money enough for telegrams and stenographic service to keep up steady pressure on the wavering senators upon whom terrific pressure in the form of bribes and threats was being exerted by enemies of the anti-lynching bill. Had there been put $1500 available for such telegrams we could have held on. Because we did not have fifteen hundred dollars—just about enough to give modest funerals to the ten persons who have been lynched since the filibuster—these ten have died, and others now living will die at the hands of mobs. It may even be you.

The fight will be renewed in the next session of Congress. But unless money is available for printing, postage, telegraph and telephone bills and other necessary expenses the bill may again be defeated. Do Negro Americans really want lynching stopped? The skimpiness of their support of the fight against the evil does not seem to indicate it. The N. A. A. C. P. is laboring now under the terrific handicap of a seven thousand dollar deficit, in part caused by the fight in the last Congress. May we urge individuals churches, lodges, sororities and fraternities, women's clubs and the like to help us prepare for the coming struggle by (1) bringing pressure to bear upon their congressmen and senators; (2) getting others to do likewise; (3) making as generous a contribution as they can afford. Cheques and money orders should be sent to the N. A. A. C. P. 69 Fifth Avenue, New York City.

WALTER WHITE
Secretary N. A. A. C. P.

Use What You Have

Senator Borah's statement that if elected president he would veto an anti-lynching bill because it is unconstitutional, should set Negroes to thinking. To call him prejudiced does not save them from facing facts. All laws passed by Congress do not pass the test of the supreme court. The NRA, the key-measure of the new deal, met with disapproval. The American people agreed with the court when they condemned the President himself for asking Congress to pass other laws without first considering their constitutionality. Negroes will be frowned upon for asking the same thing and need not cry prejudice.

Three victories won in the supreme court by Negroes—over residential segregation, the all-white primary and the all-white jury—indicate that the solution of their problems may be found in legislation already tested in the courts and accepted by the American people. They may need no special laws.

Besides being quicker and surer, using present laws to get for Negroes equality as citizens has other advantages. Where an anti-lynching law would affect only lynching, the old laws cover all relationships. Law enforcement would give Negroes equal schooling, equal accommodations on common carriers, equal chance to work on public works. Discrimination against Negroes is woven into the web of American life. It would take a myriad of special laws to get it out piece-meal. Worst of all, Negroes by asking special legislation set themselves apart, the very thing they wish to do away with.

Either the Constitution requires equality before the law, or it does not! If it does, present laws will serve all Negroes' needs. If it does not, special laws will be no better enforced and prove no more successful than the basic law in giving them equality as citizens.

Prejudice could not have devised a more cunning scheme to rob Negroes of their full citizenship than to send them on a wild goose chase after special legislation. It is for them to see the trap, turn, and go after law enforcement just as the Maryland Negro did who is now studying law in the state university, because Maryland, having provided no place else for Negroes to get a law education, must admit him.

Equal treatment of all citizens is the very soul of the Constitution. With that their plea, and the 14th amendment to back them, Negroes in Missouri can do away with the present failure to provide schools for Negro children in rural districts. Wherever union labor enjoys preferential treatment on public jobs, the same effort can either force the open shop or make unions open their doors without discrimination. Law enforcement is the key to the Negro's problem, in protection for his life, enjoyment of the franchise, and opportunity for work on public jobs.

JUST A PRANK

Attention of chivalrous southern senators, who blocked passage of the Wagner-Costigan anti-lynching bill, is called to what happened in White Bluff, Tenn., the other day.

A band of armed white men there seized a Negro from officers of the law, drove him to a thicket, shot him in the chest and left him to die. The victim had been charged with slapping a white woman.

The lynchers, who had borrowed the gun from a deputy sheriff named Donnelly, returned it after their deed.

"They were all laughing," Donnelly reported, "and seemed like they had enjoyed what they had done."

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Pontius Pilate Borah

Senator William H. Borah (Republican, Idaho) declared, last week, that if elected President of the United States, he would veto such legislation as the Costigan-Wagner Anti-Lynching Bill.

His announcement came in reply to Walter White, of New York, secretary of the N.A.A.C.P., who is putting Presidential candidates on the spot as to their attitude on the lynching question. 11-30-35

Senator Borah's attitude in the Senate on lynching is well known. His misguided speech in opposition to the bill on technical grounds, while undoubtedly sincere, came at the critical moment which swayed many Senators to vote to sidetrack it.

The death of the measure in the last Congress was, therefore, due to Senator Borah more than to any other single individual who, like Pontius Pilate, turned colored Americans over to the mobs to be lynched, although he found no fault in them.

Senator Borah's constitutional sensitiveness to States' rights and legal technicalities would, we presume, never permit him to approve the Lindbergh kidnaping law or the organization of G-Men who, operating in the States, have assisted in breaking up crime and rackets.

To Senator Borah the Constitution is everything, and human welfare nothing. Faced with the job of halting lynching, kidnaping and crimes, with which States are unable to cope, Senator Borah says we must first amend the Constitution.

President Roosevelt, not so finicky about the Constitution and States' rights, put G-Men on the trail of kidnapers and criminal big shots, and announced that if Congress would pass the anti-lynching bill, he would sign it and enforce it.

Between Pontius Pilate Borah as Republican candidate for President and Franklin D. Roosevelt, carrying the Democratic banner, Walter White's N.A.A.C.P. will loudly thump for F. D. Mr. White's reminder to Senator Borah that colored people want lynching stopped and that they hold the balance of power in many States was no cock-a-hoop boasting.

Pontius Pilate Borah's retort that, if President, he would veto any anti-lynching bill is not vaporous bombast either.

By inference, the Senator is saying he doesn't care a piffle about the vote of colored people or the way they are lynched.

The Senator has spoken quite plainly and honestly, we think, and we ought to thank him for it. At the same time, Mr. White will be telling the national Republican leaders that they cannot win with Borah, and that is plain honesty too.

LYNCH BOYS ON WAY TO TRIAL

Record

COLUMBUS, Texas, Nov. 15.—(Special)—The dead bodies of two young colored boys were cut from the limb of an old oak tree Thursday, hastily stuffed into crude pine boxes and thrown into gaping holes more than thirty-six hours after their lives had been mercilessly snuffed out as the latest sacrifice to the savagery of blood-thirsty Southerners. They were seized while on their way here for trial.

Despite the fact that reports of the blood-curdling lynching were broadcast throughout the country within a few hours, Sheriff Frank Hoegemeyer and Coroner Thrower permitted the revolting spectacle to remain in public view obviously to satisfy the morbid passion of the local townspeople.

The two youths, Benny Mitchell and Ernest Collins, both under 17 years of age, were seized by a mob of 500 whites at Altair, 11 miles south of here Tuesday night and hanged to the oak tree, a mile from the home of a young white girl whom they were accused of slaying Oct. 17. A third youth, said as an accomplice, so far has not been found by the mob who immediately went in search of him to have been named by the boys after severly beating and lynching Mitchell and Collins.

No Confirmed Confessions

Reports that the boys confessed the killing of the young white girl have not been verified. The boys are alleged to have attacked and killed the girl, Miss Geraldine Kollman, 19, after she came upon them in her father's pasture and accused them of stealing pecans. Her body was found floating in a nearby creek by her brother and it was at first believed that she had drowned. Not a single clue has been found which would connect the boys with the alleged crime. In fact, even the story of an alleged attack is based upon flimsy evidence.

The girl was very popular here and the uncorroborated story of a brutal murder in connection with her death stired considerable feeling. Wild rumors quickly connected the colored boys with the affair.

Same Old Story

The Sheriff Hoegemeyer repeated the threadbare tale told thousands of times during the history of America's lynch craze. He said, though he was heavily armed and accompanied by several deputies, the mob, then only a handful of men, overpowered him after stopping his automobile as he drove over the Colorado River at Altair, and pulled the boys from the car. He admitted he made no effort to stop them. He added the mob left seven cars on the bridge to keep him from following them.

As far as could be learned and as usually happens, no investigation to find the lynchers and bring them to justice will be made.

Negro Press, Northern.

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HOME IS WORTH DYING FOR

Louisiana started the new year in accustomed style. It lynched a Negro last week. To get their man, the mob invaded a jail and shot him down in his cell. He had been found guilty of killing a deputy sheriff and sentenced to hang, but the state supreme court intervened and granted him a new trail. The mob refused to be denied its victim.

Anyone familiar with conditions knows this must have been a flagrant case of official tyranny or the clearest act of self-defense for a southern court to save from the gallows a Negro who had killed a white man.

One needs no other proof than the action of the Louisiana supreme court to understand how innocent this Negro was of crime. Negroes do get an even break in the courts there. The trial and conviction must have been unconscienceably irregular and unjust for the superior court to set it aside.

It is easy to imagine what happened. A Negro farmer to whom an official would go "investigating livestock inspection" must have been of the thrifty sort, an industrious worker who had made his time and efforts count, the last man to get into trouble. To his home comes this deputy, doubly domineering because to his race superiority inflation had been added a bit of authority.

Had the deputy gone to a white farmer, he would have carried the thought that here is one of the voters who has a part in making or breaking his political fortunes. But this was a Negro, whose feelings and interests were of no concern. No explanation, only a blunt order which the bewildered Negro did not comprehend.

A man's home is his castle, says the law, and he has a right to prevent the entrance of anybody except he comes with the proper authority. Being the law, it follows that experience has proven this safeguard to be for the good of society. But the deputy, imbued with the South's contempt for Negroes, would think his word of mouth sufficient authority where it was a Negro's home. A word, a blow, a shot. Two families, the one black and the other white, are involved in a tragedy all because some southerners refuse to treat Negroes as Americans.

If the results of the mob's act were not ghastly, it would be amusing to read how it stole into the jail at three o'clock Thursday morning and took possession of the keys without the sheriff becoming aware of their presence. They were late arriving. They were due to be on the job Monday night, immediately after the state supreme court let it be known that the Negro was not to be hanged. Maybe they hanged him because he was one of those "uppity" Negroes. The very idea of any black man appealing from the decision of a white jury.

The blood of martyrs is the seed of man's advancement. This Negro's death will inspire other Negroes to defend their homes. It will be costly, but it will be worth it. Tyranny, whether based on race or class, is abhorrent to wholesome community life. Every black man who refuses to submit to it will be greater than Patrick Henry whose faith was only a speech, "Give me liberty or give me death." Negroes will give their lives for theirs.

It is the vogue to write into the history of the United States that Negroes are a docile people, who have not enough spirit to resent anything. Even their sympathetic natures which caused them to protect the families of their masters away fighting to continue slavery, is interpreted as cowardice. Yet the truth is that Negroes are the sons of the greatest fighting peoples that ever trod the earth. Their record in the wars of this country is of a piece with what they did in their homeland, Africa. There, tribe after tribe took the field in battle against European soldiers armed with modern rifles, though they had only shields and spears, and died to a man rather than surrender. Even the slaves brought to this country were captured by treachery more than by might. Negroes have nothing in their ancestry to give anyone the basis for calling them cowards.

Talladegans Adopt Plea Against Lynching As A Memorial To R. L. Vann

Dedicated as a memorial to Assistant Attorney General Robert L. Vann, the Talladega Chapter of the American Scottsboro Committee at Talladega College, Talladega, Ala., adopted the following resolution:

"Justice is usually symbolized by scales which are exactly balanced, the weight on one side being equal to that on the other. In every human heart there must be a yearning for justice and a recognition that sooner or later honest effort is rewarded." This then, is the passion of more than 120,000,000 Americans.

The records indicate, however, that there has been a startlin miscarriage of justice in this "Land of the Free and Home of the Brave;" that Americans who have been "endowed by their Creator, with certain unalienable Rights, to wit, Life, Liberty and the pursuit of Happiness," can no longer regard these verities with any de-

The lynchings of 5,068 human beings in the United States since 1882 with less than a dozen convictions, and, moreover, the fact that in each of these cases, only nominal prison terms were given the lynchers, and, furthermore, during the year, 1934, the total number of lynchings was 18, bring into the picture America's major crime — LYNCHING, which is a travesty on justice in our country.

It is our desire to prevent the further miscarriage of justice in these United States and to that end we join hands with more than 42,000,000 people in this country, who are members of organizations representing the church, school, labor and other groups sponsoring for enactment, anti-lynching legislation.

We, the undersigned, respectfully urge that the President and members of both Houses of Congress, place on the list of preferred, immediate and indispensable legislation during the present Session of Congress and strive untiringly for its enactment, the COSTIGAN-WAGNER ANTI-LYNCHING BILL. "Such action will mean unfaltering devotion to the common good and will serve best to bring JUSTICE, SECURITY AND HAPPINESS to the PEOPLE of our COUNTRY and the WORLD."

Respectfully submitted:

CHAS. HENRY HAYNES
PETER COOPER
EDWARD SAYLER
JULIUS MORAN, Secretary
L. P. O'HARA
CHARLES W. QUICK
ALMA SMITH
LELIA T. GARDNER
EARL C. SEABRON
FREDERIC A. RANSOM

Exhibit on Lynching Opens in New York

NEW YORK—An exhibit called "An Art Commentary on Lynching," will open here February 15 at the Jacques Seligman Galleries, 16 East 51st Street, under the sponsorship of a group of distinguished persons of both races. It will close March 2.

Included in the exhibit will be oils, sculpture, black-and-white and photographs all on the subject of lynching. A long list of colored and white artists has submitted pieces for the exhibit, including Hale Woodruff, E. Simms Campbell, Thomas Benton, John Steuart Curry and Julius Block.

SOLONS HEAR OF LYNCHING

Civic Club Asks Legislature to Memorialize Congress

A public hearing on a petition to the Massachusetts Legislature to memorialize Congress in behalf of an anti lynching law was held Wednesday morning at the State House. The petition was filed by Representaive Samuel A. Cohen on behalf of the Roxbury Civic Club.

Atty. Joseph S. Mitchell, the president of the Club, presented the petition. The speakers in favor of the petition were George E. Gordon, David E. Lane, Atty. John T. Lane and William N. Goodman, members of the Roxbury Civic Club.

Rep. Cohen and Rep. Abraham I. Zimon, Atty. John S. R. Bourne, Attorney William W. Lark, Arthur R. Hall, Alfred Baker Lewis of the Socialist Party; Mr. Mullinger of the Communist Party; Prof. James Humphrey Murphy Sheldon, Committee of Independent Political Action; and a descendant of a GAR veteran—all spoke on various aspects of lynching and the urgent necessity for an appropriate Federal Law to curb this barbarous national scourge.

Opposition to the petition was presented by Eben W. Burnstead of 70 Mora Street, Dorchester. Mr. Burnstead whose has offices at 45 Bromfield Street, represented the Mass. Civic Alliance. He gave a long harangue on the South's pet argument "States' Rights."

SAYS LYNCHING IS AMERICA'S SHAME

James W. Johnson, poet, author, lecturer and former consul to three countries, addressed the House of Representatives at the afternoon session, Thursday. The speaker was introduced to the legislature by Rep. S. A. Stockwell, member of the 32nd district (Hennepin County).

He began his address by telling of the Negroe's struggle in America since the landing of the first twenty slaves, two years before that of the Pilgrims. "The Negro," he said "has always been a part of America and will continue to be, he has contributed much to its advancement. Built your cities, homes, tilled your fields, hewed down your forest and in time of war answered the call to arms" continuing he said, "white



J. Weldon Johnson

America should and must if it intends to advance forward, remove the obstacles and acknowledge that the Negro of which I am a part is an important part of our country and civilization."

Condemns Lynching

"In no other civilized country are human beings lynched. It is America's Shame." He then, in striking words gave a vivid picture of lynchings and how they torture their victims by giving the facts of the lynching of a young Negro boy at Estil Springs, Tenn. "Lynching is a dastardly act for any people to commit, while you may not have such occurrences in Minnesota, you as the lawmakers of this great state should go on record, letting the rest of the states know that you are against lynching."

Mr. Johnson was given a tremendous ovation at the close of his address. The galleries were filled almost to capacity. He addressed the weekly Convocation at the U. of M., Thursday noon and spoke before a large crowd Thursday evening at the St. Paul Y. W. C. A.

Lynching Books

Mollie V. Lewis, writing in January Metropolitan, describes the scene in Berlin in 1932 at the height of the anti-Jewish revolution.

The place was the public square before the University of Berlin. Papers had [illegible] announced the burning of the books of Jews and Communists.

Hitler and his associates worked the crowd up to a frenzy. Works of Einstein, Freud, Marx, Lenin, Walter White, James Weldon Johnson, Upton Sinclair, Engels and Mann were tossed on the blaze. Miss Lewis saw this picture:

> Around the bonfire, uniformed figures are shrieking and leaping in the air like madmen. . . . The mob is becoming aroused. . . . Some of the faces are not pretty to behold. . . . A savage roar goes up from the mob. Books are dumped on the fire. The roar—its savagery, its barbaric triumph—startles me.
>
> Suddenly I am afraid. I have never seen a lynching. I had never visualised one in mind. But in this moment, I know, to the minutest detail, what one is like.

Mob spirit in Germany is much like that of the United States. There they burn books, here they burn people.

LYNCHING ON THE RUN

Under the triple attack of sheriffs who protect their prisoner, governors who direct state troops to shoot into the mob, and individuals who go before Congress with their condemnation of lynching, the great American pastime is losing ground. All its pretended respectability is disappearing. No longer does any Senator Tillman speak in defense of it.

Even newspapers, the barometer of public opinion, are less disposed to excuse it. The slogan, "Lynch law must go", raised a generation ago by John Mitchell, the veteran Negro publisher of Virginia, and spread to the four corners of the earth by the diligent efforts of the National Association for the Advancement of Colored People, has taken root in all men's minds. Never has an anti-lynching law been so probable of passage, never has it been more likely of enforcement as now.

The United States invites the world's ridicule by its lynchings. In its Constitution it declares that no cruel or unusual punishment shall be inflicted, but by custom it commits Negroes to the flames, carries away their bones as souvenirs, and in all respect imitates head hunters. Its revolting practices are even the subject of books being sold among Asiatic peoples.

The American church, school and home represent the majority, but the pistol, the rope and the fire of cowards who run in packs typify the American citizen about whom the world is hearing the most.

Mob Got Wrong Man in Neal-Lynching, Belief

PENSACOLA, Fla.—Last week, the father of Lola Cannidy, white girl whom Claude Neal was accused of murdering and for which crime he was lynched by a mob, was sentenced to five years in prison for an allegedly murderous attack on his niece, Dora King, white.

Testimony at the trial revealed that the father of Lola Cannidy believes that she met her death at the hands of white men.

Johnson Defends Selling of Life to Inhuman Mobs

NEW YORK—While expressing no fears that his group would indulge in revolutionary measures in mass, even though it labored under great prejudicial disadvantages, James Weldon Johnson, asserted that he approved of "selling one's life at the highest possible price when attacked by a brutal mob."

Speaking at the Ford Hall, Sunday, Mr. Johnson, professor of creative literature at Fisk University, asserted that the masses are not thinking of any sort of revolution by force. The difference in thought, he said, is along the lines of whether the race shall voluntarily isolate itself, or continue persistently trying to become an integral part of the nation.

Wary of Communists

The speaker declared that he did not believe that the citizens have a tendency toward Communism, but if they do, the party would have to be made up partly of Americans from sections where lynchings now take place. He asserted that his group would be far worse off than at present if it were to bring on itself the antagonism raised by Communism in addition to the prejudices it now suffers.

He urged his listeners to show no friendliness to Fascism, which he considered similar to the spirit they have had to live under in the South since the abolition of slavery. In conclusion, Dr. Johnson exhorted the group not to forget that all white America is not against us, and to demand our common rights as citizens along with other Americans.

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NORTH CAROLINA OFFICIALS SENT NAMES OF LOUISBURG LYNCHERS

Investigator Charges Officials Cooperated With Lynchers; National Guardsman Said To Have Cut Off Man's Toe As Souvenir

Sensational disclosures of the circumstances of the lynching of Govan "Sweat" Ward in broad daylight at Louisburg, N. C., on July 30th which were made by an N. A. A. C. P. investigator were forwarded this week by the N. A. A. C. P. to Governor J. C. B. Ehringhaus of North Carolina and Solicitor W. Y. Bickett. The N. A. A. C. P. investigator, a Southern white man, reveals in his report the names of nine members of the mob of twenty-five to thirty who lynched Ward at Louisburg at eleven o'clock in the forenoon. Among the alleged lynchers are several county and city officials.

A second startling disclosure made by the N. A. A. C. P. is that a member of the National Guard, sent to Louisburg to prevent the lynching and restore order, is reported to have cut a toe from Ward's foot as a grisly souvenir. Members of the National Guard sent to Louisburg from Henderson, N. C., arrived after the lynching had taken place.

Ward Insane

The investigator's report reveals that Ward was known to be insane and had had frequent spells of violence. The N. A. A. C. P. charges that the State of North Carolina is indirectly responsible for the homicidal attacks made by Ward prior to his death on his female cousin and two men, one of whom he killed, in that the State should have long since placed Ward in an institution for the insane. Further evidence of Ward's mental state is given in the N. A. A. C. P. investigator's report which tells how Ward after having struck Charles G. Stokes, a white farmer, with a brick as Stokes worked in his tobacco field, returned to his cousin's home, got an axe with which he returned to the field and cut off the head of Stokes. Ward then took the severed head to his own home, wrapped it in bed clothing and then took a seat in the yard, placing the head by him, in which position he was found when officers arrived to arrest him.

Negroes Did Not Participate

The published reports that Negroes joined in the lynching mob were characterized by the N. A. A. C. P. investigator as "entirely false." The investigator attributes this report to the fact that a Negro did aid in the arrest of Ward. In calling Governor Ehringhaus' attention to this phase, Walter White, secretary of the N. A. A. C. P., cited the charge frequently made that if Negroes would help arrest other Negroes charged with crime and cease shielding Negro criminals there would be fewer lynchings and better race relations. "But here is an instance; Mr. White reminded Governor Ehringhaus "which is unfortunately neither the first nor, we fear, the last, where a Negro did help apprehend a Negro charged with crime only to see him put to death in broad open daylight."

Convictions Impossible

"It is impossible to convict anyone before a jury from that county on account of public opinion", the N. A. A. C. P. investigator states. "The officials of Franklin County were either a part of the mob or in sympathy with it. The local paper justified the act. Solicitor W. Y. Bickett of Raleigh held an investigation using the local legal channels but nothing can be done through that procedure. He was sincere in deploring the deed. The important papers of the State, such as the Raleigh News & Observer, the Raleigh Times and the Greensboro Daily News, were outspoken in their criticism of the local officials." Governor Ehringhaus censured the local officials for neglect of duty.

Mr. White also wrote again to Senator Josiah W. Bailey, one of the leaders of the filibuster against the Costigan-Wagner bill, with whom there has been an acrimonious exchange of correspondence recently. The Ward lynching and the fact that participants in it are now known is cited by Mr. White to Senator Bailey as further proof of the fact that lynching cannot be stopped without Federal action. "Do you still maintain," Mr. White asked Senator Bailey, "that Federal aid to honest state, county and municipal officials is unnecessary?"

Roosevelt Supplied With Louisburg Lynching Facts

Calling attention to the fact that Senator Josiah W. Bailey, a member of his pary and a leader in the filibuster against the Costigan-Wagner bill, has threatened that he will filibuster against the Costigan-Wagner anti-lynching bill whenever it is brought up, President Roosevelt was supplied by the N. A. A. C. P., with the facts of the lynching of Govan Ward at Louisburg, N. C., on July 30.

The President is asked by Walter White, secretary of the N. A. A. C. P. "what steps you as President and your administraton will take in the next session of the seventy-fourth Congress to insure a vote upon the Costigan-Wagner bill?"

Houston Hammers Bailey

Inquiring "whether there are any circumstances whatsoever under which North Carolina will take action against a lyncher" Charles H. Houston, special counsel of the N. A. A. C. P. on Friday, forwarded to Senator Josiah W. Bailey, one of the leaders in the filibuster against the Costigan-Wagner Bill, a report from North Carolina of the refusal of officials to ask for the return of a lyncher who, troubled by his conscience, offered to return to stand trial.

The report, which is confirmed in a news item in the High Point (N. C.) Enterprise of August 19th, tells of the receipt by Carteret county officers of a letter from A. F. Taylor, now of Cortez, Florida, in which Taylor stated that he had participated in a lynching at Beaufort (N. C.) thirty-five years ago. Taylor asserted that he had become religious and was being troubled by his conscience. He volunteered to return for trial and punishment if officers wanted him. According to the North Carolina paper the officers "decided it was useless to accept his offer."

The man lynched was Louis Patrick who was shot and hanged for the the alleged slaying of Elijan Weeks, a merchant.

It is the Association's intention to offer no quarter to the filibusterers against the Costigan-Wagner anti-lynching bill

EDITORIAL OF THE WEEK

OUR RAW DEAL

(California Eagle)

IF you were one of the thousands of Negroes who climbed aboard the Roosevelt bandwagon during the last presidential campaign expecting, as did millions of others, for Roosevelt to wave a magical wand and transport us all safely over Jordan, you have probably known as much disappointment as the rest of us.

Since this was not our first time voting or listening to proverbial 'grains of salt', yet knowing the background of our President, and the humanitarian views held by his first family, we had hoped that the cries of minority groups would at least receive an impartial hearing.

Many groups have long since flaunted the flowery promises Roosevelt made during pre-election days in his face. Because we are trusting to a fault, we, for the most part have kept silent, hoping that our turn would come pretty soon. In the face of recent happenings, both faith and patience are at low ebb.

We had hoped that the President, given more power than any other peace time president, would carry on such programs, and aid such legislation as to further the cause of Americanism.

America, one of the leading world powers, and destined, because of its strategic position to be the deciding power in the world affairs, can never hope to gain the respect of the civilized world while she allows her citizens to revel in the barbarian practice of LYNCHING.

Only last week did we receive a sharp rebuke from Mussolini on the threatening Italo-Ethiopian conflict when Americans protested the Italian invasion, we were told by Il Duce to stop lynching in America before we began worrying about Ethiopia.

The President personally went to bat for all his pet theories and programs, but when sympathetic Congressmen battled day and night for the passage of the Costigan-Wagner Anti-Lynching bill, our President never once raised his voice.

Sometimes silence is more eloquent than speech and by his silence, Mr. Roosevelt did much to sway spineless Congressmen against the bill.

Lynchings have increased under the Roosevelt Administration. Each year the toll mounts higher and higher. Mob law is dangerous! Dangerous to nations as well as to the individaul. Mob law not only has wrecked communities—Mob Law has wrecked Nations!

We expected for our President to exterminate this evil, if not exterminate it, we certainly expected him to speak out against it.

It is time for us to take stock!

What has the New Deal handed us?

Aside from a few political appointments, segregated C. C. C. Camps, further disfranchisement of Texas Negroes in the primary elections, and a few cans of government beef, we have received very little.

We owe the New Deal nothing!

WILL HE ACT THIS TIME



This picture was taken in the state capitol at Nashville in August when a committee from the National Bar Association called at the executive mansion to thank Governor Hill McAlister (indicated by arrow) for calling out troops to prevent a lynching. Now Governor McAlister is being petitioned to order a direct and thorough investigation into the lynching of Baxter Bell, murdered at White Bluffs, Monday.

SHOTGUN CIVILIZATION

The public press of North Carolina rises with the usual promptness and proficiency of the mob propaganda institution to contend that the lynchings in Mississippi, and in fact throughout the south are caused largely by "law's delays". An examination however, of this defense not only proves the contention utterly false but introduces another aspect pertinent to the situation of those who are to execute the laws.

If a defendant is to be tried by judge and jury as the law says he should be tried, is he to be hurriedly tried without giving due consideration to the evidence presented? If so his trial is a farce and he is in fact as well off in the hands of one mob as another. If he is not permitted to have proper counsel to choose the proper judge before whom he desires to be tried through a process or change of venue, providing he believes that the judge before whom his case has been docketed, cannot give him a fair and impartial trial, he still is in the hands of a mob.

If he is denied the right to examine the jurors who are to hear his case and question them upon their oath as to their ability to give him a fair and impartial hearing, he is still in the hands of the mob. It would appear that the law's delay is not the cause of lynchings in the south. The cause is rather to be found in the conscious disrespect of law and order of the southern white man when the interest of black people are at stake.

Shotgun civilization will continue to exist in the south until the south has undergone a mental and spiritual regeneration. It is a state of mind and not law which needs to be changed.

Inexcusable Killings

The Tennessee mob which killed a Negro this week for "insulting" a woman is a case in point proving how supersensitive the South is where contacts, usual in civilization and unavoidable in communities, take place across the color line. The story of this lynching relates that the "insult" took place as she alighted from a bus, circumstances which make it very clear that whatever the man did, his was no sex offense. The lynchers might as well have said they killed him "for cause," that vague charge used to get rid of men in public office when their superiors want to dismiss them but lack sufficient reason.

Many is the lynching which has occurred where the victim was said to have been guilty of "insult." The choice of the word "insult" is a deliberate attempt to convict the Negro of grave offense, when none exists and the lynchers are forbidden by circumstances to cry rape, attempted rape, murder or some other grave crime. They fall back on "insult" because they know that the American people will imagine the grossest sex offenses.

Any lynching is bad enough. But this excuse is worse, because it proves that the lynchers know they had no justification. A robber who specializes on blowing safes is "insulted" if classed along with a pickpocket or confidence man. A gambler deems it insult to be charged with welching on his bets. Women are "insulted" under a wide range of circumstances. The one great contribution to respect for law in the South is the declaration made public by a group of prominent southern white women that their womanhood did not need lynching as a defense.

Maybe this victim of the Tennessee mob was clumsy and jostled the woman as she alighted from the bus. The sorrow of the victim's relatives, the break down of law, the abandonment of common sense and the deliberate faking of a justification for the lynching are debts to the future which Tennessee and the South are too blind to see that they must pay. Killing without excuse is what lynching for "insult" amounts to, a state of lawlessness and inhumanity that horrifies fair minded men everywhere regardless of their attitude toward the Negro.

White Woman Who Caused Lynching Was With Negro

NEW YORK, — The alleged "slapping" of a white woman, for which Baxter Bell was lynched at White Bluff, Tenn., on November 1, took place the N. A. A. C. P. learned today, in a Negro drinking establishment on Highway No. 1, in Dreatham County, Sunday night, according to preliminary reports made to the N. A. A. C. P. The Negro, who the woman claims slapped her is said to have been intoxicated.

No attempts at vengeance were made by any white persons, including relatives of the woman, until after Bell had been taken into custody on a warrant sworn out on Monday, and deprived of all means of defense, either by himself or by any other Negro.

The woman's husband and four other relatives, who voluntarily surrendered to the police, are being held the authorities of the law apparently having no other recourse since the men gave themselves into the custody of the officers.

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NEW YORK WOMEN ON LYNCHING.

The New York State Women's Democratic News is a monthly published in Manhattan. Its president and editor is Mrs. Daniel O'Day, whose highly esteemed friend, Mrs. Franklin D. Roosevelt, is a regular contributor. In its current issue the leading editorial is devoted to discussion of the Senate filibuster against the anti-lynching bill. Views on the subject are enunciated with such courage, vigor and compelling candor that they are gladly republished herewith:

We want to talk to you this month about the defeat of the anti-lynching bill. It had the ardent support of the Junior Senator of New York, Hon. Robert F. Wagner, and the Congresswoman-at-large, Mrs. O'Day. Many of us feel that in this session it should have been possible to pass this bill. It would have accomplished very little in eliminating the evil but at least it would have been a step in the right direction and it cannot be that any of us really want lynching to go on. Of course, in some southern States they are so actuated by the feeling of fear of the bad Negro that they seem to forget that there are hundreds of thousands of good ones whom it is nothing short of crime to treat as they are treated at present.

To have this bill finally laid aside because certain southern Senators insisted on filibustering to prevent its coming to vote is one of those injustices which make us feel that our particular form of government is not always representative of the true feelings of the people of the country as a whole, or even of the majority of the people that some of these representatives claim to represent.

Lynching is a blot on our national honor and means that in the States where it occurs people haven't yet learned to abide by the law and to insist on justice to all men, no matter what color they may be or what creed they may profess. Until we do this in every State in the Union we cannot feel really secure that we ourselves will recive justice. In our own State there is little chance that this law would matter to us any way or the other, but we are a part of the whole United States and therefore we feel that our people, men and women alike, should make it their business to try to influence their friends and relatives to think this whole situation out and begin to take such steps as are necessary for the elimination of lynching as a form of justice.

What a refreshing, heartening editorial? No pussyfooting, straddling or qualifying. Not only do the sponsors of The New York State Women's Democratic News make themselves perfectly clear in their unalterable stand against lynching, but they voice criticism of the short-sighted, unfair policy of condemning an entire race for the questionable acts of a few. That paragraph making ironical reference to representative government should be read and re-read by every member of Congress.

The white Americans who believe the Negro should enjoy the full protection of the law as provided by the Constitution are many. But very few are articulate when it comes to championing the race's cause publicly. One political demagogue can attract more attention and more conspicuously get into the headlines by viciously attacking the Negro than 100 sympathizers who are reluctant about getting into a free-for-all discussion on the race question.

It, therefore, is a unique and gratifying experience to read in print what the Democratic women of New York think about lynching, filibustering and representative government. They do not care what others of divergent views may think of what they think.

Penna. Legislator Seeks New Curb on Mob Violence

(Special to the AFRO)

HARRISBURG, Pa.—A legislative measure that would authorize citizens to petition the attorney general to appoint an attorney to supersede the district attorney, in lynching cases and other crimes and outrages, has been postponed by the Pennsylvania House of Representatives.

In explaining the bill to members of the house before action to postpone it was taken, Representative Reising, white, sponsor of the bill said:

Purpose Explained

"The purpose of this bill is to set up an arrangement by which our citizens will have some means of getting protection when there has been an outrage committed upon them, after the district attorney of the particular county and the judge or judges of the county refuse to take action.

He cited a recent occurrence in Beaver County, in which four truck loads of innocent persons were forcibly ejected on a deserted highway, in the Green County line in the middle of a cold winter night, with orders to get out and stay out of Beaver County, as an example of the need for such a provision.

Representative Sowers, white, of Philadelphia, said twenty petitioners—the number suggested by Reising—was too small a portion of the population of his section to use influence in this manner. Mr. Reising then postponed the bill.

Predicts Lynch Bill Shelving Will Cost Democrats Black Vote

Noted Washington Writer Says G. O. P. Will Make It Campaign Issue

WASHINGTON, D. C.—In his May 10 dispatch, Rodney Dutcher noted Washington correspondent for NEA Service, predicts that the shelving of the Costgan-Wagner anti-lynching bill will be used effectively by the Republican party to woo the Negro voter back into its ranks and may conceivably result in the Democratic loss of eight pivotal states in the 1936 Presidential election.

"A Northern senator high in the Democratic councils," he writes, remarked privately after the burial of the Costigan-Wagner anti-lynching bill by a southern filibuster that if the 1936 election were close the episode might cost his party eight or ten important states.

"He referred to the fact well-known among politicians that the Negro vote can exert a balance of power in certain states—Missouri, Kansas, Illinois, Indiana, Ohio, Pennsylvania, New Jersey and Maryland are usually named—in close contests.

"The best qualified guessers estimate that the Negro vote went 85 per cent for Roosevelt in 1932, whereas perhaps 80 per cent in previous election years had been cast for the Republican ticket.

"Negroes are more concerned as a group with lynching than with any other issue. Democratic politicians now anticipate a Republican drive to convince them that their worst enemies' control the Democratic party.

"The southern filibusters, however, were more worried about their own jobs than about national complications".

Illinois to Retire Senator Dieterich at Next Election

Afro American 6-8-35

Senator Who Opposed the Anti-Lynch Bill on Way Out, NAACP Says.

HE SPELLS NEGRO WITH A SMALL "N"

Senator Still Thinks Most Lynchings Justified.

CHICAGO — The relegating of Senator William H. Dieterich, (Dem., Ill.) into political oblivion for his opposition to the Costigan-Wagner anti-lynching bill is forecast by Irving C. Mollison, president of the Illinois NAACP, following an exchange of correspondence with the legislator.

In an attempt to clarify his position, some time ago, the senator wrote to A. C. MacNeal, member of the NAACP board of directors, that he was "emphatically not in favor of paying $10,000 of taxpayers' money to the family or descendants of a person lynched for a serious crime."

In his reply, Mr. MacNeal said in part:

"It was presumed from the first that you as a former judge, coming from a small town which in sentiment differs but little from small southern town in respect to mob murder, would appreciate that the provision for a $10,000 penalty was for the specific purpose of forcing the apathetic but 'good citizens' to a proper interest in preventing the usurping of the orderly process of law.

Uses Small "N"

"In passing, we must call your attention to the fact that you spelled 'Negro' with a small 'n.' Would you have done the some in the case of the German?

"We trust that your 'judgment' never extends to sponsoring legislation calling for the piercing out of the eyes of all persons of foreign parentage, and hope that no matter what 'your position and judgment' are in respect to the Costigan-Wagner Bill, that you will insist on it being acted upon before the close of the current session of Congress.

"You probably resent deeply the fact that the United States has in the past paid the Italian and Mexican governments large sums for the mob-murder of their citizens. Do you place less value on the life of an American than you do on that of citizens of foreign countries who happen to reside in America?"

Senator on Way Out

Regarding the situation, Mr. Mollison had the following to say, last week:

"Although Senator Dieterich pretends that he is not in favor of the mob taking the administration of justice into its own hands yet he plainly shows that he condones lynching in cases of crimes which are revolting enough to excite a mob to commit murder.

"We do not care anything about what Senator Dieterich may say about us. The senator is on his way out of public office and we will personally see that the colored people of Illinois are sufficiently informed of his apparent condonation of lynchings that they will rise as one body and send him into political oblivion which he so richly deserves.

Look Forward to Defeat

"Like all one-termers, the senator is apparently free to disregard the disposition of his constituents. His acts impress us with the fact that no man ought to be allowed to retain an office for six years without some provision being made for his removal. We look forward with great pleasure to the defeat of Senator Dieterich, when and if he ever presents himself to the people of Illinois for public office."

Lynching Is Still A Substitute For Justice In South

Chicago Defender

Chicago Illinois

7-18-35

Passage of the Costigan-Wagner Anti-Lynching Bill by the present Congress may not have changed the report of the International Labor Defense for the first six months of this year which declares that at least six members of the Race have been ruthlessly lynched.

It is certain that the legislation would not have changed the intent or temper of the southern white man in regard to a member of the Race charged with any crime involving a member of the opposite race.

There would still be lynchings. There will always be lynchings. We have murders notwithstanding the strict penalties incurred. The Lindbergh Law is effective but still there are kidnapings. Yes, there will always be lynchings.

It is also vain to look forward to the day when the races will dwell in complete and Utopian harmony in this country. Some whites will always hate some blacks even if all the panaceas propounded by students of race relations were applied.

But in spite of this dark picture—one of the mangled, mutilated bodies of six black men who even were they guilty deserved at least not their fate but a legal road thereto—in spite of all that, passage of the Costigan-Wagner bill would give to the many million other members of the Race a feeling that such desecrations of human rights do not have the sanction of the government to whom they are asked to be loyal and look to for protection.

The lynchings are just as much the crimes of that narrow-minded bloc of congressmen who defeated the bill as they are the crimes of mobs which drowned, hanged and shot six black men. In the ultimate, responsibility for the lynchings rests on the shoulders of the citizenry which placed the pro-lynch congressmen in office.

The 1935 lynch rate of one per month (and there have probably been more) should be the strongest brief in favor of some legislation which will seek legal redress for such barbarisms.

ELEVEN LOSE LIVES

Eleven members of the Race have been victims of social strife in this country during the first six months of this year, according to the figures of the International Labor Defense.

Six of the 11 were victims of southern mob violence. Four of the known six lynchings occurred in Mississippi, while the other two are accredited to Louisiana. Tennessee was incidentally involved in one of the lynchings. Ab Young, one of the victims was captured by a mob in Rossville, Tenn., and carried across state lines to Slayden, Miss., where the lynching occurred.

Only in one of the six lynchings was the customary charge of rape invoked as justification for the crime. Another of the victims had been convicted of murdering a white sheriff. Three others were lynched because of fights they had had with whites. Direct provocation for the lynching of the sixth is not known.

The other five, according to the Crusader News Agency, met their deaths "in struggles for better economic and social conditions." Four of the five "were murdered during the police terror that swept Harlem on March 19 and the days following after the Negro people there had risen in protest against their long sufferings."

Following are the names of the victims, the date and place of their deaths and the circumstances surrounding the killings:

LYNCH VICTIMS

Jerome Wilson, January 11, Franklinton, La.; Wilson had been convicted of the slaying of Delos Wood, a deputy sheriff, after officers had invaded his house. The lynching took place after the State Supreme Court had ordered a new trial. Wilson was shot to death in his cell; his body was taken from the jail and dumped on the road three miles north of town. Sheriff J. L. Brock said: "There wasn't any lynching. There were just six or eight business men going about their business."

Anderson Ward, February 24 Maringouin, La.: Ward had an altercation with Dennis Brudroe, a white man. Brudroe drew his gun on Ward, but it failed to explode properly. Ward drew a knife to protect himself. A mob of 25 gathered to search for Ward, stormed the local jail where he was locked up and killed him. He was hanged from an oak tree and his body riddled with bullets.

Ab Young, March 12, Slayden Miss.: Young was an organizer among the share-croppers who was urging them to demand their share of the AAA funds. He was approached and threatened by Hardy Mackie, an agent of the landlords. Mackie drew a pistol and Young shot in self-defense. He was seized by lynchers, placed on top of an auto with a rope around his neck, one end was tied to a tree, and the car was driven from under him. He was captured at Rossville, Tenn., and carried across the state line.

R. J. Tyrone, March 22, Hattiesburg, Miss.: Tyrone was supposed to have committed suicide, but a month later the following facts were revealed: A group of rich white plantation owners had wanted his property and had provoked Tyrone to a fight. When he defended himself the landlords organized a gang to lynch him. Three days later his body was found riddled with bullets, making the coroner's verdict of "suicide" ridiculous.

Roy T. A. Allen, April 5, Marks, Miss.: Body found shot to death and weighted with trace chains about his waist in a river near here. Carried literature indicating that he was interested in the conditions of the poverty-stricken share-croppers.

R. D. McGee, June 22, Wiggins, Miss.: Accused of "attempting to attack" 11-year-old white girl in a blackberry patch and of beating her in the attempt. Posse seized him in his bed and carried him to the woods, where a mob of 200 to 400 hanged him from a tree and riddled his body with buckshot and bullets.

SOCIAL STRIFE VICTIMS

James Thompson, March 20, New York City: Shot by Detective Nicholas Campo, during police terror that swept Harlem when the Negro people rose in resentment against their long-accumulated grievances.

Andrew Lyons, March 23, New York City: Died of internal injuries received during the Harlem events of March 19.

Edward Laurie, March 24, New York City: Murdered by Policeman Abraham Zabutinski on the "excuse" that he had "talked back." This was part of the police reign of terror established in Harlem.

Thomas Wilstrom, June 24, New York City: Died of fractured skull received at hands of police in March 19 events in Harlem.

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CROWDS SWAMP LYNCHING ART EXHIBIT IN NEW YORK

Courier 3-2-35

Mrs. Henry Morgenthau, Wife of Secretary of Treasury, Among Notables In Attendance—Over 1,500 Have Viewed Works.

NEW YORK, Feb. 28.—The exhibition of Art on lynching at the Arthur Newton Galleries here has been swamped by visitors since its opening on February 16, according to the National Association for the Advancement of Colored People which is sponsoring it. Among the visitors was Mrs. Henry Morgenthau, wife of the Secretary of the Treasury. During the first two days more than 800 people visited the galleries to see the macabre drawings and paintings. In the first week over 1,500 people came to the xhibit, journeying from such cities as Asbury Park and Orange, N. J., Louisville, Ky., Rutland and Bennington, Vt., Peekskill and Poughkeepsie, N. Y., Harrisburg, Germantown, Haverford, Pa., New Haven, Manchester, and Westport, Conn., Macon, Ga., Cleveland, O., London, England, Los Angeles, Cal., Washington, D. C., Paris, France, Pittsburgh, Pa., Boston, Mass., Nashville, Tenn., Norfolk, Va., Copenhagen, Denmark, Philadelphia, Pa., Detroit, Mich., Chicago, Ill., Hollywood, Cal., Plainfield, N. J., and Rome, Italy.

Exhibit May Tour 17 States

Officers of the National Association report that plans have been almost completed for a tour of 17 cities. Four of the cities are in the South. The tour may last six months. Requests for the exhibit have already come from Washington, Philadelphia and Cleveland.

FAMOUS ARTISTS WITHDRAW FROM NAACP ART EXHIBITION

NEW YORK - (CNA) - Three nationally-known sculptors, Isamu Noguchi, Sam Becker and Aaron Goodelman, have withdrawn their works from the current N.A.A.C.P. anti-lynching art exhibition here.

Courier News Agency 3-2-35

Opposed To Wagner-Costigan Bill

2162 Seventh Ave., New York, N.Y.

They declared that although they were heartily in favor of such an exhibition, they were opposed to the Wagner-Costigan Anti-Lynching Bill which the exhibit sponsors.

These sculptors and many others who have refused to participate, pointed out that the Wagner-Costigan Bill neither provides for the death penalty for lynchers nor considers the vital issue of civil rights for the Negro people.

Resent Exclusion Of Other Org's.

They also stated that they resented the exclusion by the N.A.A.C.P. of all those organizations "which have consistently fought for the civil rights of the oppressed Negro peo[illegible]" Notable among these, are the National Scottsboro-Herndon Action[illegible]mittee, the League of Struggle for Negro Rights, and the Internationa[illegible]ker Defense.

Lynch Pictures Too Hot for Maryland Institute Exhibit

Four of the Most Vicious Paintings Shelved as Group Is Shifted to Smaller Room; Move On to Remove Entire Show



BALTIMORE. — Some of the pictures included in the art commentary on lynching which has been hanging at the Maryland Institute proved too hot for sensitive Baltimoreans and four of the pictures have been removed.

The entire exhibit which was opened in the main gallery of the institute at Mt. Royal Avenue and Lanvale Street last Sunday, after being on view for a week was shifted into a smaller room and some of the more striking, showing the work of the mobs in their most vicious states, have been left out of the present exhibition.

The picture of a victim being burned at the stake with his genital organs cut out has been shelved in the smaller room.

So has the charcoal, showing what purports to be Prosecuting Attorney Thomas Knight, of Scottsboro fame, with a white girl sitting on his knee, saying, "Our girls don't sleep with n——s," been left out of the new set-up.

No reason could be assigned by any of the attendants at the gallery for the removal of the exhibit to a smaller and far too inadequate room after arrangements had been made with the NAACP to keep the exhibit for two weeks.

One attendant ventured the explanation that it was just a custom to remove all exhibits after a week to make room for a new display. The new pictures on view in the main gallery, however, are ancient and musty painting which have evidently reclined in the archives of the gallery for a generation and may have hung in the gallery for months.

May Move Exhibit

Interested persons were busily trying to locate a new display room early this week with the end in view of removing the entire show to another gallery. The Municipal Art Gallery was suggested as the logical place, but political opposition was blamed as a stumbling block. Walter White, executive secretary of the NAACP who attended a secret conference here Friday, is reported to have wired permission to remove the exhibit from the Maryland Institute as soon as a suitable place can be found. Thousands of both races have viewed the paintings since they have been on view.

"PROTECTING" WOMANHOOD

Prominent white Southern women do not agree with Senator Smith of South Carolina, who, in a speech replete with stock phrases against the Costigan-Wagner Anti-lynching Bill argued about the "very humiliating necessity of going outside the law at times to vindicate the sanctity and virtue of our fireside and the virtue of our women." Mrs. Jesse Daniel Ames, executive director of the Association of Southern Women for the Prevention of Lynching, declares that "if Senator Smith and other Southern Senators are allowed to go forward with this method of opposition our whole program of education for the prevention of lynching will be set back for years."

It is pointed out by Mrs. Ames that four years ago a group of Southern white women met and adopted the following resolution:

> Distressed by the recent upsurge of lynchings and noting that people still condone such crimes on the ground that they are necessary to the protection of womanhood, we, a group of white women representing eight Southern States, desire publicly to repudiate and condemn such defense of lynching and to put ourselves definitely on record as opposed to this crime in every form and under all circumstances.

It was because of this half-baked talk as made by Senator Smith in his advocacy of mob law that prompted the unanimous adoption of the foregoing resolution. Available statistics give the lie to any charge that lynchiny is a necessary evil in order to safeguard the virtue of the white woman in the South. No small wonder that it has aroused the ire of members of the gentler sex in Dixie.

There has been some talk in Washington about Senators conducting the debate on the measure on a high plane, which is hardly possible when opponents think with their feelings, not gray matter, and inject sectional and racial prejudices which are as much a part of their makeup as their manner and speech. Logic and facts do not figure. If proponents want to pass the bill it is incumbent upon them to play the opposition at their own game. In the preliminary skirmishes the authors of the bill have displayed a fearless leadership and a tenacity of purpose most unusual in a Senate fight in which the race issue is directly or indirectly injected. Bombastic verbal blasts and threats of filibuster "if it takes all summer," have not intimidated the Senator from New York and the Senator from Colorado. They know they are on the side of right and cannot be intimidated or cajoled into giving ground.

When Senator Costigan offered to present telegrams from Southerners supporting the lynching bill, Senator Smith insisted that the names and addresses of "these patriots" be placed in the Congressional Record. While the gentleman from South Carolina meant to be sarcastic, he in fact, was paying those white people of the Southland who possess the temerity to express their public opposition against the reign of mob law a deserved compliment. They are patriots in every sense of the word.

A TENNESSEE LYNCHING

(From the Dayton, O., News, Nov. 7)

There have been more brutally executed lynchings than that which occurred this week at White Bluff, Tenn., but rarely if ever one as brazen. The victim, a Negro accused of slapping a white woman, was taken from a deputy sheriff and another official who were en route with their prisoner to the county jail.

The "mob" consisted of five armed men. They took the deputy's pistol but assured him that they would "be back in a few minutes and bring your gun." The promise was kept. In less than half an hour they returned and surrendered to the official. "They were all just laughing and seemed like they enjoyed what they had done," he says. "They told me they shot the Negro with my gun." The sheriff placed no charge but said that they would be taken to the county seat for arraignment.

Only less shocking than the crime itself is the cheerful confidence of this quintet that the law which they boast of flouting will not punish them for it. In the history of lynching, to be sure, they have ample assurance for such a belief. Officials in most cases offer little resistance to a lynching mob. Seldom is there even an effort afterward to identify its members, although in the case of the ringleaders at least that should be comparatively simple. Instances in which they have been brought to trial are still more infrequent. A conviction is almost unknown.

But no mob has had the audacity to do its barbarous, bloody deed and then deliver itself to the law in the attitude of "What are you going to do about it? The country waits to see how Tennessee will meet an unprecedented challenge.

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CLAUDE NEAL, MOB VICTIM, WAS INNOCENT

Relatives Bare Facts Pointing To His Guiltlessness

PENSACOLA, Fla.— (ANP) — The kidnapers of the Weyerhaueser boy have been captured by agents of the federal government. There is no evidence to prove that the abductors transported the boy from one state to another, or that they harmed or injured him. But immediately he was returned to his parents, the entire force of the department of justice was placed on the trial of the kidnappers, acting under the Lindbergh anti-kidnaping Act. The federal government, within a few days, has succeeded in running down the kidnapers, who used every possible means to cover up their tracks.

Claude Neal, a colored man of this state, was lynched in October, 1934, by a mob of 3,000 whites, after he had been kidnaped from the Brewton, Ala., jail, and transported across state lines to Marianna, Fla.

The abduction and murder of Neal were advertised. The members and leaders of the mob were well known.

Appeals to the President of the United States and to the department of justice to act against the kidnapers and lynchers of Claude Neal were met by stony indifference.

New Evidence

No harm was done to the Weyerhaueser boy. Claude was murdered.

It now begins to appear as though Claude Neal was absolutely innocent. Colored citizens of this state are exercising themselves to have the governor of the state to do something to lift the odium of Neal's alleged crime off them.

Claude Neal was accused of murdering a white girl, Lola Cannidy, who is alleged to have been his clandestine sweetheart. He was not only murdered, but has home was burned and his family was threatened.

Now, after all that has happened and his slayers have gone unpunished, new evidence comes to light that points to Lola Cannidy's uncle as her slayer.

Last week, the father of Lola Cannidy was sentenced to five years in prison for assault with intent to commit murder against his niece, Dora King. At the trial of the elder Cannidy, the King woman testified that Cannidy had held a grudge against her father since the killing of Lola, and that he had sought legal permission to Kill King and two other persons in Greenwood because he believed they had a part in killing his daughter, Lola.

Before passing sentence on Cannidy, the court stated: "I hate to pass this sentence on an old man such as you, but I must do it. To be perfectly fair with you, I don't believe you have any too many brains."

Cannidy replied: "Yes, judge, I am plumb crazy."

OUTLINE THE PLAN

NOW THAT CERTAIN of our senators have exhibited a most flagrant condonation of the lynch evil that has served to classify many sections of our land as the homes of heartless, beast-like beings, with no regard for constituted authority, it is hoped that immediate steps will be taken for placing lynching on our statute books so as to make the savage custom legal. Then it will be that our citizenship will know what to expect when persons, or certain persons, are taken into custody, accused of committing crimes. Whether it is for stealing a chicken in Missippi or engaging in an argument with some Arkansas sharecropper,' if the lynch evil is to have such sanction on the part of our nation's law makers as was exhibited last week when members of the United States Senate successfully staged a filibuster resulting in defeat of the well designed anti-lynching measure, we should have the laws governing such terrible practices written on the books of those states so desiring them.

It is extremely unfortunate for any nation that it should become necessary to devote so much valuable time to efforts toward the enactment of laws that would put a stop to such savage practices as lynching, but since the people of our country are confronted with the terrible evil, it is even worse that men should quibble for one second over the need of laws that would bring about prompt and adequate punishment for those of the lawless element who stage lynchings. Especially is it all the more surprising when men of the supposed calibre of United States senators discourage the enactment of such laws.

The Costigan-Wagner anti-lynch bill failed of passage last week, but it does not require the ability of a prophet to foresee the enactment of a law that will deal with this terrible evil and too, the attendant suffering that a nation will endure as they continue to tolerate such savagery is clear to the most casual observer.

ONE REASON WHY—

One reason why I am in sympathy with the hope expressed by some for a political upheaval in the United States is my own hope that out of such an upheaval might come a means for coping with just such a situation as was presented by the lynching at Wiggins, Mississippi, last Saturday. When a nation gets to the place where 200 men, simply because they belong to one race, can take a man who has been proved guilty of no crime, simply because he belongs to another race, and hang him to a tree until he is dead, while the nation looks on powerless to do anything about it,—I say that a nation that has reached that point of degeneracy deserves a political upheaval; and the sooner it comes, so far as I am concerned, the better off the nation will be. Certainly, which is more important, the better off will I and the rest of the American Negroes be.

Such a brutal murder, condoned by the sheriff, could not have happened in Mississippi when Federal troops ruled it after the Civil War. And, while I am neither advocating revolution nor suggesting military rule of the semi-barbarous regions of America, yet I confess that I am naturally not opposed to any change that may come in our present political set-up, which will make such a disregard of the life and liberty of Negroes impossible.

ANYTHING IN MISSISSIPPI—

As usually is the case, the sheriff of the Mississippi county where R. D. McGee was lynched last Saturday, "arrived on the scene as the lynchers were leaving." Even in cases where the sheriff is present all the time, he officially arrives only "as the lynchers were leaving."

This is thought necessary in order to give some semblance of credence to the further lie that "he did not recognize any of them."

From a rural county where everybody knows everybody else and everybody else's business, America is made to accept the tale that the sheriff found out about the party participated in by 200 of the few hundred white men of the county, only in time to get there "as the lynchers were leaving;" and that "he did not recognize any of them."

If a country is gullible enough to believe a story like that, it naturally would not be shocked by the further statement by the same author: "I don't believe there will be

any investigation."

While anything can happen in a semi-barbarous region like Mississippi, yet it is remarkable how the nation falls for it.

Confessions

ANY ONE at all familiar with how persons suspected of having committed crime are made to "confess" by third degree methods will view with a degree of doubt the "prompt confession" of EARL CONNOR WILLIAMS, arrested in Mississippi and returned to Virginia for a murder committed more than a year ago on a government reservation near Fredericksburg.

While department of justice operatives are given credit for the "solving" of this mystery murder, it should be remembered that the suspect was arrested by a Mississippi police officer, who took WILLIAMS in custody because, as he is quoted as having said, he "looked like a Negro that would commit such a crime."

As soon as WILLIAMS was returned to this state he was carried by federal and state officers to Fredericksburg, where the surviving victim of the murderous attack which resulted in the death of a young woman, could not identify him. Still, he "promptly confessed." There is something strange about the alacrity with which confessions are obtained when suspects are given over to the custody, or partial custody of local or state police officers.

Discussing the capture and confession of WILLIAMS, the *Richmond Times-Dispatch* expresses the hope that there will be "no railroading" in his case and after asserting its confidence in the Federal Bureau of Investigation says:

"But we cannot help bearing in mind that 'confessions' are often extorted from accused persons by third-degree torture, and that WILLIAMS has had no legal advice throughout this entire proceeding. If he was a person of means, we can imagine the swarm of attorneys who would be advising him as to his rights, the alienists who would be scrutinizing his sanity, and the various others who would be endeavoring to shield him in every possible way. But he is a poor, friendless devil, and pretty much everybody assumes him to be guilty."

The *Times-Dispatch* concludes by saying that while at present "everything points" to the guilt of WILLIAMS, "it is the sort of case in which the court ought to lean backward, if necessary, in order to be sure that no injustice has been done." The Richmond paper further expresses the confidence—which we share—that Judge LUTHER B. WAY will do this.

The probabilities of a tilt in the scales of justice due to the use of third degree methods in obtaining a confession in this case are not so apparent to the *Danville Register*. That paper inquires if the *Times-Dispatch* can "recall a single instance in which the third degree has been administered by federal officers?" Again, it should be remembered that WILLIAMS was handled first by a Mississippi state officer, and latterly by Virginia state officers. With no intention of reflecting upon these state officers, we say that there is little doubt that WILLIAMS underwent, as a matter of police routine, the third degree in both Mississippi and Virginia.

But there is open to WILLIAMS the chance, if he wishes to take advantage of it, to relate what has happened to cause him to confess so hurriedly to guilt of a crime that he must know will send him to his death. He has a fair trial ahead of him, and given the advantage of competent counsel he should be able to establish his innocence, if he is innocent. If he is guilty he should, of course, pay the penalty of his crime. But too much stress should not, at this stage of the proceedings, be placed upon the "confession" he is reported to have made.

This Is Incredible

UP TO THE time this article was written Mississippi had had five lynchings this year, three during the past month. Every one of the five men lynched has been accused of "attempting to assault a white woman." During the past forty years the experience tables show that only 25 per cent of the persons lynched were accused of rape or attempted rape. It is incredible that the recorded experience of 40 years has been totally upset this year in Mississippi. Has Mississippi embarked upon a campaign to justify lynching, since it is the popular belief that a lynching for rape or attempted rape is justifiable?

The Baltimore *Afro-American* has discovered the record of several women suffering from what psychiatrists call hebephrenic illusions. Two in Washington, suffering from this mental-sexual twist falsely accused colored men of attacking them. The men were cleared, the women declared insane. Another in Virginia, seized with the peculiar malady, involved her husband in a Negro-blood divorce action, only to have it revealed by alienists that she was hebephrenic.

Norfolk remembers a case, in which a colored man was accused of attacking a white woman, tried and sentenced to the electric chair. He was saved therefrom by after-discovered evidence that the woman was hebephrenic.

The mad trend of conditions in Mississippi indicate that there is an epidemic of hebephrenic illusions.

WHITE SOUTHERN LYNCHING FOES GET PLAUDITS

Ministers Don't Urge U. S. Anti-Lynch Bill Directly

Special to Journal and Guide

HAMPTON, Va.—The Ministers' Conference meeting here last week did not itself directly endorse a federal anti-lynching measure, but it did "heartily commend those individuals and organizations in the white South who have lately gone on record as favoring the passage of the Costigan-Wagner anti-lynching bill, loking to the abolishment of that disgraceful form of mob murder."

The resolutions adopted also commended "those of the North who have made possible the recently enacted civil rights bills in New Jersey and Pennsylvania."

Other items in the resolutions approved "all measures against war and making for international peace" and deplored the use of "intoxicating liquors as a beverage, especially by the civic and religious leaders of the people."

These particular resolutions were prefaced by the statement that "our conference as a whole is not unmindful of the tremendous changes going on in national and international affairs which affect us as a people and regarding which our people look to us for guidance."

It was assumed from this preface that the item concerning war was drafted with an eye on Italy's intentions toward Abyssinia.

The "earnest and untiring efforts of the officers and workers of Hampton Institute" in connection with the conference was commended and a vote of thanks extended to President Arthur Howe, Assistant Chaplain Herbert King, Mrs. Charles Isham and her aides, and Chaplain S. Arthur Devan.

For the "improvement of our conference," the resolutions included disapproval of "loud laughter and talking . . in the evening hours that should be devoted to study and rest," participation in "game or other forms of recreation during regular devotional or lecture periods," and the "use of tobacco in the presence of the teachers and young people on the campus."

Punctuality among the delegates was lauded, as was regular attendance at the various sessions. To the various speakers and others who took a leading role a vote of thanks was extended. Those mentioned by name were: the Revs. E. R. Carter, W. J. Clark, Henry W. McLaughlin, Chas. H. Wesley, Robert E. Speer, T. J. Smith, Allen A. Stockdale, and S. Arthur Devan; and Messrs. W. M. Cooper and J. Milton Kelly.

The resolutions characterized this session as "largely attended, well directed, and inspiring."

"WHITE FOLKS, PLEASE DON'T DO THIS"

These are the last words of 16-year-old Benny Mitchell, Texas Negro youth before he and his 15-year-old friend, Ernest Collins, were tortured and hanged by a mob of fiends and ghouls supposedly members of a superior race. This pathetic plea fell upon deaf ears, however, for the Nordic oppressor in his blood thirsty arrogance hearkens neither to the cries of children nor to the moans and groans of advanced years.

"White Folks, Please Don't Do This", has been the attitude of Negroes to their oppressors too long. If the government is too impotent and powerless to suppress these outrages or too indifferent and cowardly to attempt it, then reprisals are in order. An eye for an eye and a tooth for a tooth resolution will be more efficacious in the future than the pitiable plea of this dying black boy: "White Folks, Please Don't Do This."

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AMERICAN MOBOCRATS MUST GO!

An article appeared in a recent issue of Time, national white magazine, allegedly quoting a white physician of Shelbyville, Tenn., with the statement that his examination of the white girl supposedly raped by E. K. Harris, the Negro whose trial threw the community into civil insurrection, showed that the complaining witness had not been attacked, if in reality she had even been touched.

This physician, whose name was mentioned in the article, is regarded as a reputable member of the medical profession and having examined the girl immediately after the report of the alleged crime, he stated that the "assault victim" was not pregnant, as claimed by her father and other relatives, and that his examination failed to disclose any rapacious attack or sexual relations.

As The Defender has so often cited in these columns, the American mob does not want to know the truth, it is not interested in the truth or facts, just so it can stage a saturnalia of hunnish kultur at the expense and detriment of some unfortunate and defenseless black man or woman. (Yes, they lynch Negro women in the Southern states of this self-styled civilized and Christianized country!)

Mobs work on the hypothesis that any Negro charged with some offense against society, is guilty without the necessity of a fair and impartial trial; and we have men sitting in judicial seats in this section of the country who hold to similar views where a black man or woman is involved, if the victim happens to be a member of the dominant race.

An assistant district attorney of Harris County once remarked that he favored lynching any Negro charged with attacking a white woman, but when asked what about a white man who attacks a Negro girl or woman, he flushed red in the face and gave an evasive answer to the effect that he favored "punishing such a man, if his guilt were proven."

He said nothing about proving the guilt of the accused Negro, but worked on the presumption that all Negroes charged with or accused of criminal attacks upon white women and girls are guilty without the formality of a trial.

This mob-condoning and encouraging attitude on the part of public officials, whose sworn duty it is to uphold, defend and protect the law and those committed to their custody on any and all criminal charges, is the main reason why the mob has been able to throw its tentacles around our body politic, and why it is so exceedingly difficult to curb Judge Lynch's League, Inc., in this country.

Aside from the means and measures, such as the soldiers used at Shelbyville, Tenn., with such gratifying results, the next best mobocratic antidote is a vigorous and stringent federal anti-lynching statute, such as the proposed Costigan-Wagner bill.

LYNCHLESS RECORD ANTICIPATED

The law loving element in Georgia feel keenly the lynching record of the state and hope for a decided change. It is true that the record in recent years is far more favorable than that of years ago, but there is no reason why the state can not be free from all mob actions. This hope is especially expressed for the present year. Several counties of the state boast of the fact that their record is not tainted with any act of lynching. There is cause to be elated over such a record. This was shown by the editor of the Albany Herald, who proudly states that Dougherty county has never had a lynching. He states that

"Dougherty county has never had a lynching, and I am not sure that there is another county in this section of the state of which that can be said. A number of men charged with capital offenses have been tried and convicted in the county and there is an impressive list of legal executions, but never yet have officers of the law failed to protect a prisoner menaced by a mob. Indeed, it is probably no more than fair to say that there has never been imminent danger of lynching in Dougherty county. This community has preferred to uphold the courts, permitting the law to take its orderly course."

It was just as easy for the other counties of the state to have maintained a similar record. If their officers were of the same stamina as those of Dougherty county, Georgia would not be so deeply stained and placed in the column of lawless states.

In commenting on the record of Dougherty county, the Albany Banner-Herald states that "lynchings usually are caused from the committal of the crime of rape, persons rarely ever being lynched in this section of the country for other crimes." The above statement is misleading. The editor of this paper is in a position to know better. The charge of rape forms but a very small per cent of the alleged causes for lynching. By investigation it will be found that victims have been lynched on the merest pretext. Most of the offenses charged are detailed in the report given by the National Association for the Advancement of Colored People for the past year. It states that only two were actually accused of rape. Four were accused of murder, one for association with a white woman, one mistaken identity, knocking down a white man, writing a note to a white girl, "talking disrespectfully" to a white man and stealing. Among the sixteen cases, it is noted that only two rape offenses were charged, thereby refuting the statement given about rape only being the cause of lynching. Another refutation of this is found in the very first lynching of the year, which occurred in Louisiana last week. While protecting his home, a general gun fight occurred, during which an officer was killed. The owner of the home was arrested, tried for the killing and convicted. The supreme court granted a new trial. This enraged a lawless [illegible] jail and shot the accused fatally. The body taken out and dragged away and left on the side of the road. The editor of the Athens Banner-Herald is in a position to know all of these facts, yet he persists on saying that rape is the only cause of lynching. The editor of this paper and all Georgians should join in making this a lynchless year for Georgia.

Louisana Leads The League

THE Lynching League standings, so far, show Louisiana in the lead. They lynched a man there the other day simply because he was not railroaded to the chair. It was the first mob murder of 1935.

Here's what happened. There was a dispute. A white man was shot to death. Among others, this man was indicted, tried, convicted and sentenced in ten days. An appeal was taken to the state's highest tribunal. This solemn body, composed of the most representative citizens and jurists of the state, decided that the defendant's trial was not fair and ordered that he be given another.

Forthwith they lynched him. In our news columns you'll find the gory details. Twice before mobs unsuccessfully sought to do the poor man to death illegally.

We're not going to go into this problem of lynching in a profound way.

We're simply going to ask a few questions.

Have most of the states affected by lynching given up to the law of the mob?

Is there no safety for men accused of crime under the precautions and penalties for mob violence set up by the states?

Are mobs—and some juries—just interested in "getting a Negro"—regardless of guilt or innocence—and are they so bent on unthinking savagery that they will not await the outcome of legal processes required by the courts of their own states?

If this situation keeps up isn't it very likely that a federal anti-lynching law—with teeth in it—will become inevitable?

When human lives are being taken illegally by mobs, isn't that murder in the worst form?

Isn't it probable that pretty soon even conscientious objectors to "federal intervention" through a federal anti-lynching law will be asking for just that as a last hope to prevent the continuation of this shame that is America's?

The answers lie in the deed of that Louisiana mob, which wasn't willing to abide by its highest state court's verdict that a fair trial is every man's right and every citizen's obligation.

The Root of Mob Spirit

Lynching Negroes will never cease in the South until the white man is finally willing to submit to the proposition that there are times when a Negro has a right to strike a white man, and defend his property as it the acknowledged right of all citizens whose faces are not black.

The idea that a Negro has no right to defend his physical person is a carry-over from slavery. Reference to old slave codes will show that slaves were in many instances denied the right to carry sticks, stones or any other defensive weapons. Every known artifice was resorted too, to reduce the black man to a state of physical helplessness. In those days the greatest crime a slave could commit was to strike his master or overseer.

This carry-over from slavery is amply evidenced in the South by the attitude of the whites. If a white man engages in an altercation on the street with a Negro, all whites in the immediate neighborhood close in on the black. If the Negro shows fight, he is immediately ganged. In the back side of the head of all whites present is the thought that this Negro and all Negroes must understand that there is no justification, under any circumstance, for a Negro to strike a white man.

No group of white men assume this attitlde to "gang" fight an individual at such times when two white men are fighting.

Take, for instance, the first lynching of 1935. There is no evidence published to date other than that the man ynched did not deliver a mule that belong to him, to an official who wanted to dip the animal. If the Negro farmer had been a white man the matter would have gone no further than a resort to legal means to dip the mule.

But in Louisiana and most sections of the South, Negroes are forced by white authority to submit to any fiat issued by a white man. Failure to do this means he will be ganged and taught the error of his ways. No emphasis is ever placed upon the justice of the black man's position. All the gang wants to know is "Did he raise his hand against a white man?"

If you will trace the history of ninety per cent of all the racial disorders in the Southland, its genesis will be found in this faulty behaviorism of white people. Their unwillingness to admit the black man into the brotherhood of citizenship. This goes right back to the Bill of Rights. You know the Bill of Rights grants to every citizen the right to bear arms in his home and protection from unlawful search and seizure.

The moment that racial trouble breaks in Dixie the law among the whites is to disarm Negroes in their homes, and the search and seizure clauses are immediately set at naught. This is the common knowledge of every 16-year-old white boy. Several years ago in Oklahoma City a Negro was lynched. He was taken from the county jail at night. Instead of the authorities organizing a posse to apprehend the lynchers, the time was spent over in the Negro district disarming Negroes. You can reach your own conclusion. You, of course, understand that the Negroes were not attempting to shoot one another that night because of the mob's activities.

The Costigan-Wagner Anti-Lynching Bill, nor anything else is going to be the cure for this vicious ante-bellum psychology dominating white people. Somewhere in his own forum, and alone, the white man is going to have to recede from the unsportsmanlike viewpoint that one human being does not have the right to protect himself against another.

The Sherman Grant

It is interesting, surprising, almost shocking, to read in the news that the United States government has made a loan and grant to the city of Sherman, Texas, to rebuild a court house which was burned by a fiendish mob that also at the same time lynched one Negro and destroyed the homes and business properties of other Negroes, whose only crime was the crime of being black and law-abiding. The mob took the lynched man from the very court room itself, locked him in a vault in the court house, and burned the building to the ground around him.

But this did not satisfy their lust for blood and destruction. They dragged the charred body of the victim through the streets of the Negro district, made a bonfire of it in front of a Negro church, and distributed his bones as relics and souve-

nirs to those who had not yet enough. Then to cap the evening of "fun" the torch was applied to Negro homes and to the Negro business district.

It is to such a city that Uncle Sam gives money to rebuild a court house which its mob has destroyed. When it had a good court house it made of it not a temple of justice, but a funeral pyre on which to burn alive a citizen who had been convicted of no crime.

What evidence is there that any better use will be made of a fine court house built out of Federal Funds.

It looks very much to THE INFORMER like a case of encouraging, rather than condemning that "vile form of collective murder—lynch law," about which President Roosevelt spoke in such scathing

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A. N. P. CORRESPONDENT RELATES FEAR OF FRANKLINTON NEGROES IN REPORT OF WILSON LYNCHING

ZONES ESTABLISHED; WHITE ELITE FORCED TO DO OWN HOUSEWORK

Drunken Whites Shoot Up Negro Businesses At Will

By PIERRE VIGNEAUX

BATON ROUGE, La., Feb. 28.—(ANP)—I have just returned from a trip to Franklinton, La., where early on the morning of January 11, Jerome Wilson was shot down in a jail cell, dragged from the jail and dumped on the road near to a Negro school house a short time later.

Wilson and eight other members of his family had been arrested after the fatal shooting of Deputy Shreriff Delos Wood last August. Wilson, convicted and sentenced to die, had won a new trial through a supreme court reversal of the original verdict. That was January 8. Three days later, the mob had slain Wilson. A brother, Luther Wilson, in jail at the same time, in connection with the same offense, was not touched and is still in custody.

Reports have spread throughout the state among colored people of the precarious position in which the Wilson family and other colored residents of Franklinton and the countryside find themselves. In an earlier dispatch, shortly after the lynching, I had reported the warning given to colored school teachers in Franklinton to leave because of their assumed subservience to the National Association for the Advancement of Colored People. This report had come to me from reliable, but secret sources, and it was later denied in a statement published in a New Orleans weekly, signed by a number of colored residents of Franklinton.

I therefore decided to visit Franklinton again despite the danger my presence there might involve for me personally and colored citizens there. My apprehension over my own safety was not unwarranted. I discovered after three days in the town that the hoodlum leaders or the mob element were on my trail and that it would be best for all parties concerned if I put some distance between myself and the town. The only reason, I suppose, that I was not caught is because the hoodlum element had been searching for a "light- colored nigger" and I am dark.

Before I left Franklinton, however, I had learned that Negro residents of the town are now living in constant fear of their lives. I could not get a single Negro to talk to be about incidents there. Many of the better-class whites were apologetic about what had happened, but they strongly insisted that Negro newspapers and the National Association for the Advancement of Colored People were to blame. In spite of their regret, they seemed powerless to afford Negroes any protection.

The report is current that some Negroes aided the whites who lynched Wilson. This story smacks of the report from Bethany, La., last year to the effect that Negroes there had lynched a Negro. It is probable, if the story is true, that the white men involved, either paid or coerced some Negroes to help in the dirty work.

Some of the whites involved in the lynching are known. The son of the deputy slain last August is freely mentioned as one of the lynchers. At the time his father was killed he was in New Jersey.

When Lynching Becomes Commonplace

By DAVID JONES

The lynching of Negroes in the state of Mississippi has become so commonplace and trite that it has been turned into just a laughing matter.

So savage and barbarous, so utterly devoid of the finer parts that are very evident in cultured and refined people and which go to make up the datum posts of civilization, are they that they are murdering Negro now without the slightest twinge of conscience.

They are now calling it suicide by coroner's verdict when Negroes are lynched in this state.

The body of R. J. Tyrone, a prosperous Negro farmer of Lawrence County, was found shot to pieces in the woods by his house on the night of the 25 of March, where he had been lynched by a mob of whites about the 22nd of the same month—the body having lain there since that time.

There are quite a number of prosperous Negroes in that county who by stint and the practice of economy have placed themselves far above dependence upon the whites of that locality and are living above want and need.

Tyrone was among that number. And since the race is not expected to prosper and their prosperity not only excites the wonder of their white neighbors, but also their vicious envy, and arouses in them a desire for the exploitation on their part—he was marked for slaughter.

A prosperous Negro in the state is considered an evil example to be gotten rid of by fair or foul means, and is just about as welcomed as the proverbial bull in a china shop—and particularly if he refuses to stand still while he is being skinned.

William Evans, a white farmer near Tyrone's farm, it is said, has been trying several methods to separate Tyrone from the produce of the years of hard toil and deprivation which Tyrone has undergone in his effort to raise himself and his family above lack and indigence.

These several attempts to take away his life's earnings were hotly resented by Tyrone, and he has been brave enough to hold off the voracious whites by going armed whenever he had to leave his home. While walking along the county road on his way to Monticello, Tyrone was accosted by Evans, who was sitting on the gallery, concerning some matters that have not yet been divulged.

Evans is not talking for publication, not yet, as he is too busy chasing and beating Negroes—he has not caught his breath.

Tyrone has been lynched.

Still it could be seen from afar that Tyrone was resenting something that Evans was attempting to force on him and that for his audacity in refusing to obey and acquiesce, Evans determined to chastise him.

Tyrone resisted and having armed himself for just such occasions as this was compelled to shoot Evans, slightly wounding him, in order to save his own life.

Evans was carried to Jackson for attention to his slight wounds at the hospital there.

In the meanwhile the mob formed, and the man hunt in general for Negroes began, during which hunt Tyrone was lynched by the mob and left in the woods where his body was found some days afterwards.

When the coroner's jury was summoned to hold the inquest over the dead body of Tyrone, they promptly returned a verdict of—"Suicide."

And this is a so-called civilized nation of people.

The remnant of Tyrone's family had been found up to a few days past, though sympathetic Negroes are exercising their best endeavors to have them taken away to some place of safety before the mob makes another attempt to wreak vengeance upon them, and this at the peril of their own lives, for if the mob learns that any Negro gives them food, water or shelter, it will be woe to them.

The women of his family fled rather than face the ordeal of being stripped naked by a riotous mob of whites, knowing that after being exposed in such a state to the public view of hundreds of men, the external organs of their bodies would be crushed and beaten until they fainted from the agony.

The county around is in a seething turmoil, for Lawrence County is just adjoining the "Slaughter Pen"—that is Lincoln County,—so named from the great number of Negroes that were slain during the white cap regime about forty years ago.

Negroes are afraid to come out in the open during the daytime and still more fearful to remain in their houses during the nighttime.

Women and girls are hiding in every place of concealment dreading the inhuman bestiality from which they will have to suffer if caught by the mob, and from which nothing save a miraculous power can ever save them.

Hattiesburg, Miss.

Exposing The Mob

Occasionally writers claiming to have given deep stud to our social organization, suggest that the murderous mo spirit resides solely in the stratum of the poor whites Tomes are written telling how by education and other de velopment measures the illiterate may be lifted above thi brute level.

The action, however, of the United States Senate thi week, or the lack of action by this body on the Costigan-Wagner anti-lynching bill, indicates very clearly that the mob is fairly well entrenched in the very seat of govern ment authority.

In spite of the fact that President Roosevelt, in his recen radio chat with the nation, did not include lynching upon his "must" program, mob murder is the most important problem faced by the American people today. What is there more important than the protection of life? The federal constitution expressly guarantees life, and yet in the Senate of the United States we find Solons who make the puerile argument that it would be unconstitutional for the federal government to enforce its guarantees.

Certainly the proponents of state sovereignty are meeting themselves coming back when we turn to the "Lindburgh Kidnaping Law." Here is a statute Congress hurriedly passed, which invades the sanctity of state government, but was passed for the purpose of protecting property. Criminals were snatching men and women from their homes and holding them for ransom. Huge sums were being extorted from private exchequers by this method. Congress found a way to protect money. The federal government does not even have to wait for state government to act. It can take original jurisdiction in kidnaping cases.

Government has gotten to a pretty rotten place when it will protect money and property before it will succor human life. Serious senators argue that the soldier bonus bill is more important than the Costigan-Wagner measure There you have the meat in the cocoanut. Money is more important than life in this nation.

The Texas youth who recently slew his father and mother in order that he might acquire some few thousand dollars in insurance, was fed up in this brutal atmosphere of materialism. This child was taught in the home that God was wrapped up in a dollar, and so it is that the Senate of the United States is imbued with the same complex and outlook when it can argue that old age pensions, unemployment insurance and bonus legislation is more important than curbing the mob. Making America a safe and decent place for humanity is of second importance.

No longer need we argue that the mob spirit is extant solely among poor white folk. The Costigan-Wagner anti-lynching bill has proved conclusively that the savage lyncher has friends in the halls of the mighty. America's conscience is corroded with hate and racial prejudice.

WAS IT A SUICIDE?

In September of 1932, the body of Shadrack Thompson, a Negro charged with an assault on a white woman, was found hanging to a tree in the woods near Warrenton, Va.

The coroner's verdict was that Thompson hanged himself when cornered by an incensed posse. Virginia accepted this strange verdict despite the fact that the circumstances surrounding the case made such a conclusion almost incredible.

On May 15th, 1935 at Markham, Va., not far removed from Warrenton the body of Nelson Pendleton, 25 year old Negro alleged to have attempted an assault upon a white woman was found in an orchard by a group of enraged citizens armed it is said, with rifles. The coroner immediately returned a verdict of suicide. It is patent to every sensible person that this suicide yarn has been over-worked in Warrenton and vicinity. It has been too readily accepted in order to save Virginia the disgrace of being listed with the lynch states of this Union. There is a strong probability that Judge Lynch is still holding court in this state in defiance of the Byrd anti-lynch law. The Governor should order a searching investigation to establish the facts.

Virginia may stand by and in self complacency assert that the Byrd law precludes lynching in this state, but the rest of the country will not believe this last suicide story and will check up a lynching to her discredit. Better to face the ugly fact, accept the disgrace and enforce the Byrd law than to attempt to evade the issue by setting forth this unbelievable suicide defense. If she fails to do her duty, the Virginia senators who are opposing the enactment of a Federal anti-lynch law, on the ground that the state already has a formidable anti-lynch statute, will have lost their main argument.

The position of the proponents of the Costigan-Wagner anti-lynch bill will also be measurably strengthened.

Other Papers Say—

THE SUREST LYNCHING PREVENTIVE

Bristol, Va., Herald Courier

Senator Glass, opposing the anti-lynching bill now before the Senate, quoted the late President Coolidge as saying that if the States did not more vigorously assert their rights the Federal government would invade them and take them away. "And that," the Virginia Senator added, "is what is happening in this bill."

It would be interesting to know what State right the pending anti-lynching bill would invade. If it is the right to prevent mob murders, or to find and punish those who commit these crimes, that is a right which the States seldom exercise. They seem jealous of it only when a Federal anti-lynching law is proposed.

Looking at the question from another angle, the Federal Constitution provides that no person shall be deprived of life without due process of law. That provision is violated every time a lynching occurs. Indeed, mobs often interfere directly with the due process of law by seizing their victims from the hands of its officers. Should this provision of the Constitution be regarded as a dead letter?

There was an attempted lynching at Shelbyville, Tenn., some time ago. It was averted when the local authorities asked Governor McAlister for troops and the troops were sent. Four of the would-be lynchers were killed when the mob clashed with the troops in a defiant and determined effort to invade the courthouse and take a prisoner from the very presence of judge and jury and kill him.

This newspaper has cordially commended Governor McAlister and the local authorities of Shelbyville for the stern measures taken by them to uphold the law in this instance. But has any member of that mob, which later ran amuck and burned the county courthouse, been apprehended and brought to account? If so, the fact has escaped notice. Drastic steps may be taken to prevent lynchings, but as long as mobsters feel that they risk no penalty for their crimes lynchings will continue to be perpetrated.

There is a growing sentiment in the South for a Federal anti-lynching law, not because the prospect of such a statute is pleasing but because under it lynchers would be hunted down and haled to court and sent to prison. And that is the surest preventive of lynching.

Lynchings-1935
Discussions.

Negro Press, Southern.

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EDITORIALS

Justice: Southern Style

A few weeks ago a Negro charged with slapping a white woman was lynched by a mob of five men in Tennessee.

Last week a white man charged with slapping a young colored woman was freed by a judge in Recorder's Court in North Carolina.

The colored man was unlettered and untrained. He was drunk at the time. The slapping is related as having occurred as the white woman was alighting from a bus, but one investigating agency has reported that the woman was in a Negro "hip joint." There is not much other information available as to the circumstances leading up to the slapping. Nothing more serious was charged. The lynchers, at least those under indictment as the lynchers, were four brothers and a cousin. The woman was the wife of one of those indicted.

The white man who slapped the colored woman in Carolina was a lettered and educated man, an attorney and business man. The woman he slapped was guilty of nothing except being the sister of a six-year-old boy who had thrown a missile at the attorney's nine-year-old son. She was neither present at, a party to, nor in possession of any knowledge of the youngsters' quarrel.

The attorney, however, invaded her home; raced to the second floor and into her bedroom, and slapped her when she offered no information on her brother's whereabouts.

In court he used the insulting epithet "nigger" and was not rebuked. In open court, he was asked if he slapped the young woman. He answered: "Yes, I'm guilty. I did it and I'd do it again."

The judge dismissed the case.

Outside of the court the attorney is quoted as saying he would have "killed the little 'nigger' if I had got my hands on him."

Slapping any woman is not only unchivalrous, it is illegal. It constitutes assault and battery. Invading the home of another is illegal.

The colored man in Tennessee broke one law and violated a code that should protect ALL women. The white man in North Carolina broke two laws and violated the same code. The Tennessee whites lynched the Negro. The North Carolina Negroes have not laid a finger on the white man. We'll be generous to the white lawyer and say the cases were equally provocative of lynching. Then we will write you the respective headlines:

SLAPS WOMAN, IS LYNCHED
SLAPS WOMAN, IS FREED

It seems to depend on whose women are slapped. The white lawyer-slapper is very lucky. He was and is now in no danger of lynching, but we know of many Negro homes where, if an adult male relative or husband had been present, he would have lost his life, because a justifiable homicide would have been committed in defense of relative or wife and the sanctity of the home.

The South justifies lynching sometimes on the grounds of the assured guilt of the victim—something which is often the opposite of the facts; sometimes on the grounds of the delay of legal processes; and sometimes on the grounds of a miscarriage of justice that frees the suspect. Men have even been lynched during the process of a trial or after a verdict of guilt, even a verdict carrying the death penalty. If the arguments advanced by the apologists for lynching have any merit, they have merit alike for Negroes and whites. One of these days—and we hope not, for we deplore lynching in any form or by any group—but one of these days the nation is going to be treated to the spectacle of a white man being lynched by Negroes.

To look at it from the viewpoint of the apologists, what more justification than an admission of guilt to a charge in a court of justice, and then to witness the admittedly guilty party being freed! Negro women are as sacred to Negro men as white women are to white men; and Negroes in an overwhelming majority respect white womanhood. White men daily rape and assault and seduce Negro women. They do so with impunity in 99 per cent of the cases. Even when a Negro is accused of raping a woman of his race, the charge usually winds up to simple assault or something equally as ridiculous.

Is there any basis for a continuing respect for and faith in judicial processes by the Negro in the face of daily equivocations by juries and judges who dismiss white men accused of crimes against colored women, or when district attorneys decide against arrests and prosecutions because a lynching has "expressed the will of the people," as did the prosecutor in Texas last week? Then why not expect that eventually and inevitably the Negro will adopt the same barbaric practices characteristic of his lighter-skinned neighbors?

Thinking white people must realize that, human nature being what it is, such continued disregard for the elemental rights of a race will ultimately lead to reprisals and vengeance. Negro men, who have emulated white men in so many other respects, are coming to the place where they are going to protect Negro women from abuse and assault regardless of the consequences.

There is no ultimate and logical reaction to a judiciary that evades its solemn duty to protect the lives and property of ALL citizens except more lawlessness. The North Carolina lawyer-slapper has emerged from a court of justice exonorated of a charge of assaulting a colored woman after admitting in open court that he committed the acts complained of. Every white man in that jurisdiction can rightfully feel that he now has a license to break stautory and moral law with impunity, where Negroes are involved. It is not illogical to reason that in due course such action will be met with more lawlessness, more contempt of law, and less faith in the moral or legal integrity of the judiciary.

A Corrupt and Shameless Answer

SENATOR WILLIAM H. BORAH, Republican, of Idaho, has re-affirmed his unequivocal opposition to the Costigan-Wagner anti-lynching bill which met defeat in the last Congress, and which undoubtedly will be re-introduced at the next session. Moreover, asserted Mr. BORAH, should he receive the "unexpected and great honor" of being President, he would veto as unconstitutional any anti-lynching legislation passed by Congress. This blunt statement of his position was given Saturday as "a simple answer to what I consider a corrupt and shameless question" which had sought to sound out his views as a possible Presidential candidate.

The Idaho Senator has just announced a series of radio speeches in which he unquestionably will attempt to enlighten the American people on the faults of the New Deal and its chief exponent, President ROOSEVELT. Such activity can be construed only as an indication that Mr. BORAH has his hat in the 1936 Presidential ring. We are not fearful of his election—not even of his nomination by the Republican Party—for we agree with the political sages that Mr. BORAH, for all of his strength in Idaho, has so little chance of entering the White House other than as a visitor that one may safely say he has no chance at all. Hence, Mr. BORAH'S promised veto of anti-lynching legislation, fortunately, will remain forever a consummation by him devoutly to be wished. In all other respects its only importance is as a subject for academic discussion such as the JOURNAL AND GUIDE indulges itself in this week.

UNLESS we grievously misunderstand the functions of the three branches of our national government—the legislative, the executive, and the judicial—Senator BORAH should he receive the "unexpected and great honor" of being President, would usurp the duties and powers of the nine Justices of the Supreme Court of the United States by presuming to determine the constitutionality of legislation passed by Congress. And yet Senator BORAH says he opposed the Costigan-Wagner bill because he had no doubt it violated the Constitution, and added: "That being my view then and now, ... I would unhesitatingly veto it" if elected President.

When one recalls the calibre of Senators and Representatives who supported the anti-lynching legislation, it becomes apparent that wisdom was on both sides of the controversy. Certainly, the opposition gave no evidence of omniscience. If Senator BORAH is willing to determine for himself the constitutionality of a measure designed to stamp out mob murder, which already has taken more than five thousand lives in this country, even while other and equally able legal minds in Congress vouch for its constitutionality, then he has either an exalted estimate of his own talents or a disparaging opinion of those of his colleagues.

In every instance when the weight and number of differing opinions are so close, no man may wisely set himself up as a sacrosanct arbiter, and especially where by so doing he prolongs the physical suffering of defenseless victims, stretched and stabbed and scorched in the unholy processes of lynch law. Such a man is not Presidential timber, and we suppose that is why Mr. BORAH will never enter the White House except as a visitor.

Perhaps the Senator from Idaho might feel also that it is for the best interest of the country to retire the "nine old Justices" and perform their constitutional duties himself from the White House. It may be that such legisla-

tion as the Costigan-Wagner bill which he has read with a degree of satisfaction of the personal achievements of MUSSOLINI in Italy, of HITLER in Germany, and of STALIN in Russia.

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sion is unconstitutional. Yet last May when he helped to quash efforts to put a federal anti-lynching law on the books he conceded, for his purpose, that such a law if passed might be sustained by the Supreme Court. But if it were unquestionably in violation of the Constitution, as he insists, could there be any doubt that the nine Justices, whose power it is to say so, would have annulled it? At that time, the gentleman from Idaho chose a line of attack more appealing to the opposition—the gentlemen from the states which make anti-lynching legislation necessary.

"If this kind of bill can be passed and sustained by the Supreme Court," declared Mr. BORAH in May, "we have utterly annihilated all state sovereignty; we have broken down state lines completely." Now he attributes his opposition to his view of its unconstitutionality.

Is it a right or privilege of lawless men, guaranteed by the Constitution, to whip and mutilate and shoot and lynch others without the benefit of legal accusation, trial and conviction? Is there anything sacred about a doctrine of "states' rights" which permits and preserves the lynching evil? Is the federal government more powerless to cope with human rights imperiled by lynching than by kidnapping, economic upheavals, or unnecessary holding companies?

No sane person will contend that lynching can be defended morally. Even Mr. BORAH terms it a horror. And yet he becomes a leader in the fight to block passage of legislation to wipe out the evil, denying to the Supreme Court the opportunity to pass upon its constitutionality. Is it possible that an intelligent person could be sincere in such inconsistencies?

Where is the shame or corruption in a question propounded to elicit the attitude of a lawmaker on a bill to end lawless mob murder? The shame and corruption are in his illogical and apparently insincere answer.

* * * *

AS A leader of the Republican party and one of its most prominent Presidential potentialities, Mr. BORAH stultifies whatever reason the Negro might have had for holding out hope that the G.O.P. might be his salvation. The party that is credited with giving to the race its civil and political rights, and that in some quarters today is regarded as The Only Party for the Negro, now comes forward with a prospective leader for 1936 who openly and unashamed opposes a measure that would safeguard his human rights. If, by any turn of the political tides, Senator BORAH should become the Republican standard bearer next year, no Negro could possibly vote for him or any of his party's candidates.

If that increasing number of colored voters who are aligning themselves with the Democrats need any assurances, they may look with satisfaction to this ironical twist of political fortunes.

TEXAS COURT OFFICIAL LOOKS LIGHTLY ON MOB ATROCITIES IN KILLING TWO NEGRO YOUTHS

County Attorney Says Lynching Is "Will Of People."

COLUMBUS, Tex. (ANP)—Grotesque humor was added to a horrible crime against law here Wednesday when County Attorney O. P. Moore, in discussing the lynching of Ernest Collins, 15 and Benjamin Mitchell, 16, declared: "I do not call the citizens who executed the Negroes a mob. I consider their action an expression of the people." The statement likewise served notice that nothing would be done to prosecute the lynchers.

Collins and Mitchell were charged with having criminally assaulted and murdered a young white girl, Geraldine Kollman. They were in the custody of a group of officers when a mob of some 500 whites, including several women, met the officers and took the prisoners, with the firing of a single shot and carried them near the home of the alleged victim and there lynched them.

Victims Smile as Noose is Fixed

According to reports, the two youths, who are alleged to have confessed to the crime, were chained together and members of the mob sought to break the chains to no avail. When all efforts to break the chains asunder proved futile, ropes were placed about the necks of the two youths and they were strung up simultaneously.

The bravado of the doomed youths non-plussed the members of the mob when Mitchell looked at Collins and smiled as the noose was being placed about his neck. As the white man fastening the noose noticed this he tightened the rope and exclaimed: "Now 'nigger,' see if that makes you smile." The tightening of the noose did not erase the smile from Mitchell's face. He was resigned to his fate and Collins, also realizing that to cry for mercy would have stamped him as great a coward as those who were about to execute him, returned the smile and as the youths were being drawn up to the limb of the tree and the guns of the lynchers were being trained upon them smiled a fond farewell to the mob.

An added statement by the prosecutor that he would "prosecute any of the lynchers vigorously" brought forth much laughter on the part of citizens here, who are apparently in accord with the "Will of the People" that prompted the lynching following an order from the state capitol "to do everything possible to apprehend the lynchers."

According to reports, the youths implicated a third youth in the crime and if he is apprehended it is certain in the minds of people here that a like fate awaits him.

Women Flay Ga. Lynchings

M. E. Missionary Ladies Say Mob Law IS NEVER EXCUSABLE And Especially In Two Most Recent Cases

Atlanta, Ga., Nov. 22.—The Woman's Missionary Society of the Atlanta District of the ME church, South, today made public resolutions deeply deploring the two recent lynchings in Georgia and asserting that in neither of these cases was there even the pretense or excuse for mob violence. One of the mob's victims, they asserted, was not accused of any offense whatever and the other was accused only of drunkenness and of effecting his escape from an officer by seizing the latter's pistol. Registering "unqualified condemnation of lynching under whatever circumstances," the society voiced its protest against 'officers and courts that tamely bow to the mob," and urged 'upon all religious, educational, and civic agencies the imperative duty of building a public opinion which will no longer tolerate mob violence." The society commended county and state officials who in recent cases have averted threatened lynchings by calling out the troops. The resolution follows:

"We, the Woman's Missionary Society of the Atlanta District, ME church, South, in quarterly session, note with deep humiliation that two lynchings have disgraced our state in the last two months; one near Vienna, another near Moultrie. Mobs have defied our laws, discredited our civilization, and mocked our religion. We bow our heads in shame and contrition that such things can happen among us.

"Lynching in our opinion is never excusable, but in these two cases there was not even the pretense of an excuse. Lewis Harris, lynched on September 27, near Vienna, was accused only of drunkenness and of escaping from an officer by seizing the latter's pistol. When he was rearrested, the same officer, apparently without resistence, handed him over to a mob to be shot to death. Bo Brinson, lynched near Moultrie on October 16th, was not accused of any offense whatever. Searching for another Negro, a mob entered Brinson's house. When he objected, they shot him to death in his own home. So far none of the participants in either lynching has been apprehended.

"Therefore, we register our unqualified condemnation of lynching under whatever circumstances, our protest to officers and courts that tamely bow to the mob, and our shame for a Christian civilization so superficial as still to tolerate such savagery.

"We urge upon officers and courts their sacred obligation to uphold the constituted processes of law, and upon all religious, educational, and civic agencies the imperative duty of building a public opinion which will no longer tolerate mob violence.

"We are glad to commend the county and state officials who in recent cases have called the organized power of the state to protect persons in the custody of the law and the vindicate the authority of the courts."

Lynchings-1935
Discussions.

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He Will Never Be President Borah

Senator William H. Borah doubtless cast the die which will prevent him reaching the presidential chair when he became the champion of state rights in the United States senate, and made his now famous speech which many feel sounded the death knell of the Costigan-Wagner Anti-Lynching bill.

Walter White, secretary of the National Association for the Advancement of Colored People, in a letter to Senator Borah last week, called the Idaho solon's attention to what Mr. White characterizes as "state wrongs." Fourteen lynchings are reported by the Association secretary, and in no single instance have the states where these horrible mob murders occurred, penalized the perpetrators for their crimes against organized society.

Borah, in his senate speech, took the position that anti-lynching laws would not stop lynching. In this we can agree to the extent that our basic laws would prohibit murder has not entirely stopped the slaying of one human being by another. Laws do not obliterate crime, but they are positive deterents to the criminally-minded.

The thing for you to reflect upon is the chaos, slaughter and confusion which would exist but for the penalties of the law. There is no one who would be safe in America but for the constraints placed upon the lawless through fear of law.

Experience teaches that in deliberative bodies, where our emotional self is calm, humanity reaches its highest idealism. It is in such an atmosphere we write law. Most of America's basic law was written at a time when men were fighting for human liberty. No one would in reason be willing to direct his future based on impulse as contrasted to well advised, surefooted deliberation. Neither men nor mobs can think through problems in a moment; we can only look at the outer covering with the glance.

Out of his experiences man knows this, so in his moments of poise and sober judgment he deliberately writes statutes governing human behaviorism. Mexico offers a fine example of how unstable conditions become when we attempt to inject our passions and emotional selves into government. Mobs are momentary outbursts of passion. Mobs offer no permanent solution of any problem. Governments are instituted basicly for the purpose of organizing people out of their natural tendencies to form irresponsible rabbles.

Forgetting the right and wrong in the perspective and viewpoint of Senator Borah, the thing we wish to point out is that he undoubtedly has ruined his chances for the presidency by his untimely utterances. Negroes now vote in such large numbers that they determine presidential elections. It will take all of the Negroes the Republican party ever voted to elect Senator Borah. His pro-mob utterances have divorced about 95 per cent of the black voters in America.

THE FIFTEENTH LYNCHING

Dear Editor: On Tuesday night November 4th, Baxter Bell, a Negro was lynched at Kingston Springs Tennessee, charged with "slapping" a white woman. According to the Nashville Tennessean the slapping took place in a Negro drinking place where the white woman was drinking.

The lynching of Baxter is the fifteenth since January 1st and the tenth since the filibuster against the Costigan-Wagner anti-lynching bill in the United States Senate succeeded in sidetracking the bill during the last session of Congress. In addition to these known lynchings, two other Negroes were shot to death in the Gretna, Louisiana, jail on November 1st. There have been several other killings which will probably be proved to be lynchings after the facts are gathered.

But leaving these aside and considering for the moment only the ten proved lynchings since the filibuster, they present a problem and a challenge to American Negroes which I ask your permission to place before your readers.

The forces fighting for passage of the Costigan-Wagner bill succeeded in tying up the Senate for eight straight days. Informed persons in Washington were unanimous in believing that had we been able to hold our lines for a few days longer the filibuster might have been broken.

Why weren't we able to hold on a few days longer? For the simple, practical reason that we did not have money enough for telegrams and stenographic service to keep up steady pressure on the wavering senators upon whom terrific pressure in the form of bribes and threats was being exerted by enemies of the anti-lynching bill. Had there been but $150 available for such telegrams we could have held on. Because we did not have fifteen hundred dollars—just about enough to give modest funerals to the ten persons who have been lynched since the filibuster—these ten have died, and others now living will die at the hands of mobs. It may even be you.

The fight will be renewed in the next session of Congress. But unless money is available for printing, postage, telegraph and telephone bills and other necessary expenses the bill may again be defeated. Do Negro Americans really want lynching stopped? The skimpiness of their support of the fight against the evil does not seem to indicate it. The N.A.A.C.P. is laboring now under the terrific handicap of a seven thousand dollar deficit, in part caused by the fight in the last Congress. May we urge individuals, churches, lodges, sororities and fraternities, women's clubs and the like to help us prepare for the coming struggle by (1) bringing pressure to bear upon their congressmen and senators; (2) getting others to do likewise; (3) making as generous a contribution as they can afford. Cheques and money orders should be sent to the N.A.A.C.P., 69 Fifth Avenue, New York City.

Walter White, Secretary.

THE USUAL CAUSE IS RARE

The lynching of a Negro in Tennessee for slapping a white woman adds another to the long list of examples of lynch law that are not prompted by "the usual cause." Legally the Tennessee Negro was charged with assault and battery. He was not accused of criminal assault.

The comparatively recent lynching in North Carolina and numbers of others that have taken place in States farther south this year, with hardly an exception, were in consequence of other than the proverbial "usual cause."

Examine any authoritative statistics on lynching and it will be found that in the South as elsewhere only a comparatively small percentage are prompted by the crime known as criminal assault upon white women.

And yet it has been the custom when answering denunciations of lynchings in the South, for some spokesman of this section to argue in general terms that the victims were to blame because of their attacks upon white women and to assert rather defiantly that lynchings by Southern white men could never be stopped until criminal assaults upon their women by blacks ended.

Such arguments are out of date. Comparatively few lynchings in these times are inspired by wrath aroused by criminal assaults upon women. Some of them have been and continue to be inspired by grave crimes against white men, including murder, but numbers of them in late years have been the result of nothing more serious than misdemeanors.

The time has come when those who condone lynchings and cry out in defense of States where lynchings are frequent must find some other defense than the traditional "usual cause." Lynchings for "the usual cause" have become comparatively rare—and the apologists of lynching know it.—The Charlotte Observer.

Lynching In Tennessee

THE fifteenth lynching of the current calendar year took place on Tuesday night, November the fourth. The cause of this particular disgrace to our American civilization and to the fair name of the South was the slapping of a white woman by a half-drunken Negro at a drinking establishment.

It is reasonable to conjecture that the white woman would not have been at this establishment if the atmosphere had been uncongenial to her.

She was evidently at home among congenial folk. If they had not been congenial she could have remained away. No one compelled her to go to this establishment. She went of her own will and accord.

Disputes and altercations are likely to arise in any drinking establishment of whatever group. When disputes arise some one is likely to get slapped or otherwise injured.

At this Negro drinking establishment at Kingston Springs the white woman was slapped.

The man who slapped her was taken into custody by officers of the law. Whereupon the woman's husband and four other relatives took the law into their own hands, and lynched Baxter Bell, the slapper.

These five voluntarily surrendered to the officers of the law, and the country is waiting to see what Tennessee is going to do with these self-confessed murderers.

It is not a case of lynched by parties unknown. The lynchers have admitted their identity, and confessed their guilt. What will the courts do about it?

WALTER WHITE'S APPEAL

Pointing out that the lynching of Baxter Bell at Kingston Springs, Tennessee, on November 4th for slapping a white woman was the 15th since the 1st of January, 1935 and the 10th since the failure of the enactment by the last Congress of the Costigan-Wagner anti-lynching bill, Walter White, Secretary of the National Association for the Advancement of Colored People makes an earnest appeal for funds with which to fight for the enactment of the anti-lynch bill at the next session of Congress in January. The full text of the appeal is published elsewhere in these columns.

"Do Negro Americans really want lynching stopped?" is the pertinent question addressed to all Negroes by Mr. White.

The question might be broadened to include, not only lynching, but also every right and immunity guaranteed to Negro Americans under the laws of the land.

It is an indisputable fact that Negroes must learn to sacrifice and pay the price to regain and to safeguard their liberties. They will get no more than they are willing to pay for. This is the sum and substance of Walter White's appeal.

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Discussion.

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NORTH CAROLINA SENATOR WHO OPPOSED ANTI-LYNCH LEGISLATION IN TROUBLE IN HIS HOME STATE

RALEIGH, N.C. (ANP)—When the Costigan-Wagner anti-lynching bill was before the United States Senate, one of the first and most bitter of the southern senators to arise in opposition to the bill was Senatr Josiah Bailey of North Carolina. Hour after hour he help up the nation's business in an obstructive filibuster.

At the time he was condemned by the Greensboro Daily News of this state.

But prior to consideration of the anti-lynching measure, the Bankhead Farm Tenants Home Amendment had been placed before the Senate. This measure would have enabled the federal government to inaugurate a program of providing farms and homes for the millions of sharecroppers in the south. Due to the mouthings of Bailey ,the amendment was not voted upon, but sent back to the committee on agriculture where it has rested ever since.

A white man, S. C. Merritt residing in Magnolia in an open lette rto the News and Observer, took Bailey to task last week for his opposition to the sharecropper measure as follows:

"What hopes were dashed to nothing when Senator Josiah W. Bailey took the floor to bombard this plan with objections and obstruction and criticisms so forceful that the bill has been shunted aside. Another victory for Senator Josiah W. Bailey. We cannot understand how a senator of Josiah W. Bailey's supposed intelligence can expct to pursue such a course, knowing as he does, that the enactment of this measure would have bn truly a gift from God to the tenant farmers.

"Citizens, farmers, World War veterans, you have witnessed his slaughter of measures dear to your hearts. You have bgged him for help in behalf of righteous causes, and you have pleaded in vain, and now soon it will be his turn to beg you for something.

"In 1936 Josiah W. Bailey will be coming to you begging for your votes. He likes that job of his in Washington that you gave him. He wants to keep it. But when you go to that ballot box, Mr. Tenant Farmer, Mr. World War Veteran, don't vote for Josiah W .Bailey because he is your enemy and has at every opportunity fought you with his votes in Washington. He refused your pleas. Now you refuse his."

It thus looks like the white tenant farmers may take over the responsibility of the National Association for the Advancement of Colored People to see that Bailey does not return to the Senate after 1936.

MISSISSIPPI LYNCHING 8TH DURING YEAR

Journal & Guide 9-28-35

Last Affair Incites NAACP Attack On Filibusters

Norfolk, Va.

NEW YORK—In a telegram to President Roosevelt the day following the thirteenth lynching of the year at Oxford, Miss.—and the eighth during the year within Mississippi—the NAACP asserted that the senators who filibustered against the Costigan-Wagner federal anti-lynching bill last spring "lied and knew they were lying when they claimed the states could and would prevent lynchings and punish lynchers."

The complete telegram follows: "Within sight of the University of Mississippi a mob at Oxford yesterday, September 18, perpetrated the thirteenth lynching of 1935. One may be certain that there was grave doubt of the guilt of Elwood Higginbotham, the Negro farmer lynched, when a white jury delayed in finding him guilty.

"Action of mob in seizing victim in open daylight as jury deliberated, with apparently no resistance whatever from the law enforcement officials, is anarchy and nothing else. It is certain nothing will be done by Mississippie authorities to punish lynchers.

"This clearly proves filibusters against Costigan-Wagner bill during last session of Congress lied and knew they were lying when they claimed states could and would prevent lynchings and punish lynchers.

"Does America by its callous indifference and criminal inaction against lynchers mean to say to prospective lynching victims and their friends that they can expect no hope of protection from Federal or State Government and thus must resort to physical force to check anarchic mobs?"

Police Take Precautions With Charges

Journal & Guide 9-28-35

One Charged With Assault In N. C. Rushed To Pen

Norfolk, Virginia

MOB SPIRIT HIGH

Accused Miss. Man Not Thoroughly Identified

RALEIGH, N. C.—State Highway Patrolmen, under Captain Charles Farmer, snatched Willie Myers, 21, from the jeopardy of mob violence in Johnson County Tuesday of last week, outran to Raleigh those interested in lynching him and placed him in Central Prison here for safe keeping.

Myers, who is described by Johnston County officers, as "a stranger in that immediate section, is alleged to have attempted a criminal assault on a 10-year-old white girl earlier in the day near Wilson Mill between Smithfield and Clayton.

The accused man was arrested around two hours after the alleged attack by a posse of approximately 30 men deputized for the search. He was caught about two miles from the scene and taken to the girl's home for possible identification before being turned over to State Highway Patrolmen to be brought here. Several other persons living near Wilson's Mill also identified Myers as the man being sought for the crime.

Arrived Late Once

This was the fourth time in less than two months that the Highway Patrol has been called out to prevent mob violence and has brought successfully to the prison here accused Negroes regarded in jeopardy from Person County and from the Virginia line after extradition, but failed on its first mission, to Franklin County, when it arrived too late to prevent the lynching of Govan Ward, former Norfolk, Va., man, on July 30.

Governor Ehringhaus' office was notified of the attack and immediately dispatched highway patrolmen to the scene where five of them joined local officers and started the search. They found Myers at a house, but whether the occupants were relatives or not the officers could not say.

The attack was not complete as a capital offense, as first reports represented that Myers had dragged the girl into a tobacco barn and committed the crime, but investigating officers disclosed that the attempted attack occurred in the middle of the road, where after a struggle, Myers, hit her in the face, cutting her lip, and then pulled out a knife and slashed her body several times.

After the excitement was over, with Myers safe in Central Prison, officers investigated another charge against their prisoner upon whom they found a purse allegedly to have been stolen from the home of a white man entered Monday night. The prisoner is said to have confessed the crime. It is reported that no one was at home, which reduces that charge to burglary in the second degree.

Threats against Myers were heard from several groups bent upon taking the law in their hands. Governor Ehringhaus regarded the work of the highway patrol particularly good in getting the prisoner to Raleigh as the attitude of neighbors in that vicinity would have probably led to a lynching.

9-21-35

Man Arrested In Miss. Does Not Fit Description

Norfolk, Va.

JACKSON, Miss (ANP)—With the lynching at Oxford yet fresh in the minds of Mississippians, officers at McComb fearing mob violence rushed Oliver Thompson, accused of raping a 14 year old white girl, here to the Hinds County jail Friday morning of last week.

Thompson was arrested early Thursday afternoon, and according to officers confessed to the crime. When confronted by the victim, however, he was not positively identified, neither did he fill the complete description of the assailant.

According to the description given immediately following the attack, the rapist was "a tall slender Negro dressed in ragged clothing and about 24 years old." Thompson is about 24 years old but is not tall and although arrested within a short time of the reported attack was not dressed in rags.

Feeling against the prisoner was described as "intense" by the McComb officers and while no move has been made to lynch him, the officers rushed him to Hinds "lynch proof jail" to prevent any possible trouble.

LYNCHING RIGHT ON

It is, of course, no news to announce another lynching in uncivilized Mississippi. This is to be expected weekly in any of the backward states which comprise that great hinterland of ignorance and barbarism known as the "solid south." The circumstances, however, surrounding the lynching of Elwood Higginbotham, 28-year-old Negro in Oxford, Miss., last week, make this particular lynching a little more colorful than the rest in that it exposes the psychology which prompts the administration of justice to Negroes in most southern courts.

It is said that in this case, the jury took too long in bringing in the verdict demanded by the mob. On the other hand it might be possible that the mobsters shared the views recently expressed by a Virginia judge to the effect that the death penalty decreed by a court of law is a light sentence for such heinous offenses. Which of these considerations influenced the Oxford lynchers is a matter for conjecture. The fact remains, however, that most courts of justice in the Southland must fashion their procedure in cases where Negroes are involved in order to meet the demands of the mob rather than the demands of the law. The mob is made the sole judge of whether the punishment meted out is either too light or too slow. The courts invariably meet the demand of the mob which is lynching right on.

A TENNESSEE LYNCHING

Dayton, Ohio, NEWS

There have been more brutally executed lynching than that which occurred this week at White Bluff, Tenn., but rarely if ever one as brazen. The victim, a Negro accused of slapping a white woman, was taken from a deputy sheriff and another official who were en route with their prisoner to the county jail.

The "mob" consisted of five armed men. They took the deputy's pistol but assured him that they would be back in a few minutes and bring your gun." The promise was kept. In less than half an hour they returned and surrendered to the official. "They were all just laughing and seemed like they enjoyed what they had done," he says. "They told me they shot the Negro with my gun." The sheriff placed no charge but said that they would be taken to the county seat for arraignment.

Only less shocking than the crime itself is the cheerful confidence of this quintet that the law which they boast of flouting will not punish them for it. In the history of lynching, to be sure, they have ample assurance of such a belief. Officials in most cases offer little resistance to a lynching mob. Seldom is there even an effort afterward to identify its members, although in the case of the ringleaders at least that should be comparatively simple. Instances in which they have been brought to trial are still more infrequent. A conviction is almost unknown.

But no mob has had the audacity to do its barbarous, bloody deed and then deliver itself to the law in the attitude of "What are you going to do about it?" The country waits to see how Tennessee will meet an unprecedented challenge.

Says Lynching Is The Will Of Savages In Texas

Columbus, Texas, Nov. 20—(ANP)—Grotesque humor was added to a horrible crime against law here Wednesday when County Attorney O. P. Moore, in discussing the lynching of Ernest Collins, 15, and Benjamin Mitchell, 16, declared: "I do not call the citizens who executed the Negroes a mob. I consider their action an expression of the people." The statement likewise served notice that nothing would be done to persecute the lynchers.

Collins and Mitchell were charged with having criminally assaulted and murdered a young white girl, Geraldine Kollman. They were in the custody of a group of officers when a mob of some 500 whites, including several women, met the officers and took the prisoners, without the firing of a single shot and carried them near the home of the alleged victim and there lynched them.

Victim Smiles As Noose Is Fixed

According to reports, the two youths, who are alleged to have confessed to the crime, were chained together and members of the mob sought to break the chains asunder proved futile, ropes were placed about the necks of the two youths and they were strung up simultaneously.

The bravado of the doomed youths non-plussed the members of the mob when Mitchell looked at Collins and smiled as the noose was being placed about his neck. As the white man fastening the noose noticed this he tightened the rope and exclaimed: "Now, nigger, see if that makes you smile." The tightening of the noose did not erase the smile from Mitchell's face. He was resigned to his fate and Collins, also realizing that to cry for mercy would have stamped him as great a coward as those who were about to execute him, returned the smile and as the youths were being drawn up to the limb of the tree and the guns of the lynchers were being trained upon them smiled a fond farewell to the mob.

Will Prosecute

An added statement by the prosecutor that he would "prosecute any of the lynchers vigorously" brought forth much laughter on the part of citizens here, who are apparently in accord with the "Will of the Peole" that prompted the lynching following an order from the state capitol "to do everything possible to apprehend the lynchers."

According to reports, the youths implicated a third youth in the crime and if he is apprehended it is certain in the minds of people here that a like fate awaits him.

The Mote in Our Own Eye

Americans who hold up their hands in holy horror because of the murder of women and children in Ethiopia by Italians, should turn towards Columbus, Texas, and observe what is going on down there in one of the barbarous sections of the United States.

Associated Press releases tell us that a mob of 700, among whom the sheriff could recognize no one, recently seized two Negro juveniles, and without color of authority or law, hanged them to a tree. The bodies of the dead youths were later delivered to their parents, we presume, by parties unknown to the sheriff.

The usual story of rape is offered to cover up and justify such Roman holidays, and the county attorney is quoted as saying that he did not consider the murderers as constituting a mob. They were to the county attorney an expression of the will of the people.

But through the maze of lies creeps a story of a white girl who went down to drive some boys out of a pecan grove. Something happened down there which made white men mad, and when white men get mad at Negro men they immediately jump behind white women's skirts and yell rape. Such an act is just about as courageous as Mussolini's "Desperate Squadron" riding high in the air over tribesmen armed with spears and knives in East Africa, upon whom they drop lethal gases and bombs, classifying themselves as brave and desperate.

We have an idea that the youthful Negro boys might have thrown rocks or did something similar when discovered in the pecan grove. It looks strange that if the white girl was riding a horse, two Negro boys on foot could outrun the horse, capture the girl, and immediately change their program from the petty thievery of pecans to the commission of a felony—rape.

Then again, if the youths did rape the girl and murder her, almost a month ago, how is it now possible to know so much of the details about the alleged crime? As usual the mob says the Negro boys confessed. Mobbists are always liars. The man or woman who hides his or her face in the commission of an act is a coward to start with and by his very act is planning to dodge truth.

Murderers, cowards and liars. These are the human hyenas who constitute mobs, and yet they would have honest people substitute them for courts of justice. America is supposed to be a government of law and not of men.

The county attorney down at Columbus, Texas, should be advised that the "will of the people" should not run contrary to written statutes. Let us cease being horrified at what is going on in Ethiopia. There can be no more hell and heathenism anywhere on earth than exposed at Columbus, Texas.

Lynchings-1935
Discussions.

Negro Press, Southern.

4911

THANKS BE TO THEM—

Thanks be to Mrs. Jessie Daniel Ames, formerly of Georgetown, Texas, now of Atlanta, Georgia, for the stand which she has taken against the lynching of two Negro boys at Columbus last week. Mrs. Ames called upon the Federation of white women's clubs of Texas and the governor of the state, to help put a stop to a barbarism which does not exist in any other country outside of the United States.

Thanks be to Bishop Clinton S. Quin, of the Texas diocese of the Episcopal church, for daring even to take the governor of the state to task for his failure to vigorously oppose lynching.

Thanks be to Editor Marcellus E. Foster ("Mefo") of The Houston Press for that fine editorial on the Columbus lynching, which editorial is reprinted elsewhere in this issue.

Thanks most to the Rev. Charles Gresham Marmion for daring to challenge the beastly and fiendish mob—for daring to risk his own life in defense of the principles which he preaches on Sunday. It is such ministers as Charles Gresham Marmion who truly represent Jesus Christ on earth.

VIRGINIA LYNCH RECORD

It has been repeatedly asserted that for the past nine years, Virginia has had a perfect record in regard to lynching and that the enactment of the Byrd Anti-lynch law sounded the death knell of lynching in this state. Two cases, however, cast suspicion upon the accuracy of these claims. In September 1932 the body of Shadrack Thompson, a Negro charged with an assault upon a white woman was found hanging to a tree in the woods near Warrentown, Va. When law officers arrived the body had been cut down by a posse and burned beyond recognition. The coroner's verdict was that Thompson hanged himself when cornered by the incensed posse which afterwards burned his body. This strange verdict was accepted although the circumstances made it well nigh incredible.

On May 14th, 1935, at Marklwaan, Va., not far removed from Warrenton, the body of Nelson Pendleton, 25-year-old Negro alleged to have attempted an assault upon a white woman, was found by a group of enraged citizens armed with rifles. A gunshot wound had caused the death of Pendleton. The coroner immediately returned a verdict of suicide.

These suicide verdicts have enabled Virginia to have an official no lynching score for the past nine years but they certainly impose a severe strain upon the credulity of those not definitely interested in preventing the enactment of a Federal anti-lynch law.

DEAN MILLER CONVINCED OF SENATOR BORAH'S SINCERITY STAND ON ANTI-LYNCHING BILL

(By KELLY MILLER)

For the past three weeks the colored press, and to some extent the white press as well has been lambasting Senator William E. Borah for his outspoken opposition to the Costigan-Wagner Anti-Lynching Bill, on strictly constitutional grounds. Senator Borah ranks as the greatest constitutional lawyer in either house of Congress. His declaration on the floor of the Senate that the impending bill, in his judgment, is unconstitutional perhaps contributed more than any other single measure in the defeat of that ill-fated measure.

Walter White, the dynamic secretary of the NAACP, deemed it advisable to take Senator Borah to task for this frank expression of opinion. He indulged in the implied threat that the Senator's attitude would defeat his political ambition as an aspirant for the Presidency in the approaching election of 1936. This put the doughty Senator on his metal, who threw back the challenge with defiance. He not only reiterated his previously expressed position, but added that if by any unexpected good hap he should be elected to the Presidency, he would veto the pending anti-lynching bill should it come to him with the approval of both houses of Congress. His position is thus far made so clear and emphatic that there is no further need for doubt or questioning.

One might be disposed to question the wisdom of Mr. White's prodding the Idaho Senator for his constitutional position. But zeal for a righteous cause must justify the wisdom of the methods used in attaining the end in view. Those who bear the brunt of lynching evil as well as those who are obsessed with the enormity and iniquity of its villiany are chiefly concerned with relief and remedy, regardless of the method employed to bring this about. William Lloyd Garrison and John Brown were so obsessed with the wickedness and villiany of slavery that they would do away with the evil with or without the constitution. On the other hand, Senator Borah is a strict constitutionalist and believes that as a public official, he must live up to the obligation of his oath to uphold the constitution and the law. To his undeviating attitude in this respect, I can freely and frankly testify after 15 years of more or less casual acquaintance with him. I first met Senator Borah in his home in Boise City, Idaho, during the Presidential campaign of 1920. After an interview of more than an hour, I was convinced that in public life he would follow the lead of his conscience regardless of all other considerations. During this interview he recounted an incident of which I had previously heard. of how he, as prosecuting attorney, had single handed, saved a Negro from lynching in his home city. He hired an engine and personally conducted the culprit to a nearby town where he was safely lodged against the fury and vengeance of the enraged mob.

When the Dyer Anti-Lynching Bill was under consideration before the Senate, I called upon Senator Borah and urged his good offices in behalf of the measure. He then expressed grave doubts as to the constitutionality of the Bill, but assured me that if he could convince himself or be convinced, of the constitutionality of the measure, he would rather vote for it than for any other bill then pending in Congress. On the morning of the day when the Dyer Anti-Lynching Bill was facing its fate in the Senate, I called up Senator Borah by phone and asked him if he would give me the "low down" on its chances in the upper House. He advised me that it did not have a ghost of a chance, and that some of the Negroes' so-called friends were merely playing politics to delude the race.

It is now claimed by the Negro press generally that Senator Borah himself is playing politics with this grave measure. By championing the cause of states rights he undoubtedly ingratiated himself in the favor of the South; but the Southern vote can be of little or no service to him either in securing the Republican nomination or the election if nominated. The Senator himself does not deem it at all probable that he will be either nominated or elected. But in either contingency, the Negro vote would be of greater political asset to his ambition than the Southern white vote which, it is alleged, he seeks to placate. I think that Senator Borah's consistent record entitles him to the fair and candid judgment that his attitude on the Costigan-Wagner Bill is not dictated by political consideration but by conscientious conviction.

It does not seem to me that we get anywhere by condemnation and abuse. The lynching evil will not be stamped out or checked by vehement abuse of those who oppose some particular measure on strictly constitutional grounds

But, alas, it is human nature to denounce and condemn those who disagree with us on any issue in which our interests, feelings and passion are aroused. Righteous indignation is always a dynamic which reacts on the character and determination of those who give vent to it. We are strengthened in the righteousness of our own position when we can villify those who oppose us. We cannot fight unless we are angry. To call one's enemy an ugly name before striking him serves to justify the blow in the mind of the striker. The Negro's impatience with all opposition to anti-lynching measures is understandable, although it may be pathetically ineffectual.

How to put an end to lawlessness of which murder, kidnapping and lynching are the most outrageous expressions, constitutes the greatest task in which American statesmanship can interest itself. The lynching burning of human bodies at the stake constitutes the greatest blot which stains the American character and stigmatizes its reputation in the eyes of the world. In the main, the perperators are white, the victims are black. We hear it said that this is a white man's country; if so, it is high time that the white were looking after it and safeguarding its fair name in the eyes of mankind. The chief responsibility devolves upon the white race, which makes and executes the laws.

Suppose we advise the NAACP to change its tactics concerning Senator Borah, the oldest, boldest and most forthright member of the upper house of Congress. His conviction of the iniquity of lynching is well attested. Instead of denouncing him for a forthright expression of judgment as to the constitutionality of the pending measure, why not urge him to use his great legal talent in devising an anti-lynching bill, which in his judgment, would meet the objections which now stand in the way. I think he will agree that he can use his high legal talent to no more patriotic purpose.

Lynchings-1935
Discussions.

White Press, Northern.

5188

New York Herald-Tribune
DEC 6 1935

The Mob in the Courtroom

One of the darkest aspects of the tragedy of lynch law in America is the tendency of anti-lynching movements to end simply in a substitution of "judicial murder" for mob violence. Too often the savagery of the crowd is held in check only by a perversion of the court system into an agent of mob passion. The Scottsboro case was an illustration of this. The militia was called out in that affair to protect the defendants, and the case went down in the records as a "lynching averted"—but it was averted only to allow a farcical trial in which the accused were condemned almost as hastily and with as little justice as they would have been by the mob.

Mississippi yielded an illustration of the opposite sort only recently in the case of a Negro accused of the murder of a white man. The defendant had here been accorded a regular trial, but when the jury failed promptly to bring in a verdict of guilty the mob stormed the jail and lynched the defendant while the jury was still deliberating. An article in the current issue of "The Nation" now describes another Mississippi case in which three illiterate Negroes, likewise suspected of having murdered a white man, were run through the mills of Southern rural justice had confessions extracted from them by torture and were expeditiously convicted and sentenced to death in a flagrant miscarriage of justice. But what makes this latter case notable is not these tragic and too familiar details but the fact that they aroused Associate Justice Griffith, of the Mississippi Supreme Court, in an opinion dissenting from that tribunal's refusal to grant a rehearing, to a striking repudiation of this subservience of the courts to the mob spirit:

> It may be that in a rarely occasional case which arouses the flaming indignation of a whole community, as was the case here, we shall continue yet for a long time to have outbreaks of the mob or resorts to its methods. But if mobs and mob methods must be, it would be better that their existence and their methods should be kept wholly separate from the courts; . . . that what the mob has so nearly completed let them finish, and that no court shall by adoption give legitimacy to any of the works of the mob, nor cover by the frills and furbelows of a pretended legal trial the body of that which is in fact the product of the mob.

This was a magnificent attack, delivered by a Southern justice, at the core of the lynching evil. This particular case now goes to the United States Supreme Court, but in the meanwhile the fact that Southerners are more and more coming themselves to a clear insight into the character of the lynching problem is the nation's best guaranty that it can be overcome.

KILLS 'CARRY ME BACK TO DIXIE' BILL

Negro Senator Helps Defeat Trick Law for Extradition

12-14-35

SPRINGFIELD, Ill., Dec. 12 (ANP).—Raising the specter of lynching that has taken the lives of more than 5,000 colored men and women and supported by Republicans and liberal-minded Democratis, Senator William R. King succeeded in blocking the passage of the "reciprocal state compact bill" here in the State Senate Tuesday.

This bill, listed as No. 38, provides that any judge of any court of any state which passes a similar bill may by subpoena compel any resident of Illinois, who may be wanted as a material witness, to go to that state to testify.

Cites Danger of Lynching.

Opposing the bill, Senator King made an impassioned address in which he cited the danger faced by colored citizens of Illinois of being subpoenaed to appear in courts in the southern states in cases where the race question was involved. After pointing out the prevalence of lynching, Senator King declared:

"Whatever else this bill may do there is one thing certain, it will pave the way and open wide the door on the slightest pretext for taking people of my race back to southern states, and God only knows what will follow once they are there. I know the proponents of this bill say that Illinois may exact a guarantee from the demanding state for the safe return of its citizens, but if a southern state cannot guarantee the security of Negroes of its own state, how in God's name can Illinois hope for the protection of Negroes sent back to a southern state?

Two Kinds of Justice.

"There is not a man on the floor of this Senate chamber who does not know that in every southern state there are two standards of justice and that to be a Negro is to be robbed of the protection of law. Pass this bill here tonight and you will place upon the gibbet of crucifixion 500,000 defenseless citizens of our state and strike the cruelest blow to the liberty and security of my race since the Dred Scot decision and the Fugitive Slave Law."

New York Evening Post
DEC 23 1935

LYNCH LAW IS NOT AMERICANISM

We have always had a high regard for former Ambassador James W. Gerard. He has been a clear-sighted observer. He had come to be a sort of American Elder Statesman.

That is why we were so deeply shocked at his speech in Jersey City on Friday. He was supposed to have made an Americanization address to 230 new citizens.

In such an address one expects a statement of the free principles on which this country was founded, and the contrast between those principles and contemporary despotisms, Fascist and Communist.

But the language he used was not the language of Americanism but the language of Fascist thugs and hooligans. Our former Ambassador to Germany said—

> **Let me warn parents and children alike that those who will not conform to the institutions of this country, who seek to overthrow our Government and substitute some foreign communism will soon be hunted like mad dogs in our streets.**

That is the language of a Hitler, a Goebbels or a Goering, not of a responsible American teaching new citizens the principles on which this Government was founded.

Mr. Gerard should know that this is an incitation to mob violence. He should know that every worker who goes on strike for an extra dollar in his pay envelope is at once accused of seeking to overthrow the Government.

He should know that America's budding Fascists and their spokesman, the Hearst press assail every proposal at reform or social security as "foreign communism."

From the Hearst standpoint Mr. Gerard is himself open to suspicion. Was he not the first important American diplomat to come out for recognition of Soviet Russia?

Did not Mr. Gerard attack exploitation of stockholders "by their hired men and even by their corporation directorates"? Wasn't the securities and exchange act passed to end that exploitation?

And isn't the Hearst press attacking that legislation as "communistic" as it attacks legislation to help workers and farmers and consumers as "communistic"?

Mr. Gerard is playing with dynamite. Let down the bars against despotism, curtail our basic liberties, and no one knows where the wave of reaction will end.

Violence against workers and poor farmers in the sharecropper country, in the Imperial Valley, in the Ohio onion country and in Tampa is not violence in defense of Americanism.

It is violence in defense of unreasonable profits and low wages. It is violence using the bogy of "communism" in defense of special privilege.

The James W. Gerard who once told us who were the real rulers of America should know better.

PHILADELPHIA, PA.
RECORD
DEC 24 1935

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WASHINGTON, D. C.
STAR

DEC 31 1935

Kidnaping and Lynching Blacken America's Record

To the Editor of The Star:

Two editorials in The Star stress the importance which you place upon the departure of Lindbergh and his family for England to escape the machinations of the kidnapers. Small wonder that he flees from the land of his birth for fear that the same wicked fate will be visited upon his infant son which befell his first-born. The approaching execution of Bruno Hauptmann and the revival of the heart-rending incidents of the tragedy and trial serve to revive a cruel memory and to waken afresh the wounds which only time and oblivion can assuage. In England he hopes to find not only greater respect and reverence for law but also a more assuring and tranquil atmosphere.

Things have come to a pretty pass when America's most distinguished and beloved son must seek security and relief from harassment by flight to a foreign land. On account of this unhappy incident the fair name of the land of the free and the home of the brave has suffered and will suffer in the estimation of the civilized world.

Lynching and kidnaping are twin iniquities of which our country enjoys all but a monopoly. These extreme forms of criminal manifestation cannot be isolated and dealt with apart from the general equation of crime of which they are common factors. America is the richest and the wickedest civilized nation on earth. It takes the lead in every form of measured crime. New York and Chicago have 20 times the murder rate of London and Paris. Lynching and kidnaping, two mountain peaks of atrocity, are but special emergences from a common criminal background. While they spring from a common criminal instinct, yet they apply to opposite poles of society. The mob seeks for its victim the poor, the underpriviliged and the defenseless; on the other hand, the gangster visits his dastardly deeds upon the elite, the rich and the mighty. The mob is cowardly because it anticipates impunity; the kidnaper, with dare-devil recklessness, takes his life in his own hands.

There have been over 4,000 lynchings during the past 50 years. The frequency of the horrid happening has so dulled the public conscience that it responds but feebly to each fresh occurrence.

The relative infrequency of kidnaping causes a greater shock to our sensibilities. The different social status of the lynched and the kidnaped also serves to accentuate the difference in public attitude. But the lesson is clear, the inference from the Lindbergh incident is imperative, life at no level is safe and secure unless life at all levels is held sacred.

Four thousand lynchings have not resulted in effective legislation, State or Federal, to cope with the evil. A single case of kidnaping, on the other hand, precipitated a Federal anti-kidnaping law. In the one case constitutional barriers are alleged to stand in the way; in the other such technicalities are swept aside by the aroused purpose to cope with the evil. Legislation, by itself, without supporting public sentiment, is no cure for any form of crime.

Statutes against crime, in any of its forms, will be of little effect unless the American people evince a regard for the sacredness of life in rich and poor alike, and assert the determined purpose to uphold and defend the law as the basis of ordered society. Then, and not till then, we shall have a government of laws, and not of mobs and gangsters.

KELLY MILLER.

Daily Worker
N. Y.
DEC 23 1935

Inciting Lynch Mobs

HEADED by William Randolph Hearst, the lynch wolves are in full cry.

They seek to incite lynch feelings against labor, against liberalism, against every bit of progressive thought in America.

This, and only this, is the meaning of the Hearst streamers in the advance copy of yesterday's New York American (exposed in Saturday's Daily Worker).

When Hearst writes that 'Reds Plot to Massacre All Who Oppose Them In U. S.,' he is clearly seeking to whip up pogrom sentiment. When he deliberately runs side-by-side the pictures of Communist leaders like Earl Browder, Clarence Hathaway, 'Mother' Ella Reeve Bloor and I. Amter with liberals like Professors George S. Counts and Robert Morss Lovett, the implication is clear.

Mr. Hearst wants heads to roll in the sand—heads of Communists, of Socialists, of union leaders, of liberals, of progressives. He wants to make of America one vast concentration camp, so that he and a small group of Tories may continue to plunder and starve the country to the limit of their wildest desires.

The hand of Hearst is truly against everything and every man that is progressive, that is truly American; let the hand of all that is progressive be set against Hearst.

Lynchings-1935
Discussions.

White Press,- Northern.

5189

Scores of Lynchings and Strike Killings Mark New Terror in South

By ROBERT WOOD

BIRMINGHAM, Ala., Nov. 22.—A wave of barbaric lynch frenzy is sweeping the South.

In the past few months no less than ten lynchings have taken place in Georgia, Mississippi, Texas and Tennessee. This does not include the officially admitted murder of 15 sharecroppers during the heroic cotton pickers' strike, the two murders in the cotton choppers' strike, both led by the Share Crop-pers' Union. This excludes the 11 deaths in the longshoremen's strike on the Gulf Coast, the murder of two union miners in the Alabama coal fields in the recently concluded strike and several killings in the Kentucky fields. In addition there have been further steps taken in tightening the noose for "legal" lynchings of two Negro workers in Arkansas, three in Mississippi and the nine Scottsboro boys in Alabama.

The key reason for this barbaric wave of murderous reaction is to be found in the fact of the unprecedented militancy and magnificent growing unity being molded in the fire of struggle by the Southern toilers. In the coal fields, in ore mines and blast furnaces, on the Gulf coast among the longshoremen, in the Black Belt among broad sections of the farm workers, in strikes against W.P.A. coolie wages in Alabama, in strike threats against the differential wage scales and increased organization among relief workers in Georgia, everywhere on the industrial and agricultural front the Southern working class is on the move. In bitter struggle against the efforts of the ruling class to drive them into deeper and unprecedented degradation and poverty, the Southern workers are learning the lesson of unity, that by uniting their ranks solidly, in the face of the further attacks against their miserable conditions, lies the way to militant unionism and the end of "popsycle" company unions, the road to better conditions and a better life.

Directed Against Unions

The answer of the bloody ruling class, which has destroyed the lives of countless workers in its resolve to wring super-profits out of the backs of the divided working class in the South, is an intensified campaign of terrorization against efforts at unionization, against labor and especially against the Negro people. This is the frantic effort of a murderous parasitic class to perpetuate its exploitation, and to keep the working class divided, weak and unorganized.

The cold, premeditated effort to murder nine innocent Negro boys continues at Decatur, Alabama. The five years of struggle, led by the I.L.D., during which world-wide interest, protest and aid was enlisted in the fight against this monstrous frame-up, again has focused itself on this small Alabama community. Lieut.-Governor Tom Knight reaches out again for nine lives in order to further advance his political ambitions by serving well the masters of Alabama. From Attorney General he has been elevated to Lieutenant-Governor through his prosecution of the Scottsboro boys, many times over proven innocent of the "rape" charge foisted on them in March, 1931. Knight is striving for the Governorship when Bibb Graves steps down.

The Negro people of Alabama are disfranchised. The laboring white men of Alabama are equally disfranchised by a prohibitive poll tax and other discriminations. The voters in the main are drawn from the ruling class, the court attaches, clerks of the various municipalities and of the state, and some part of the middle class. It is to these that Knight is looking for election in reward for his drive in seeking to send the Scottsboro boys to their death.

Another Scottsboro

In Arkansas the Supreme Court has affirmed lynch verdicts against Bubbles Clayton, age 21, and Jim X. Carruthers, age 19, for alleged "criminal attack." The workers in the Memphis area and throughout Arkansas and sections of the Southwest are familiar with this crude and obvious frame-up against these young boys. The appeals have been financed by the pennies of thousands of workers in that section of the terror-laden South.

Three Negro boys in Mississippi have been sentenced to die. The appeal from the verdict has been taken to the U. S. Supreme Court. When the Supreme Court of Mississippi affirmed the lynch verdicts against these farm workers, two judges dissented.

One of them wrote the dissenting opinion in which he declared his opinion that "the famous Scottsboro cases were models of constitutional perfection in comparison" with the procedure adopted in railroading these youths to their death. "Affirmation of the death sentences," the judge stated, "would be as becoming a court of law as to say that a lynching party has been 'legitimate and legal' because the victim, while being hung, did not object in the proper form of words." Detailing the torture inflicted by the police and "posse deputies" in order to secure a "confession" the judge wrote of defendant Ellington whom "they hanged by a rope to the limb of a tree, and having let him down they hung him again, and when he was let down a second time, and he still protested his innocence, he was tied to a tree and whipped and still declining to accede to the demands that he confess, he was finally released and he returned home suffering from intense pain and agony. The record of the testimony shows that the signs of the rope on his neck were still visible during the so-called trial."

Murderers Get Official Blessing

At Ashland, Tennessee the four Dobson brothers and one Brown were whitewashed by a picked jury after they hd murdered a Negro worker. Their "defense" was that Mrs. Luther Dobson had been insulted by Baxton Bell, the murdered Negro. The cold-blooded manner in which this worker was slaughtered was testified to by Louis Donnelley, the city marshall, who swore that the five killers had unarmed him and seized Bell. Donnelley testified that the five men took his gun and a short time later Luther Dobson, returning it, told him, "Here we are. The Negro is on Kingston Creek. You can say one thing—your gun has killed one Negro."

In Columbus, Texas, Benney Mitchell, age 16, and Ernest Collins, age 15, were lynched, while being taken to Juvenile Court to be tried for "assault," after having been held in Houston for "safe-keeping." For brazen, outspoken, official condonation of these murders it would be difficult to find an equal even in the South. Even the Birmingham News was moved to comment on the villainous "justification" for the lynchings advanced by the county officials and the county judge.

Editorially the Birmingham News writes that "The point was made by local authorities in Texas that under the law these prisoners could not have been executed because of their age. This point is advanced to condone the lynchings. In fact, the county attorney, in whose county the lynchings took place said he considered the mob's action 'an expression of the will of the people.' The county judge said the fact that the Negroes could not be 'adequately punished' by law because of their ages prevented him from 'condemning these citizens who meted out justice to the ravashing murderers.'" Sheriff Frank Hoegmeyer completed the official chorus of approval of the brutal murders and paved the way for future actions of a similar sort by stating brusquely that "I don't plan any arrests."

In Moultrie, Georgia, John Henry Sloan, 21-year-old Negro worker, was sentenced a few days ago to be electrocuted on Dec. 10, for "slaying a white youth." No evidence was presented to connect this young Negro worker with the killing. A month ago a mob of deputies lynched another Negro for the same "slaying of a white youth." The Birmingham News, in commenting on the Sloan case, remarked editorially, "Unfortunately there was a lynching in Georgia in connection with the same case. An entirely innocent Negro was put to death by a mob."

South is Spearhead

In Sparta, Georgia, Winton Boyer, Negro worker, was "captured by a posse" and is now held "for the slaying of a Sparta motorcycle policeman." He has been removed to a Macon jail for "safe-keeping." Losing no time, Judge James B. Park ordered the immediate convening of a special term of the Hancock County Superior Court "to try" Boyer.

In Alabama, Knight has announced that the Scottsboro boys will be arraigned on Dec. 16 before Judge W. W. "Speedy" Callahan and the first trial will be started Jan. 6. The time is short. The boys must be freed. The I. L. D. has issued a call to all who "wish to be counted as friends of American liberty and of justice for the Negro people" to rally unitedly in the defense of these innocent boys.

The need for united and intense action is great. This is no longer even a case of saving nine innocent boys from death. It is a case of rescuing our country from fascist terror.

The workers of the South call to everyone throughout America to join the defense fight. The spearhead of fascist reaction is the South. The struggle to free the innocent Scottsboro boys is a fight to destroy the daily terror visited upon the Southern workers and to stem the spread of fascism in the United Sta

Tractors Raise Farming Levels In the Soviets

Central Stations Used to Service Machines for Collectives

By LEM HARRIS

(Federated Press)

A few years ag the average Russian peasant did all the farm work with oxen and horses and the crudest sort of implements. Wooden harrows were more common than steel ones. Even scythes were not designed with the curved handle and two pegs of the kind found in America, but with a handle as straight as a hoe.

Now these same peasants are to be seen on the seat of Soviet-made wheel-and-track tractors, serviced by their local machine station. The station makes it possible for the few available mechanics to exercise control over most of the heavy implements and at the same time train as quickly as possible new qualified operators.

Imagine the M. T. S., as the machine tractor station is called for short, as a central establishment for servicing surrounding collective farms. The heart of the M. T. S. is the machine shop where the heavy implements are serviced. Roads are built from the M. T. S. in all directions to nearby villages, and telephone connections are set up. The tractor station, as a government institution, owns and controls many units of heavy machinery and tractors.

Former Estate Used

Each spring this machinery moves

breakdown.

But the major aim of the station Director Levechenko explained to me, is to have the machinery in such fine condition that a minimum of repair work will be necessary during the season. They planned during the heavy work periods to run the tractors 20 hours a day with two shifts of men working and a third shift for the servicing. I learned from the land department of the whole territory that the tractors averaged 2,000 work hours a year. This forms a dramatic comparison with the 400 work hours which tractors on American farms averaged in 1930.

FAYETTEVILLE, N. C.
OBSERVER
NOV 7 1935

WITH OTHER EDITORS

A STRANGE KIND OF MOB.

(Charlotte News)

Tennessee's recent lynching experiences have been unique. There was the affair at Shelbyville last December, when a mob mad with the lust for black blood charged troops around the courthouse and left four mobsters dead. Thereafter, Tennessee was free from even attempted lynchings until yesterday, when five white men took a negro away from two officers, carried him into an adjoining county and killed him with one shot.

It is unusual for a mob, even so small a mob, to be content with firing one shot, or with one cause of death. Each member of a mob likes to have a part in the finale, whether it be firing a gun into the body, giving a hand with the hope, dismembering the victim or simply throwing rocks. This five-man mob in Tennessee was an exception.

But the strangest part of it all is yet to be recounted. A short time after the lynching, five white men surrendered to the sheriff of the county, admitting complicity. So astonished was the sheriff that he hardly knew what to do with them or on what charge to book them. But the State will, we trust; the State will

MADISON, WIS
STATE JOURNAL
NOV 14 1935

A Blot on Texas

LYNCHING of two colored boys aged 15 and 16 years by a mob at Columbus, Texas, adds another score to the already long list of incidents in the south where mob have taken the law into their own hands and placed a stain on the nation by the unlawful killing of Negroes.

The crime that the boys are charged with having committed was revolting. They were responsible for the death of a young white woman 19 years old. This, however, did not warrant their hanging without a trial. Respect for law is not being taught the people of Texas by lynchings.

The south conceives that the lynchings are a lesson to the colored race whom they desire to hold in subjection. They are, however, only a reflection of brutality that engenders race hatred.

The south will never solve the Negro question by the lynching of colored people. The Negroes have their rights before the law which must be respected. The Texans who hanged the two boys at Columbus have simply given an opportunity to other nations to criticize our lack of civilization.

Brute force will not accomplish even the objective which the south hopes. The lynching of the two colored boys presents a picture that will arouse horror in the nation.

The state officials of Texas should in the interests of law and order demand that the perpetrators of the lynching be discovered and prosecuted to the full extent of the law.

ROCKFORD, ILL.
STAR
NOV 28 1935

THE BORAH LETTER

Senator Borah's extraordinary letter to the National Association for the Advancement of Colored People, upholding his stand on the Costigan-Wagner anti-lynching bill, which he opposed in the senate, is inevitably being interpreted politically because of the Idahoan's postulation of himself in the White House. We believe it should be taken as the blunt statement of a man irked by the unfortunate wording of an open letter and by the wholly false light which that letter threw on his own record of being generally on the side of justice and right.

Borah's constitutional stand is utterly correct. If the Costigan-Wagner bill were to become law it would mean federal policing of every state in the country, a kind of perpetual martial law. It would lead to federal intervention in many other types of crime, to the end that the last bulwark of states' rights would be cast down. Senator Borah apparently feels that the surest way to achieve the brusque centralization of Moscow, Rome or Berlin is to pass such legislation as the anti-lynching bill.

He is right. Yet what it is difficult to make people understand is why the government can play fast and loose with the constitution in such measures as NRA (now defunct), the Guffey act, the various other pieces of legislation which nullify state rights in an industrial or business way, yet draw the line against an invasion of states rights to protect people from lynching. Senator Borah, of course, has had nothing to do with promoting these invasions of states rights, although he supported some of them with his senate vote, including NIRA and TVA. His stand for extreme constitutionalism would be stronger but for that record.

As for the political slant on the Borah letter: Borah is probably not attempting to get himself nominated for the presidency. He is, almost certainly, hoping that his influence may be felt in the actual nomination. The enigmatic thing about the letter to the colored people's association is not that he risks antagonizing a few million voters at the polls by his bluntness, but that he risks antagonizing the Republican delegations from the south in the national convention. For colored voters have some influence there. And that influence will hardly go to Borah's choice for the nomination now.

The Lynchings of Two Days

Christian Century
11-27-35

DATA in regard to lynchings and attempted lynchings on two days, November 13 and 14, included four items: (1) Moultrie, Georgia. National guardsmen were sent from Atlanta to protect a Negro charged with killing a white man. After he had been convicted and sentenced to death it required the use of tear gas and rifle-butts to save him from immediate death at the hands of the mob, which had already killed another Negro while searching for its victim. (2) Ashland, Tennessee. Five white men are on trial for murder in connection with the lynching of a Negro ten days ago. (3) Austin, Texas. At a convention of the Texas federation of women's clubs, while a resolution was under consideration asking the governor to investigate the recent lynching of two Negroes charged with assaulting a white woman, an elderly woman protested against investigating the case and voiced the sentiment now less frequently heard than in earlier days: "Nothing will save southern women from those brutes except lynching." (4 and worst) Columbus, Texas. Two Negro boys, fifteen and sixteen, had been lynched on a charge of murder and assault. The county attorney said: "I do not call the citizens who executed the Negroes a mob. I consider their action an expression of the will of the people." The county judge said: "The fact that the Negroes who so brutally murdered Miss Kollmann could not be adequately punished by law because of their ages prevents me from condemning those citizens who meted justice to the ravishing murderers." Under Texas law, which is supposed to express the will of the people, boys of fifteen and sixteen cannot be sentenced to death by the courts. Under the law of Texas and every other state, no one can be sentenced except by a court. To the county attorney and the judge these expressions of the will of all the people count for less than the righteous wrath of a single community against two offenders. Sworn defenders of law, order and justice have seldom sunk to the level indicated by the utterances of these two officers of the courts.

Lynchings- 1935
Discussions.

White Press, Northern.

5190

WILMINGTON, DEL.
NEWS

NOV 6 1935

DEATH FOR A SLAP

LYNCH law, in all its cold, merciless, unreasoning brutality made its appearance on the front pages yesterday.

In Tennessee a small band of armed men held up a deputy sheriff, and took his gun and a Negro prisoner away from him. A few miles away they shot the Negro in cold blood and threw his body in a thicket.

What had the Negro done to be murdered?

The day before, on a busy downtown street, he had slapped a white woman. He had been arrested on a charge of assault and battery. To the sheriff, he had said: "I don't know what I done. I was just drunk."

He was drunk and he had slapped a woman of another race. For this crime he was taken out and shot without a trial and without a chance.

Afterwards five men surrendered at the jail, presumably part of the band which seized the Negro from the sheriff. But so far no charge has been placed against them. Their willingness to give themselves up indicates that they feel that in Tennessee, at least, no punishment will be meted out.

Unless these men are brought to trial and an attempt is made to punish the murderer, this is the way the Tennessee code will read.

A slap on the face merits death without a trial.

Murder merits a mild reproof.

That is the kind of law that lynch law is. It flouts the law and the officers of the law. It flouts the courts. And unless it is stamped out it sets up a lawlessness that is higher than law and that has no respect for ordinary concepts of justice and right.

Tennessee is on trial before the nation for tolerating that sort of lawlessness now. And the nation will be watching to see what Tennessee does to redeem herself.

HUTCHINSON, KANS.
HERALD

NOV 6 1935

SOUTHERN MANHOOD

The other day in White Bluffs, Tennessee, a white woman came to the sheriff's office and complained a Negro had slapped her as she alighted from a bus. The Negro was arrested on an assault and battery charge. A short time later, five valiant Nordics wrested him from jail, shot him fatally in the chest, tossed his body as so much rubbish into a thicket. By tradition, they bungled the job. Their victim was not subjected to the inhuman torture usually reserved for those of his race who sully the pure flower of southern womanhood.

Hutchinson in the past year has had several cases in which white women allegedly were insulted by Negroes. In at least one of them, the charge was groundless, the figment of a highly nervous woman's imagination. In the others, justice was administered temperately, and only after a fair trial.

But in Tennessee, Judge Lynch who listens to just one side is on the bench. Brutal death is the only punishment he knows, however trifling the crime, whatever the facts. Justice he regards is only for poor white trash of the north.

One sometimes wonder about the quality of southern manhood. Its womanhood, of course, is kept unsullied.

PITTSBURGH, PA.
PRESS

NOV 9 1935

JUST A PRANK

ATTENTION of chivalrous Southern Senators, who blocked passage of the Wagner-Costigan anti-lynching bill, is called to what happened the other day in White Bluff, Tenn.

A band of armed white men there seized a Negro from officers of the law, drove him to a thicket, shot him in the chest and left him to die. The victim had been charged with slapping a white woman.

The lynchers, who had borrowed the gun from a deputy sheriff named Donnelly, returned it after their deed.

"They were all laughing," Donnelly reported, "and seemed like they had enjoyed what they had done."

BUFFALO, N. Y.
TIMES

NOV 8 1935

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TEXAS COUNTY ATTY. JUSTIFIES LYNCHING

There seems to be no end to the lynching of HUMAN BEINGS in this LAND OF THE FREE AND HOME OF THE BRAVE, and as long as public officials condone mob action, a certain element (THE LYNCHING ELEMENT) will continue burning people to death. Perhaps you remember the instance of Governor Rolph of California, who sought to defend a lynching two years ago, and of Cole Blease of South Carolina who repeatedly approved of lynching Negroes.

Beaumont 11-22-35

And now a County Attorney down in Texas seeks to justify lynching by saying that the lynching of two Negro youths in Texas recently was "AN EXPRESSION OF THE WILL OF THE PEOPLE." Public officials who condone lynching should be removed from office forthwith. A FEDERAL LAW SHOULD BE PASSED and enforced to keep individuals with a such a low standard of culture from holding public office. The SOCIAL CONSCIOUSNESS OF THE AMERICAN PEOPLE should be awaken to the extent that individuals like O. P. Moore, of Columbus, Texas, the man who holds the office of County Attorney, be removed from office.

The two Negro victims were in the hands of the law when they were seized by the lynchers. The officers of the law could have dealt out the justice demanded by their offense, but that was not the will of the people. It is high time that decent American Citizens rise up and STOP lynching and the public defiance of law.

TEXAS SEN. QUIZZED ON DOUBLE LYNCHING

Senator Tom Connally, Who Declared States Could Stop Lynching, Asked To Act By N. A. A. C. P.

NEW YORK.—Senator Tom Connally of Texas, who wrote the N. A. A. C. P. last December that he did not intend to support the Costigan-Wagner federal anti-lynching bill because he believed the states could and would stop lynching, was asked this week by the N. A. A. C. P. to advise it of what steps the state of Texas was taking to punish the lynchers of Bennie Mitchell, 15, and Ezell Collins, 16, who were hung November 12 by a mob at Columbus, Texas. The N. A. A. C. P. telegram stated:

"Will you wire us and advise what steps if any Texas authorities will take to punish lynchers of two boys, fifteen and sixteen years old, at Columbus, Texas, yesterday. We ask this in the light of your bitter opposition to and filibuster last April against Costigan-Wagner anti-lynching bill which would have given federal aid as in kidnaping to states. You and other small group of filibusterers contended federal government had no right to interfere with lynching and that states could and would stop lynching and punish lynchers. We call your attention to statement

of County Attorney Moore describing lynching as "expression of will of people" and to statement of County Judge Hahn who violates every principle of judicial behavior by calling dead boys guilty when no trial had been had to establish their guilt. Texas has supplied country with 17th and 18th lynchings of 1935, 13 of which have occurred since filibuster, proving states cannot or will not act. Please advise if you in coming session of Congress will support federal legislation."

The association also telegraphed a protest to President Roosevelt on the two lynchings in Texas and the lynching of a white CCC worker in West Virginia.

Columbus, Texas—Chalking up the season's high with number eighteen lynching, more than 700 persons, including several women, took two Negro youths accused of the murder of Geraldine Kollman from Colorado county officers Tuesday and hanged them to a live oak tree four miles north of Columbus. "It is an expression of the will of the people," commented County Attorney O. P. Moore on the incident. The bloodthirsty gang is still searching for another Negro whom they say is implicated in the crime.

The two prisoners, Benny Mitchell, 15, and Ernest Collins, 16, were being taken from Houston to Columbus Deputy Sheriff Berry Townsend for trial Wednesday in juvenile court for criminally attacking and killing the girl October 17th. As the officers and their prisoners reached a bridge at Altair, eleven miles south of here, the mob stopped them, jerked the boys from the car and rushed them to a spot only a mile from the farm of the slain girl's parents.

Accused of Thievery

Miss Kollmann, high school graduate, was criminally attacked, slain and her body thrown into Cummings creek, which flows through her father's pasture. Miss Kollman is thought to have been killed when she rode into the pasture in search of thieves who had been stripping pecan trees. Police claim the Negroes said in their confessions they were seated on a log on the farm when the girl approached on her horse.

When they denied they had been stealing pecans, she told them to follow her and she would show them a tree that had been stripped. Officers quoted the Negro boys as saying they conceived the idea of attacking her as they walked behind her. "Let the law take its course," pleaded E. B. Morain, an Episcopal rector, as the "citizens" wreaked their vengeance with the rope.

LYNCHING AND PUBLIC OPINION

THERE ARE SIGNS of an awakening public opinion against lynching in the South, although recent statistics may appear to the contrary.

Following the lynching in Texas last week of two Negro minors, the Association of Southern Women for the Prevention of Lynching met in Austin and demanded that lynchers stop making the South "ridiculous," although one Texas woman assailed the demand for an inquiry and used the old exploded argument about lynching saving "southern womanhood."

The state of Georgia, which in many ways has taken the lead in unfair treatment of Negroes, took a stand for law and order last week when National Guardsmen were sent to Moultrie to prevent the lynching of Henry Sloan, who was on trial accused of slaying a white man. Sloan was convicted and has been sentenced to die December 10. As the prisoner was being taken from the court room, the soldiers repelled the would-be lynchers in a hand-to-hand fight in which several of the attackers were felled from blows with the butts of rifles. Sloan was taken to Macon by motor for safe keeping until he could be removed to the state prison at Milledgeville.

In Ashland City, Tenn., five white men were placed on trial in Circuit Court Nov 14 on charges of murder in connection with the lynching of Baxter Bell, who had been accused of striking a white woman while she was drinking with them in a colored saloon.

These incidents are cited to show the growing sentiment in the South against lynching. This is a step in the right direction, for until the majority sentiment of the South is against mob murder, the several states will be powerless to stop it.

On the other hand, a local judge and other officials in Texas attempted to condone the recent outbreak in that state as being "expressions of the will of the people." It is the weak-kneed officials, who are sworn to stand for law and order who must be reformed. It is because they will not stand by their oath of office that federal intervention is needed now.

RACINE, WIS.
TIMES-CALL
NOV 18 1935

OUR NEIGHBORS

SOUTH MUST CHANGE

Wisconsin State Journal: Baxter Bell, a Negro, slapped a white woman in White Bluff, Tennessee, and was lynched by a mob for the offense.

Five of the leaders of the mob that took Bell from the sheriff of Cheatham county and after running him out in the country shot him have surrendered to the authorities. They consider they meted righteous justice to the Negro because of his alleged insult to the white race.

The charge of murder has been lodged against the men under arrest. The good name of Tennessee should compel a vigorous prosecution of the men who thought so lightly of human life that they would kill a man because he slapped a woman.

Lynchings under any circumstance are a deplorable blot on this country. The killing of a man, however, for an offense as trivial as assault and battery, the charge filed against the Negro, is an outrage that even the citizens of the southern states with their prejudices against the colored people and their desire to keep them in subjection can not overlook.

Lynchings of persons charged with revolting crimes are not defensable but the killing of a man simply because in the heat of anger he committed a minor assault is beyond comprehension.

The south will never win the respect of the world through citizens taking the law into their own hands and punishing Negroes without even the semblance of a trial.

Such methods are merely bull-dozing attacks on the colored race in an attempt to keep it a peasant population.

Southern sentiment on the race question can not but be viewed as unfair in the north as long as such incidents occur as the White Bluff lynching.

CUMBERLAND, MD
TIMES
NOV 19 1935

LEGAL EXECUTOR

What began to look like a new epidemic of lynching parties was halted by the courageous action of national guardsmen in Moultrie, Ga. They dispersed a mob of 2,000 enraged citizens who were trying to take a condemned Negro from sheriff's deputies.

It isn't evident that justice is going to suffer from that bit of law-enforcement. The prisoner, already convicted, is to die in the electric chair on Dec. 10. The individual crime will be punished without adding to it a social crime.

Lynchings will die out in time, because it doesn't pay for society to brutalize itself in avenging crimes. Slowly people learn that the surest way to prevent crime is prompt, certain justice by legal processes.

NEWTON, KANS.
EVE. KANSAN-REPUBLICAN
NOV 18 1935

They pulled off a lynching bee in Texaas, a mob of several hundred taking a couple of Negro youths from a sheriff and hanging them. A local justice of the peace criticized the action of the mob and the governor of the state has asked for an investigation. The county attorney on duty in the locality where the lynching took place expressed an entirely different sentiment, however, when he asserted that "This was not a mob, it was merely an expression of the people." He intimated that he considered it utterly impossible to identify and prosecute any members of the mob. That idea will hardly square with the opinion outside of the "lynching zone." The "will of the people" is to ob'ey the laws and to expect officers charged with enforcement to do their duty. It is not the will of the people to take the laws into their own hands and set them aside whenever it pleases their fancy or passions. An officer whose sworn duty is to enforce the law who throws up his hands helplessly and side-steps an ugly job by dismissing the act as the "will of the people" is unfit for the office and unworthy of the confidence of those who trusted him.

Lynchings - 1935
& Discussions.

White Press - Northern.

5191

New York Evening Post

NOV 16 1935

As The Crow Flies

Jehovah's Witnesses Fired, But a Judge Keeps His Job

By ERNEST L. MEYER

IN TEXAS this week two young Negro boys accused of murdering a white girl were taken from the sheriff by a mob and lynched. Nothing has happened. County Attorney O. P. Moore said, according to the Associated Press, "I do not call the citizens who executed the Negroes a mob. I consider their action an expression of the will of the people."

And County Judge A. P. Hahn added that he could not condemn the members of the mob because the youth of the Negroes would have prevented them from being "adequately punished."

One assumes that both the county attorney and the county judge, on being inducted into office, took an oath to uphold the Constitution, which, according to report, guarantees all defendants the right of fair trial. Nothing in the Constitution or in all of its amendments gives a mob the power to seize, murder and mutilate criminal suspects.

Two Kinds of Oaths

Proving again the idiocy of "taking oath." As illustrated by the hocus pocus of making school children swear fealty to the flag and to the Constitution of which the flag is a symbol.

The irony is this: a number of immature children, members of a religious cult, Jehovah's Witnesses, have been expelled from school for refusing to abide by the silly ceremony of saluting the flag.

But the mature Texas prosecutor and judge, already sworn, flagrantly violate their oath and wink at lynch law and mob murder. And they keep their jobs, with amens from "nigger haters."

Will the same people, organizations and papers that condemned the "unpatriotic" school children and demanded their expulsion now step forward, please, and demand the ouster of the Texas officials?

In the scales of simple justice, if any still exists, which is the greater offense: a pledge withheld or a pledge betrayed?

The Grateful Bankers

IN THEIR annual convention at New Orleans the American Bankers Association went on the warpath against the New Deal.

Pondering this news story and remembering the plight of the bankers three years ago when banks were falling faster than a barometer in a hurricane, I dreamed this dream:

A beggar, tattered, down at heels, stood at a corner, whining: "For the love of God, help me. Once I was strong and healthy as you. But now I have anemia, fallen arches, and suffer from malnutrition and boils. Please, sir, please. . . ."

So I took what loose change I had in my pocket and tossed it into the old wool sock that the beggar thrust at me.

"Why," I said, noting the bulk and the heft of the sockful of panhandled coins, "what a big and heavy stocking you have there."

"The better to bang you with, my dear," said the beggar, baring his yellow teeth.

And he twirled the sock and brought it down on my head. And I saw stars, and heard bells ringing, and awoke with a start to find it was only the doorbell, rung by the newsboy who had delivered a paper telling of American bankers, in convention, swatting the New Deal.

HARTFORD, CONN.
COURANT

NOV 15 1935

Condoning Lynching

When the Governor of California several years ago condoned a lynching, saying that he would pardon any of its perpetrators who might be convicted, he provoked a storm of criticism the echoes of which must still ring in his ears. After the rebuke that he received, including a statement from the President, it seemed unlikely that other public officials would lay themselves open to similar criticism.

Yet a County Attorney in Texas has invited a like reprimand for his declaration, following the lynching of two boys, one fifteen, the other sixteen, that he did not consider the citizens who "executed" them a mob. "I consider their action," he said, "an expression of the will of the people." Apparently, then, he does not hold the law that he is sworn to administer in high esteem. His remark seems to imply that he believes that it should be set aside whenever it seems inadequate to any considerable group in the community, particularly if, as in the present case, the objects of resentment are Negroes.

His attitude is backed, not merely by the lynchers, but also by the County Judge. Under the law in Texas, the boys, who had been accused of murdering a white girl after assaulting her, could only have been sent to a reformatory until they were of age. Such punishment, in the opinion of the Judge, would not have been sufficient. Hence, he declared, he could not condemn "those citizens who meted justice to the ravishing murderers last night." Like the County Attorney, he too apparently believes that whenever a law seems inadequate it should be set aside without protest. To say the least, such an attitude is curious in a man who is supposed to personify on the bench the dignity, the majesty and the supremacy of the law.

The circumstance that the accused boys were said to have confessed the crime does not justify the attitude of the County Judge and the County Attorney. The accused should have been tried by orderly process, and if found guilty, they should have been punished as the law requires. If the law does not provide adequate punishment, then it should be amended, by orderly methods. The lynching has done nothing to correct the situation of which the lynchers complain. On the contrary, it has only weakened respect for all law, and the sanction given the murders by the representatives of the court makes the matter infinitely worse.

ALBANY, N. Y.
NEWS

NOV 14 1935

'White Folks' Justice?

"WHITE folks, please don't do this."

That was the plea of Ben Mitchell Negro boy of 16, just before a mob of 700 men and women in Texas lynched him and Ernest Collins, 15, for slaying a white girl.

But the white folks ignored his plea and hanged him. The county attorney is quoted as saying that the lynching was an "expression of the will of the people." Is it the will of the people of Texas that law be flouted, that justice be taken into the hands of a mob? And did the people feel they were setting an example to the Negroes, an example that would make them lawabiding, make them respect law? If they did they were wrong. The crime of these boys cannot be condoned but the crime of 700 "white folks" is a worse crime.

[redacted]

NOV 13 1935

Lynching of two negroes in Texas only brought a statement from a county attorney there in which he expressed himself as believing it was "the will of the people" and apparently there isn't very much he can do about it. It's just possible, of course, that charges of disturbing the peace will be brought against members of the mob who should have known that such unmannerly procedure was out of place on any other night but Saturday.

SALINA, KANS.
Journal

NOV 14 1935

THE WRONG SPEECH

A mob made up of some 700 people of a Texas community, took two Negro boys accused of murder and hanged them on a farm. And just after the justice of the peace announced an investigation of the mob would be made the county prosecutor of that Texas county came out with a statement upholding the mob. He said he considered their action expressed the will of the people and therefore was justified.

It was a bad speech for a county prosecutor. It was a speech defying law and order and upholding the execution of vengence by mob rule and action. It is no wonder, when officials elected, paid and sworn to uphold the law, treat it so lightly, that the law gets the little respect it does.

There may be no public sympathy for the two Negroes, young as they were. The crime they committed was brutal and cruel. The murder of a 19-year-old girl, a high school honor graduate, deserved the death punishment even though the two murderers were young. They were not so young they did not realize to the full extent the wickedness of the crime they committed.

But for a county prosecutor to justify the action by the mob, is to justify and encourage law violation. It is to justify those who regard the law as a conglomeration of words on a piece of paper and nothing more. And certainly, with that kind of an endorsement, mobs will be more likely than ever to kill and probably will not be so greatly concerned as to whether or not they have the right person or whether the crime deserves a punishment as severe as death.

The inference by the county attorney is that people grow weary of delay by the law, of technicalities and of the performance of the courts. Therefore they are determined to make sure the guilty get their deserts.

That undoubtedly is true. Dilatory legal procedure and evasions no doubt have influenced many a mob. But is not the county attorney a part of that procedure? Is not he one of the causes of the delay often enough? Is not his own lack of diligence a factor that so often causes public resentment in these cases? The Texas county attorney, in upholding the mob, not only seeks to give official sanction to disregard for law, but he indicts himself.

Has he forgotten what happened a year or two ago when a certain western governor endorsed a mob?

The Rule of Lynch Law Terrorism

New York Evening Post

NOV 16 1935

To the Editor of New York Post:

Sir—The observations of "Justice" in your paper are correct, and I think the geographic location of my residence gives me the authority to verify a theory that the private lives of lynchers are generally inferior to the lives of the victim.

Although it is not logical to excuse men and women addicted to the American pastime of murder or attack, one must pause long enough to consider the environment and economic condition of various persons forced without premeditation into a life of crime.

By deliberate (perhaps malicious?) meditation we arrive at the opinion that the so-called "bourbon aristocracy" is directly or indirectly the cause of most of the minor and major crimes committed by the Southern poor whites, the Negroes, and, at fairly regular intervals, by this so-called "aristocracy" itself, an aristocracy that is not above murder when it comes to keeping the Southern workers contented with their starvation wage and pellagra or solving the more provincial and intimate problem of love affairs among the Bourbons.

An indication of the ultra-Southerner's fear of light is the recent censorship of "Tobacco Road," the Scottsboro, Dr. Begun, Gelders, Shields and Angelo Herndon cases, and the dismissal of several Southern newspaper men who were so careless as to "write the truth," not to mention recent Fascistic attacks on the literary productions of two authors, one from Mobile, the other from New Orleans.

There is no academic or political freedom in the South. Don't come South for justice.

A SOUTHERNER.

Alexandria, Va.

WEBSTER CITY, IA.
FREEMAN JOURNAL
NOV 16 1935

Two Negro boys were lynched in Texas the other day, "charged with murdering a young white woman near Columbus, Texas, on October 17." There was no evidence of guilt, but the boys were "suspected." They might have been "suspected" by the real killer. That often happens in the south. "If the Negroes didn't kill the woman," the theory is, "they were capable of it."

New York World Telegram

NOV 19 1935

Lynchings Threaten Government Foundations.

By S. McComas.

This morning (November 13) I read of lynchings in the South. I am a lower middle class Southerner, and whenever lynchings occur I am gripped by terror. I do not want to see this country in revolution. I do not want to go to a concentration camp.

I do not believe that those people who have been conditioned at the roughest end of a ruthless economic system are fitted to rule, but if lynchings continue nothing can stop such a cataclysm.

Lynchings in the South are the concern of every section of the country because they threaten the very existence of all of us. They are sticks of dynamite applied to the foundation of democratic government.

New York.

BROOKLYN CITIZEN

NOV 20 1935

MISCELLANEOUS NOTES

Condonation of the lynching of two Negro boys in Texas by both the County Judge and the County attorney "as an expression of the will of the people" seems strange to us Northerners. It is our conviction that two such officials should devote themselves to seeing the orderly process of the law being maintained. The fact that the two Negroes, aged 15 and 16, who confessed attacking and killing a white girl, could not be sentenced to death, but would be liable only to imprisonment until they came of age, explains what impelled the Texas mob to wreak its vengeance. Lynching, however, is not in accord with our national ideals, the South notwithstanding. The only possible cure would seem to be a Federal anti-lynching law to be passed over the South's opposition.

SPRINGFIELD, MASS.
EVENING UNION

NOV 16 1935

The Southern View

Many persons were shocked at the Associated Press dispatch from Columbus, Texas, where two Negroes were lynched after being charged with the murder of a white girl. "The lynching of two colored youths here last night was accepted as 'the will of the people' today by County Attorney O. P. Moore," it said. "Moore asserted he would make no investigation, though the grand jury might take up the case—next February."

Those familiar with the South and with Southern people understand that Mr. Moore undoubtedly is right in diagnosing the will of the people in cases of this kind. The youths who had confessed that they brutally murdered a fine young white woman after mistreating her on a lonely part of her father's farm were fifteen and sixteen years old—minors. Under the Texas law the most severe penalty for their crime would have been imprisonment during their minority. Had the law been allowed to take its course each young murderer would have gone free when he became twenty-one.

More than seven hundred persons took part in the hanging of the boys. In spite of the fact that Southerners are notably religious the assembled men and women refused to listen to a minister who pleaded for the lives of the Negroes. "Get another rope" some shouted as the clergyman persisted in his plea. No more convincing proof could be adduced that this lynching actually did represent "the will of the people."

Lynching is not so widespread in the South now as it used to be. Sentiment against it has grown below Mason and Dixon's line the last twenty-five years. Yet there is no denying that when a white woman is attacked by a colored man the will of the people of the South is that he should be executed. Possibly if legal capital punishment had always followed quickly upon swift conviction in such cases "the will of the people" would be that the courts should handle these matters.

Laws that are successfully enforced must really be the will of the people. We found that out during the time prohibition was the law of the land. In fact the ideal situation would be one where no laws were enacted unless they had the backing of a majority of the citizens.

Because it is the will of the Southern people that a Negro who violates a white woman must forfeit his life, probably no amount of indignation in the North and no Federal law will, for a long time to come at least, stamp out such occurrences as this recent double hanging by a mob in Texas.

BALTIMORE, MD.
MORNING SUN

NOV 14 1935

MORE LYNCHING

Late editions of *The Sun* yesterday contained a dispatch from Texas of the lynching of two Negro boys and a dispatch from West Virginia of the apparent lynching of a foreman of the Civilian Conservation Corps. In the latter case, authorities decided later the man had committed suicide. In the case of the Texas Negroes there was no question. They were hanged by a mob of 700 persons. Several women were present.

To make the lynching more disastrous to law and order, the county authorities apparently condone the crime. The county attorney calls it "an expression of the will of the people," and declines to speak of the lynching group as a mob. He terms the action an "execution." The county judge, while asserting he opposes lynching, declines to condemn "those citizens who meted justice to the murderers." His reason is that the Negroes, one of whom was 15 years old and the other 16, could not legally have been executed in Texas. They could not, therefore, he reasons, have been "adequately punished" for their alleged attack on and murder of a young white girl.

Such a state of affairs as is indicated by the expressions of these officers cannot exist in a truly civilized community. The State of Texas should take steps to apprehend and punish leaders of the mob.

LINCOLN, NEB.
MORNING STATE JOURNAL

NOV 7 1935

The execution of two Negroes in their jail cells constitutes a peculiar commentary on the administration of justice in the south. Two Negroes, charged with a statutory offense, were jailed in the Jefferson parish, Louisiana, jail. The sheriff claims that the prisoners opened fire on him from their cells. It is peculiar that the prisoners should have had weapons. Someone was negligent in the management of the jail. Even tho they possessed weapons, and the sheriff admits he had a tip that they had obtained them after they were committed to jail, they could have been disarmed. A man in a cell, even tho armed, is at a peculiar disadvantage. When the sheriff's deputies mowed the prisoners down with a volley of bullets they were committing an act more reprehensible than that of a bloodthirsty mob at a lynching.

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DECATUR, ILL.
HERALD

FEB 18 1935

Some Assignments For Roosevelt

Villard Suggests a Number of "Lost Opportunities"—Chances for Notable Reforms in the United States That Might Be Realized Easily By a President as Popular as F. D. R.

By OSWALD GARRISON VILLARD

SOMETIMES I think that the Roosevelt administration is going to be as famous for its lost and rejected opportunities as for its actual achievements. Probably that is unfair. But when I see what the President could accomplish, often by a mere stroke of his pen, by a speech, by a word to the newspaper reporters when they assemble to meet him, it seems extremely discouraging that these words are not forthcoming.

What About Lynching?

There is the question of lynching, for example. Senator Costigan has again introduced the bill which he and Senator Wagner put in last year to make lynching a federal offense. It is similar to the bill favorably reported by the Judiciary Committee of the Senate at the last session of Congress, which because of pressure of Administration matters was not discussed or voted on. Last year if the President had lifted a finger it would have gone through and we might have had some action in regard to one of the most horrible lynchings of which I have ever read.

The details of the mob murder of Claude Neal are too foul, too bestial, too revolting, too obscene to print. It does not even suffice to say that what happened would have disgraced Sioux Indians. The dead man, whose body while he lived was burned with red hot irons from his head to his feet, was finally hung, after several hours of unspeakable torture, in the presence of from three to five thousand people, men, women and children, who had been notified of what was going to take place and were on hand to witness it.

I frankly do not see how Mr. Roosevelt can have failed to have spoken out about this horror, but just as he would not speak up for the Costigan-Wagner lynching bill last year, he has kept silent in the face of an atrocity which is being featured throughout the Latin press especially in South and Central America. But whether it is that he does not wish to alienate some of his Southern white supporters, or whatever the reason, he has said nothing. But he has not, of course, the excuse that Woodrow Wilson had when he refused to appoint a race commission to study the Negro problem scientifically and to gather the facts as to the Negro and the relationship of the two races, because he thought it would be misunderstood in the South and offend the section in which he was born.

The Hardest Lesson

As I have repeatedly pointed out, after the vote of last fall President Roosevelt has no need whatsoever to consider the political effect of any action that he may choose to take; no President has ever received such an endorsement at the polls as he—at least in modern times—and he need not have the slightest fear as to his reelection, provided we do not face much worse economic conditions. And this is only one of a number of things that he could do, which would not only tremendously enhance the United States, but increase his own prestige and win the regard of the people in still greater measure than he now has it.

But somehow or other it is the hardest lesson in the world for American politicians to learn that this people craves the opportunity to uphold and to admire courageous men in public life. The wide support of Theodore Roosevelt was due to the fact that people believed that he was courageous, sincere, consistent, and utterly fearless in dealing with big business, and the "malefactors of great wealth." Those who observed him at close range and were not blinded by the charm of his brilliant personality, knew that he was not what the people thought he was by any means, but it was because they thought that he was brave as well as picturesque that people rallied to him.

There are the civil service and Postmaster General Farley. I have already called attention to the extraordinary service the President could render his country if he covered all the offices by the merit rule and forever separated them from politics. There is the question of official lawlessness all over the United States, and particularly the violations of free speech, free thought, and free assembly. Those things are undermining the country; they are in considerable degree responsible for the prevalent American lawlessness which in nowise seems improved by the new warfare between the government and gangs, and the government's decision to shoot it out with the bandits.

There is the whole question of disarmament. Mr. Roosevelt made a most admirable and statesmanlike suggestion on the 28th of December, 1933, when he offered to lead the way to international compacts under which every nation would pledge itself to abandon defensive weapons and never allow its armed forces to cross the boundaries of its own country. That was a thrilling proposal, but so far as is known he has not followed it up in any way, but has gone on record for the heaviest military and naval expenditures in our history, asking 800 million dollars for the fiscal year 1935-36, more than the whole government of the United States cost, pensions and everything, prior to our going into the war.

The Case of American Youth

There is the question of our youth. It is idle to deny that there is great unrest and discouragement and hopelessness, particularly among the young men who come out of school and college and find themselves absolutely without prospect of work and the possibility of marrying and having a family and a home. If somebody who believes in democracy and this Republic of ours, does not get hold of this youth, some Huey Long or Father Coughlin or some Hitler will walk off with them, precisely as the German and Italian and Polish youth has been dazzled and captured by dictators and medicine men in the manner of Hitler and Mussolini.

That the President does not see this need of youth is the more remarkable because of his interest in the Civilian Conservation Corps which has now been built up to 360,000 youths whom he has successfully protected from the army's desire to use these camps for military purposes. But this involves only a small part of our discouraged and restless youth, which is getting into just the frame of mind to be swept off its feet.

The President, by calling a youth congress in the White House and making an appeal for the old-fashioned American ideals, and enlisting youth everywhere on behalf of our democratic institutions would achieve wonders. Oh, yes, I know he is one of the most overworked men in the world, but this partial list of the things he could do is, as I have said, something that he could accomplish almost by a stroke of his pen, by a word, a speech, an appeal, an Executive order. No man, I repeat, has ever been so free to do these things. No man in the White House was ever more naturally disposed to this sort of thing. What stays his hand and mutes his voice?

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BALTIMORE, MD.
EVENING SUN

FEB 21 1935

Complaint Dept.

TO THE EDITOR OF THE EVENING SUN—Sir:

I am not unaware of Mr. Mencken's pen attitude toward lynching, as your caption would infer. I read all of his articles re the Princess Anne episode. Also I read the rejoinders of the "moron" editors, some of which I think H. L. M. will remember for a long time.

I want to say again that Mr. Mencken's inconsistency and hypocrisy disgusts me. Protest against lynching, sure! But what about the girl who last week was dragged by an automobile thirty-five feet to her death, and, according to your *Evening Sun*, the only clue left was a half-empty rum bottle that had evidently fallen from the speeding car? Has not Mr. Mencken and his ilk advocated this rum business?

(REV.) ALBERT TURKINGTON.

Baltimore, Feb. 19.

DECATUR, ILL.
HERALD

FEB 23 1935

Her First Lynching

—New York World-Telegram.

To any who hold that art cannot be propaganda and still be true and even great art we recommend a visit to the Arthur U. Newton Galleries, 11 E. 57th St., where a distinguished exhibition of the art of lynching is now on view.

There are numbers of persons, perhaps who might be inclined to steer away from such an exhibition as from a chamber of horrors. But here art and truth come in. A number of these paintings and drawings—by Bellows, Benton, Curry and the cartoonists and illustrators Kirby, Duffy, Fitzpatrick, Reginald Marsh,—are on their merit as pure art worth a place in any museum or art gallery.

Such is their power and strange beauty of execution and idea that to many who see them it becomes tragic that museums and art galleries are so exclusively concerned with mere objective beauty and afraid of art which exposes injustice and brutality and

human degradation—art which tells a moving story, stirring thought and feeling.

Unforgettable fear and pity is in the face of the beautiful little girl raised high so she can see in the hands of her frenzied mother, who amid a mob cries to another woman "This is her first lynching."

Imparishable impression of dumb terror is in the face of the young Negro braced in a tree as a mob—dog led, afoot and one horseback—pass behind on the road in the moonlight, in the painting by John Steuart Curry, Kansan.

In these courageous artists with social zeal, combined with artistic genius, lies the finest immediate hope for art in America or the world.

EAST ST. LOUIS, ILL.
JOURNAL
FEB 15 1935

Peculiar to America

In New York, a number of artists who have tried their hands upon the some tragic subject are going together to present an exhibit of pictures and statuary on the subject of lynching.

It is not a particularly pretty sort of exhibit nor a comfortable one to remember. Lynchings in the United States in recent years have managed to canvass pretty nearly the entire field of savagery, from simple hanging to burning at the stake and obscene mutilation. Some of the artists are able, and they have managed to capture in their works the hideous realities of such scenes.

The exhibit is as horrible as you please, but still it is unusual, and for that reason it has attracted the attention of many people. Several artists of note will make talks on the opening day, and among others a Japanese, Isamu Noguchi. It is not altogether pleasing to think of a visitor from Japan looking over this particular exhibit of American art. What sort of a notion will he get of American civilization With what sort of reservations will he hear in future our pious American protests against Japanese barbarities in Manchuria and China? What would an American visitor think, if he saw a lynching scene in Japan?

It is really very dreadful for visitors in this country to be permitted to hear about lynchings. These are a detail of our popular folkways that need to be very carefully concealed from the civilized world.

New York World Telegram
FEB 23 1935

Newton Exhibit Depicts Horror of Lynching

IT'S a rare art exhibition of which one can write urgently and fervently that it ought not to be missed by any man or woman in the city—or even in the country.

These are troublous times. And there are many things to distract the person not particularly interested in art. I still maintain that it ought to be made compulsive for every New Yorker to visit the exhibition entitled "An Art Commentary on Lynching," being presented at the Arthur U. Newton Galleries.

Despite newspaper accounts and cartoons, we of the North are perhaps insufficiently aware of the incredible barbarism which is still practiced in this country. We are not close enough at hand to understand the tremendous need for and importance of anti-lynching laws. This exhibition may do much to crystallize public opinion.

In it are fifty odd paintings, sculptures, prints, drawings and cartoons depicting the horrors of the practice. It is an exhibition which tears the heart and chills the blood. Many of the items have been exhibited before. Reginald Marsh's by-now-celebrated drawing "This Is Her First Lynching" is familiar. So are Curry's large oil "The Fugitive," Kopman's "Lynching," Biddle's "Alabama Code: Our Girls Don't Sleep with Niggers," Julius Bloch's "Lynching."

There are others which may have been exhibited before but which are new to this critic. Orozco's "Negroes," a print showing the writhing figures suspended above flames which have already burned off part of their feet. Harry Sternberg's sensational "Southern Holiday," depicting a lynched Negro unspeakably mutilated; Rollin Kirby's "It Can Be Done," Allan Freelan's "Barbecue—American Style," Paul Cadmus' "On the Way to the Lynching," a drawing recalling those of Rubens; Benton's palpably portrayed "A Lynching," all are deeply moving whether they have been seen before or not.

Remember, this is not an exhibition for softies. It may upset your stomach. If it upsets your complacency on the subject it will have been successful. E. G.

Anti-Lynching Exhibition

Reviewed by
JACOB KAINEN

THIS exhibition at the A. C. A. Gallery, 52 West 8th St., is a real broadside against lynching. The participating artists have turned some heavy guns against the bestial persecution of the Negro people with devastating effect. The fact that the artists deal with a common subject concentrates the impact of the exhibition.

This show was arranged by the John Reed Club, the Artists' Union the League of Struggle for Negro Rights, the Young Vanguard and the Artists' Committee of Action. It comes on the heels of the N. A. A. C. P. exhibition, characteristically called "A Commentary on Lynch," and based upon support of the spurious Wagner-Costigan 'Anti-Lynch Bill."

The show at the A. C. A. Gallery is the result of the repudiation by many artists of the N. A. A. C. P. exhibition, with its fake Anti-Lynch Bill, and the desire to support an Anti-Lynch Bill with teeth in it. And so this United Anti-Lynch Exhibition at the A. C. A. Gallery was arranged, supporting the Bill for Negro Rights and the Suppression of Lynching. This bill calls for the death penalty for lynchers and for full economic, political and social equality for the Negro people.

The exhibiting artists have produced some of their best work for this show. Obviously, the question of lynching stirred them emotionally as few other issues would.

* * *

WILLIAM GROPPER is represented by one of his finest drawings, "Southern Lanscape." The lynch tree is a masterpiece of characterization—savage, splintered, and with a shadowy excrescence at the end of the lynch bough. However, one expects Gropper to be politically sharper than this drawing would seem to indicate.

Anton Refregier's "Landscape—Black Belt" and "Solidarity" seem to me to be the finest of his four drawings. Refrigier possesses the ability to condense and simplify his material to the indispensible essentials. This faculty, among others, gives increasing prominence to Refregier as one of our best revolutionary artists.

Harry Sternberg's uncompromising drawing, "Southern Holiday" depicts the mutilation of a Negro. George S. Schreiber's "20th Century" is a sadist fantasy on the same theme. Louis Ribak's "American Festival" is first rate, as are Herb Kruchman's "Family Mourning," Sara Berman's "Scottsboro Story," Walter Quirt's "Have Faith in the Law," Philip Evergood's "That's the Man," Daniel Koerner's "Vigilantes Attack," Philip Reisman's "South," William Siegel's "Sharecroppers Meeting' and other drawings too numerous to mention. In fact, there are so many good drawings in this show that it becomes almost arbitrary to select some for mention at the expense of others.

Isamu Noguchi's much discussed 'Death," which incorporates metal and rope, has just been added to the sculpture pieces. Sam Becker and Aaron Goodleman have other fine pieces on view.

The exhibition will continue through March 10. We urge everyone to see this show and to bring as many people as possible to the gallery. It is an experience not easily forgotten. The gallery is open on Sunday from 2 to 6 p. m.



Drawing by Refregier, on exhibit at the Anti-Lynch Show

BALTIMORE, MD.
EVENING SUN
NOV 27 1935

'Will Of The People' Vs. Law: One Southern View

Frank Smethurst, in the Raleigh News and Observer:

"I DO not call the citizens who executed the Negroes a mob. I consider their action an expression of the will of the people."

So said County Attorney O. P. Moore, of Columbus, Texas, after a band of men had lynched two Negroes who had confessed attacking and murdering a young schoolgirl.

I'm sure that by any other name the act would have been quite as atrocious. Yet it is fairly certain that the attorney is right. The lynching very probably was an expression of the will of the people.

It was the same sort of expression of the will of the people that we had in Franklin county not so long ago when the Sheriff, from whom a crazed killer was taken by lynchers, failed, as the Texas Sheriff failed, to recognize a single member of the crowd.

The question in Texas, as it was in North Carolina, is whether the will of the people shall be motivated by respect for law or by the spirit of anarchy.

Better, vastly better, that two Negro criminals escape the ultimate of punishment than that a whole community shall commit murder, or bless it.

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SPRINGFIELD, MASS.
EVENING UNION

JUN 26 1935

Less Lynching

Lynching takes place chiefly in the South, but it is a national disgrace for all that. Europeans do not understand, apparently, that it is a crime of passion confined usually to the region south of Mason and Dixon's Line. Every time a mob of more or less chivalrous Southern gentlemen burn, hang, shoot or drag to death a Negro suspected of crime, newspapers in London, Paris, Berlin and Leningrad gleefully report "another American outrage." That lynching is a common amusement in the public squares of New York, Chicago and Boston is the firm belief of many Europeans.

It is pleasing to learn that this so-called "summary form of justice" is dying down even in the deep South. Mobs do not wait for conviction. They kill, many times on mere suspicion. Not so many years ago a gang in Georgia burned a Negro who, it was learned after the flames had done their work, was innocent of the crime charged. "They had, though, exactly as much right to burn an innocent man as they would have had to burn the guilty one," said one critic with irrefutable logic.

Southern mobs lynch Negroes on suspicion of many offenses besides "the usual crime." Figures compiled by the Tuskegee State Normal and Industrial Institute show that luckless black men —and women—have been hanged, burned or kicked to death on suspicion—not conviction—of talking back to a white man, resisting a Sheriff, calling names to a white child and shoving a white man off a sidewalk. Reprehensible offenses, perhaps, in a social life such as obtains in the South, but scarcely deserving the death penalty, with torture.

In spite of the fact that figures show lynching is dying out, there is a determined effort to have Congress pass bills making it a Federal offense. It is proposed that Uncle Sam proceed to fine cities or counties where a lynching takes place. It is proposed, too, that Federal operatives be sent into a community after some one has been mobbed to death, to take charge of rounding up the mobsmen and of punishing them. And more of the same.

This United States of ours will be Utopia, a certain type of mind believes, when no State, city or county has anything to do except to sit back and let the Federal Government run everything. The Federal Government tried to run the railroads during the World War and ran them into the ground. The Federal Government tried to regulate the drinking habits of the people for many years, and the result was an orgy of drunkenness and lawlessness from which we have not yet recovered. Yet some persons persist in the fatuous belief that if the Federal Government ran everything that would mean perfection of living for everyone.

We need no Federal intervention to solve the problem presented by lynching. As the figures collected by the Tuskegee State Normal and Industrial Institute show, lynching is dying out. Public opinion and an increasing sense of decency and justice even in the deep South are eliminating this deplorable crime. Let us hope, then, Congress will have sense enough not to pass a law requiring the Federal Government to act the part of rural policeman every time a mob of Southern Crackers goes on a rampage.

DETROIT, MICH.
FREE PRESS

AUG 1 1935

Lynching Goes On

A MOB of white men and Negroes took the law into their own hands in North Carolina, Tuesday, by lynching the twenty-five-year-old Negro slayer of a farmer. Sheriff's officers, attempting to prevent violence by getting the man out of the county, were overpowered. Their prisoner was hanged near the scene of his crime.

Condemnation of lynching is general in the United States. Protests against it are frequent. In 1932 there was some hope that public opinion had been effective, for in that year the total of eight persons lynched was the smallest number since 1885. For some reason 1892 was marked by the greatest number, 231 lynchings.

But in 1933 the figure increased to 28, more than in any year since 1926; although in 1933 a total of 48 persons was saved from death at the hands of mobs. Of the 4,174 lynchings in this Country since 1885, the victims were 3,185 Negroes and 989 whites. Georgia heads the list of States in which lynchings have taken place, with 457, followed by Mississippi, Texas, Louisiana and Alabama, all with more than 300. In Michigan, in the last 44 years, four whites and one Negro were lynched. Readers will recall that only police vigilance a few years ago prevented the lynching of the Milan "torch murderers."

Whatever excuse may have been made for lynching in the past, there is no justification for it now in the United States, which is supposed to be a Nation of civilized people. We cannot regard terrorizations and mob brutality elsewhere with a clear conscience until lynching ceases to be a stain upon our own shield.

NEW YORK SUN

AUG 6 1935

Causes of Lynching.

The old discussion as to why lynchers lynch is revived by comment of JAMES DAVIS, District Attorney at Yreka, California, near which place a mob on August 3 hanged a killer. He attributed such outbursts of popular rage to the tardiness of the ordinary processes of justice, citing in illustration the case of a man in that same county who more than a year ago was condemned to die for murder but who is still alive while appeals drag their tortuous way through the courts.

He would be rash indeed who attributed lynching to any single cause. Sometimes it may be the outcome of a settled policy of terrorism in a given section—terrorism compounded of fear, hatred, racial and economic prejudice. Sometimes it may represent an explosion of passions that lie deep in the heart of excitable humanity. But there can be no doubt that in any community where laxity of law enforcement has bred habitual violence on the part of lawbreakers it will sooner or later breed reciprocal violence on the part of more respectable elements of the population. The frontier days are not so far in the past that Americans have forgotten the lesson of the vigilante.

Every now and then somebody produces a bill in Congress designed to invoke Federal aid in the prevention and punishment of lynching. Aside from constitutional difficulties, these measures are usually ineffective in their terms, as if designed rather to crystallize national indignation on the subject than to provide any workable means of control.

Lynching will get its death blow in this country whenever every capital case can be disposed of in not more than ninety days from the beginning of trial to execution of sentence. This could be done by giving to such cases right of way in all the courts. Between imposition of sentence and argument on appeal two weeks might be allowed to elapse; in two weeks more the court of last resort in the State should be able to hand down a decision. Thirty days more should suffice for the United States Supreme Court to pass upon any Federal question which might arise. If lawyers and lawmakers are in doubt as to how this could be done they could obtain light by studying the processes of criminal jurisprudence in England.

TROY, N. Y.
MORNING RECORD

AUG 1 1935

MOB VIOLENCE.

Regardless of the atrocity or the repulsiveness of the crime the perpetrator or perpetrators thereof should not be subjected to summary punishment or the fury of a mob. The accused should be accorded the legal procedure provided in the laws of every civilized nation. Undoubtedly there are defects in our criminal laws and exasperating incidents in the trials of malefactors but these are being corrected. The imposition of penalties is gradually becoming more certain and this should develop a greater restraint among the people who are thoughtless enough to take the law in their own hands. While the Negro who was lynched in North Carolina this week by a white mob because he had killed a white farmer with an ax should have paid the extreme penalty for his crime the procedure should have been through legal courses. The culprit should have had his day in court.

Although this Negro received the treatment he deserved and should have been executed we must keep in mind the recognized fact that one crime does not deserve another. If the courts in accordance with the customs of civilization had sentenced him to capital punishment there could have been no murmur. And that the legal tribunals would have imposed such a penalty would have been practically certain for the evidence against the accused appears to have been conclusive. He would have received what was coming to him.

Because of the savage temper of otherwise decent people a mob sprang into existence and the culprit was executed through the agency of what must be termed mass murder. And all one can say of such desperate action is that the members of the mob, certainly the ringleaders, were morally no better than the man they hanged. The murder has been avenged not by legal execution but by scores of people who allowed their fury and unrestrained emotions to control their actions.

led them to be accessories to one of the most heinous and inexcusable of crimes.

Because white people of the South have occasional reason for becoming exasperated at the actions of some of the lowest members of the Negro population their resort to lynching cannot be condoned by a civilized people. They are the creators of their own courts and if those tribunals do not function satisfactorily to them they should institute the kind in which they would have confidence that speedy justice would be administered.

The great State of North Carolina cannot afford to overlook this latest lynching. It ought to hunt down the leaders of the mob and impose the punishment that the action deserves. No state of the Union can condone in the slightest degree the barbarism of mob violence.

SPRINGFIELD, O.
NEWS
JUL 25 1935

LYNCHING AGAIN

There were four lynchings during the first six months of this year, two in Louisiana and two in Mississippi. This was two less than the total for the same period of 1934, four less than occurred in the first half of 1933. All of the victims were Negroes.

The hope which came with this improvement was short lived. Hardly had the figures been released when Mississippi added two lynchings more to its record. Four of the six lynchings so far this year have thus occurred in that state. Except for the escape of another potential victim the same day, Mississippi's record might now stand at five. The two who were hanged by the mob—in the yard of a church—were taken from a deputy sheriff who reported that he was unable to resist it.

The recent six-state Republican conference at Cleveland called for enaction of a federal anti-lynching law. It must be significant that when congress has such a bill up for consideration, lynchings subside.

MILWAUKEE, WIS.
LEADER
JUL 22 1935

The Monstrous Crime Of Lynching

In the first six months of this year there were four lynchings in the United States. The two recent lynchings in Mississippi and one in Flordia make seven. Two of the seven took place in Louisiana, Huey Long's state. Four were in Mississippi and one in Florida. All seven of the victims were Negroes. Three of them were charged with rape, two with murder, one with wounding a man in an altercation, and one with assaulting a woman. Whether any of the charges were true or not, it is impossible to say; mobs do not stop to find out the facts. If any of the charges were true, the fierce "justice" of southern courts toward colored people would have handed out ample punishment, and more than ample.

Whatever crimes the victims may or may not have been guilty of, the lynchers were guilty of far greater crimes.

There is no crime worse than lynching. It is the negation of law and order. It is like the chaos of tooth and fang which prevails in the jungle. It is savagery pure and simple. In a mobster, the reason abdicates and the bestial passions take control. Lynching intensifies the race hatred which must be allayed and abandoned ere there can be peace and justice between the races. It sets a horribly heinous and vicious example to the rising generation, erasing at a stroke much of the moral teaching the young may have received in the home and the school and elsewhere, and heading them toward careers of violence, lawlessness and race hatred.

It is quite possible that if the first of the above-mentioned seven lynchings had not taken place, the others would not have followed. A lynching sets an example of mob murder; hence the lynchers are not only guilty of murder in the particular case, but they are also guilty of murder when others follow their example.

Let the federal anti-lynching bill be passed as quickly as possible.

Nazis for Lynch Rule

WHAT have the Negro people to look forward to under fascist rule in America? Daily Worker

This question was answered on Thursday night by Julius Streicher—generalissimo of anti-Semitism in fascist Germany—in his speech calling for lynch rule against the Jews. Streicher spoke under the official auspices of the Nazi Party, now by law a part of the German government. This is what he said:

"I would like to say to Americans that almost every week we read about Negroes being lynched in America for having assaulted white women. Here in Germany we say that when a Negro is lynched for assaulting a white woman he gets what is coming to him. And as we do not bother about executions of Negroes, you should not bother when we lead a race desecrator through the street."

This confirms everything the Communist Party has been saying about the fate of the Negro masses if fascism should come to power in the United States.

Streicher openly supports the lynch rule of the Southern white ruling class by saying that the Negroes "get what is coming to them." Daily Worker

Streicher slavishly borrows the oldest, rottenest, most exposed lie invented to cover up lynch rule. He howls that Negroes are lynched for "assaulting" white women." Precisely what the American fascists say.

Under the fascist rule of the biggest capitalists and landowners every national and racial minority suffer savage oppression. Every organization of labor, especially the most militant, is ruthlessly suppressed. The struggle against the Communists is simply the spearhead of the struggle against all progressive forces.

The Negro people will be the victims of the most savage terror under fascist rule. And the time to fight back is **before** fascism appears! Now is the time to prevent fascism and fight for the complete equality and liberation of the Negro people from lynch rule.

Only by uniting in struggle with the white workers, with al the oppressed, can the Negro people give Streicher the lie!

Lynchings-1935
& Discussions.

White Press, Northern.

5194

NEW YORK DAILY NEWS
JAN 6 1935

ANOTHER SOUTHERNER ON LYNCHING.

Manhattan: So you want lynching here in New York, do you Georgia White Woman? You don't seem to understand that it is the trashy type of Southern woman that gets into trouble with colored men—and only the trashy type of Southerner that favors lynching.

TENNESSEE LADY.

EAU CLAIRE, WIS.
LEADER
JAN 8 1935

LYNCHING IN 1934

Even in its most favorable aspects lynching is not a pleasant subject for discussion, serving as it does to remind us of the thin line that separates the natures of human beings from those of the beasts.

However, there is a measure of gratification in the knowledge that not more than fifteen persons were lynched in the year that has just passed. This is important news because it represents progress.

There have been years in which as high as 231 men were executed by mobs, often inflamed by drinking orgies, and for many years the average ranged between a hundred and two hundred.

Of late, however, the trend has been definitely downward and, in consequence, there arises in hopeful minds a renewed confidence that that this evil will ultimately be eliminated from our national life. We cannot with reason lay claim to the attainment of a high state of civilization until that objective has been reached.

Little Episode

Sirs:

In your issue of Dec. 31, you published an alleged account of the trial of E. K. Harris, a Negro, on a charge of rape, in the Circuit Court of Bedford County, Tenn. . . .

This article was read by many of our citizens, who considered it so slanderous, and such a perversion of the facts, that I have been asked to answer it. . . .

Said article states:

1st—"Last week Tennessee wiped away its 13-year-old stain with the blood of four white men." This is absolutely untrue, for at this trial there existed no race prejudice. . . .

2nd—It says, Lillian Gibson, a Tennessee hill-girl of 15, went to school at Stump Valley, near Shelbyville, started home from school—later her teacher said she came running frantically back . . . screaming, 'I am going to have a baby.'" This is absolutely untrue, in that this little girl does not live in the hills—not a Tennessee hill-girl. There is no such school as "Stump Valley." The teacher never made the statement that the little girl said, "I am going to have a baby." These statements are untrue.

3rd—It says, that John Gibson, the father, with a wrathful posse of 300 hillmen scoured the woods, caught the 22-year-old Negro, named E. K. Harris, accused of the rape, and took him to the Shelbyville Jail, and a hill-billy mob demanded Harris be turned over to them. These statements are untrue. . . . There was no hill-billy mob. . . . Mr. Gibson is not a hillbilly. . . .

5th—The article further says: Mr. Gibson is dubbed as "Father Gibson," and says he inflamed his mountain neighbors by telling them that Dr. Moody, who is also dubbed, "a general practitioner of Shelbyville," had told him that the girl was pregnant. This is untrue. . . .

There was no disorderly conduct in the Court room from anyone at the trial until an adjournment for lunch, and then in a skirmish of some who apparently wanted to get admittance into the Court Room to hear the trial, against the orders of the National Guards to keep everybody out, and in trying to break the lines some were shot. . . .

It is greatly deplored that the Court House was burned, as well as the Government trucks but the records in the Court House were not burned, as charged in the article, and this, it is not believed here, was done by Bedford County citizens; but was the result of a communistic spirit that has been cropping out in this section but supposed to be by men coming in here to obtain work in the various mills and factories from the hot beds of communism, now existing in some of the Northern States, namely, New York City and Chicago. These Northern cities where exists hot beds of Communists, Bolshevists, rackateers and gangsters, and in poor grace to be so unfair as to make such charges as appears in this article referred to—about the little episode in Shelbyville—making a mountain out of a mole-hill. . . .

People of Tennessee are peculiarly an Anglo-Saxon Race, and ranks seven-tenths among the States of the Union in population—rich in agriculture, minerals, etc.; but the wealth of the State does not consist alone of its manufacturing enterprises, richness of its soil, the congeniality of its climate; but rather in the quality of its people. . . .

If you wish to know who the writer of this article is, I am a Lawyer, and I was appointed by the Court as one of the Lawyers to represent the defendant.

I have practiced in this State for 40 years. I am a Republican, and a recent Republican Candidate for Congress from this District—was U. S. Commissioner for the Middle District of Tennessee for more than 20 years. . . .

W. H. CROWELL

Shelbyville, Tenn.

AUBURN, N. Y.
CITIZEN-ADVERTISER
JAN 7 1935

LYNCHING IN 1934.

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REPUBLICAN
Phoenixville Pa.
JAN 8 1935

Lynching in 1934

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HERKIMER, N. Y.
TELEGRAM
JAN 5 1935

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LYNCHING DEPICTED IN ART

Work by Isamu Noguchi, Shown Here, Was Created as a Protest.

East Fifty-seventh Street, in which are located many galleries of art dealers, yesterday harbored a sculptural lynching when work by Isamu Noguchi, young American, was placed on exhibition at the Marie Harriman Gallery, 63 East Fifty-seventh Street. The show will continue to Oct. 16.

At one end of the gallery yesterday stood an improvised metal gallows from which was suspended by a rope a contorted metal figure of a man about three-quarters life size. The figure is treated somewhat abstractly.

Mr. Noguchi explained that he decided upon this macabre theme, after seeing a published photograph of the victim of a lynching, as a protest against "man's inhumanity to man." The sculpture is cast from a nickel alloy, is highly polished and weighs about 230 pounds.



Bernice Abbott

DEATH

A gift to Texas?

which Sculptor Noguchi would like someone to present to the State of Texas (see cut). From a tall tripod hung a metal cable, at the end of which dangled the contorted body of a lynched Negro.

Sculptor Noguchi took his figure from a newsphotograph in *The Labor Defender*, official organ of the International Labor Defense, which showed the burning of the body of George Hughes, 41, at Sherman, Tex. in May 1930 (TIME, May 19, 1930). Negro Hughes had pleaded guilty to an attack upon a Mrs. Drew Farlow, a white farmer's wife. Infuriated Shermanites attacked and burned the courthouse with the result that Prisoner Hughes suffocated to death in a steel vault in the county clerk's office. From the vault his limp body was yanked out and paraded around town in a motor truck before being strung to a tree. A drugstore was ransacked for boxes, counters, sample cases to build a fire beneath the corpse. Cooked by the flames, the muscles of George Hughes's arms and legs twisted themselves up into the knots Isamu Noguchi eternally preserved in *Death*.

Lynching as a Japanese Sculptor Sees It

A YOUNG Japanese sculptor, Isamu Noguchi, is exhibiting in a New York gallery a bronze figure of a Negro who was lynched at Sherman, Texas, four years ago. The exact moment chosen for representation is that when the limbs of the already dead body writhed and contracted in the flames over which it had been suspended by a chain. A ghastlier subject could not well be imagined. The thing is hideous and haunting. One may say that, as art, it is inexcusable. But then, what is art for? One conventional answer is that it is to reveal beauty to those who cannot see it until the artist interprets nature or remolds its materials by his creative genius. That's good, but scarcely enough. "Beauty" is a rich and inclusive word. if it is not dwarfed into a synonym for prettiness. Perhaps it would be better to say that art reveals the beauty and/or significance of the materials that it uses, and that it heightens and intensifies the emotional response to these materials. If that is what art is for—we speak humbly and subject to correction by the critics and pundits—but if that *is* what art is for, then Noguchi's "Death" hits the mark. It intensifies the horror of a lynching. We venture the guess that the city of Sherman would not accept this figure and hang it in a public park, even if it came as a gift. Citizens who looked upon the event without emotion would shudder at sight of the bronze or go around the block to avoid seeing it. And as they shuddered and shunned it, they would, or they might, get some glimmer of the significance of a lynching which did not come to them when they saw the writhing limbs of the black corpse. And besides it is bitter but wholesome medicine for us to see what features of American life a Japanese artist considers important enough to perpetuate in bronze. Frightfully ruthless people, those Japanese! Think of their cruelty in Manchukuo and Shanghai!

sculptors. Last week he received guarded praise from New York's first-string critics.

To the Marie Harriman Gallery in Manhattan this week went shapes in polished nickel, bronze, marble, wood and plaster, the latest exhibition of the works of able young Isamu Noguchi, son of a Japanese father, a U. S. mother. The show contained the usual Noguchi mélange of clever portrait heads, elaborate abstractions, projects for impossible architectural developments. In the latter manner was a strange triangular something called *Monument to the Plow*.

One thing no eye could escape was a glittering metallic figure entitled *Death*,

PHILADELPHIA, PA.
INQUIRER-PUBLIC LEDGER

FEB 2 1935

40 GROUPS HIT LYNCHING

Spokesmen for 40 or more political, social, religious and civic groups last night filled the Friends Meeting House on Race st. near 15th and raised their voices in protest against lynchings.

They were pledged also to work for immediate enactment of the Costigan-Wagner Anti-Lynching bill now before Congress. Support was given the movement by Congressman William H. Wilson in a pledge he made to the group.

Representative Marshall L. Shepard, of this city, urged the passage of the Costigan-Wagner measure "to save the souls of white people as well as the lives of the black." He is also minister of a Negro congregation here.

COLUMBUS, O.
CITIZEN

JAN 18 1935

JUST ANOTHER LYNCHING

DOWN in Washington Parish, Louisiana, a mob entered the jail cell of Jerome Wilson, a Negro, and shot him to death.

It was just another lynching to add to the odious list of more than 5000 in the past half-century. Not even unique was the possibility of this victim's innocence. A deputy sheriff had been killed in a shooting affray at Wilson's house. Wilson was arrested, convicted of murder and sentenced to be hanged. But the Louisiana Supreme Court had just granted him a new trial.

A federal anti-lynching law would make communities like Washington Parish hesitate. Under the proposed law now pending in Congress, the county would have been held financially liable for the young Negro's death.

Congress should pass this law before other such lynchings smirch the records.

NEW YORK SUN

FEB 5 1935

Women Support Anti-Lynching Legislation.

Great Pressure Is Being Brought to Bear to Insure Feminine Bloc for Measures.

WASHINGTON, Feb. 1.—Anti-lynching bills introduced in Congress will receive the full support of New York's new Democratic Representative-at-Large, Mrs. Caroline O'Day, for whose election Mrs. Roosevelt took the stump in the last campaign.

Mrs. O'Day said:

"I have already assured Senators Wagner of New York and Costigan of Colorado, authors of the Senate anti-lynching bill, that I would support the bill in the House to the utmost."

Representative Edith Nourse Rogers, Republican, of Massachusetts, is interested in the bill and has promised her support to its proponents. And from California where labor troubles and I. W. W uprisings have became a serious question for legislative consideration, Representative Florence P. Kahn, also a staunch Republican, has come out in favor of the measure.

Great pressure is being brought to bear upon the feminine bloc in the House by women's clubs and other organizations backing the anti-lynching bill, but a stiff fight on the floor of both the Senate and the House is predicted.

Lynchings-1935
6
Discussions

White Press—Northern.

5195

CLEVELAND, O.
NEWS
NOV 14 1935

Law of Violence

THERE have been three lynchings in America during the past 48 hours.

In Texas, a mob of 700 lynched two youths who were believed guilty of a criminal attack. Sweeping aside law and the courts, the gang wrote another shameful chapter in the story of racial prejudice in America.

In West Virginia, a CCC camp foreman was horribly murdered by madmen unknown. Motives can not be learned.

Properly, there will be a thorough and relentless effort to discover and punish the criminal responsible for the West Virginia slaying.

Improperly, authorities will look the other way in Texas, dismissing the crime with the smug assertion that "it was an expression of the will of the people."

Liberty loving Americans grow indignant when they read of race discrimination in other lands. How hollow their protests become when they tolerate double standards of law enforcement in our own country.

BOSTON, MASS
TRAVELER
NOV 14 1935

"Will of the People"

Two Texas Negroes were accused of attacking and killing a nineteen-year-old girl. Whether they were guilty was not determined. A mob of 700 lynched them, despite the plea by an Episcopal rector to "let the law take its course." The mob jeered the clergyman.

County Attorney Moore's comment on the lynching was that it was "an expression of the will of the people."

It follows, therefore, we assume, that if 1400 armed Negroes had come along and murdered the mob, that, too, would have been "an expression of the will of the people." For, according to the district attorney, if the mob is big enough to defy the law, the "will of the people" is being exercised.

We have altogether too much of that philosophy today. The will of the people is not found in mob action; it is brought out through orderly process.

New Yorker - N.Y.
NOV 15 1935

Two More Lynchings

THEY were too young to be legally lynched through the instrumentality of the courts, as regularly happens to many Negro workers, therefore it was necessary to hand them over to a bloodthirsty mob, deliberately incited by the authorities with the tale of a fake "confession."

This is the gist of the cynical defense by County Attorney O. P. Moore, and County Judge H. P. Hahn, of Colorado County, Texas, of the hideous double lynching last Tuesday of two Negro youths, Ernest Collins, 15, and Benny Mitchell, 16, near Columbus, Texas.

The County Attorney, whose sworn duty it is to prosecute the lynchers, brutally declares his approval of the murderers: "I do not call the citizens who executed the Negroes a mob. I consider their action an expression of the will of the people."

To which County Judge Hahn adds his juridical approval on the grounds that the two youths "could not be adequately punished by law because of their ages."

No more brazen defense of lynch murder has been voiced in this country since Governor Rolfe approved the lynching of two white men in California. This open attack on the democratic and constitutional rights of the Negro people should evoke a mighty thunder of protest from all sections of the country. County Attorney Moore and County Judge Hahn should be deluged with protests, demanding the arrest, prosecution and punishment of the lynchers, and of Sheriff Frank Hoegemeyer and Deputy Berry Townsend who turned the boys over to the lynch mob. Protests should also be sent to Governor James V. Allfred, Austin, Texas.

Was Hearst's Face Red?

IT WOULD be worth the price of a good movie to see William Randolph Hearst's face as he reads what crept into his own Milwaukee Sentinel in an interview with the famous Negro baritone, Paul Robeson.

"I am as much an alien here as any Negro," the Sentinel quotes Robeson as saying, "I can appear before Milwaukeeans tonight because I can sing. But my brother can't come here, he can't go any of the places where I can go. . . . In Russia it is entirely different. I am no different than anybody else in Russia. That's why I am going to spend more time in Russia. . . Perhaps in Russia I can find out how the Negroes in Africa can be made into a new people. . . Look at Russia—in a few years they have become a new nation. There were peoples in Eastern Russia more savage than many African tribes. . . . Perhaps in Russia I can find out how the Negroes in Africa can be made into a new people, with their own culture and their own civilization."

Mr. Hearst had better send that editor a telegram before it happens again.

LA CROSSE, WIS.
TRIBUNE
NOV 9 1935

South Must Change

BAXTER BELL, a Negro, slapped a white woman in White Bluff, Tennessee, and was lynched by a mob for the offense.

Five of the leaders of the mob who took Bell from the sheriff of Cheatham county and after running him out in the country shot him, have surrendered to the authorities. They consider they meted righteous justice to the Negro because of his alleged insult to the white race.

The charge of murder has been lodged against the men under arrest. The good name of Tennessee should compel a vigorous prosecution of the men who thought so lightly of human life that they would kill a man because he slapped a woman.

Lynchings under any circumstance are a deplorable blot on this country. The killing of a

man, however, for an offense as trivial as assault and battery, the charge filed against the Negro, is an outrage that even the citizens of the Southern states with their prejudices against the colored people and their desire to keep them in subjection cannot overlook.

Lynchings of persons charged with revolting crimes are not defensible, but the killing of a man simply because in the heat of anger he committed a minor assault, is beyond comprehension.

The South will never win the respect of the world through citizens taking the law into their own hands and punishing Negroes without even the semblance of a trial.

Such methods are merely bull-dozing attacks on the colored race in an attempt to keep it a peasant population.

Southern sentiment on the race question cannot but be viewed as unfair in the North as long as such incidents occur as the White Bluff lynching.

BOSTON, MASS.
CHRISTIAN SCIENCE MONITOR
NOV 14 1935

"The Will of the People"

IT IS not surprising that the United States suffers from mob violence. The surprising thing is that the American people, in view of the open defiance of the law by some of their officials and some of their Best People, enjoy as much security as they do.

In Texas two Negro boys have just been lynched by a mob of 700, including several women. The county attorney is quoted as saying that he considers this action "an expression of the will of the people." The county judge is reported to feel that he cannot condemn "those citizens who meted justice" to the Negroes, on the ground that "they could not be adequately punished by law because of their ages." They were too young to be legally executed, but not too young to be murdered.

If these official comments expressed an isolated view they would be shocking enough; they represent an opinion widely held and not infrequently expressed in the United States. The substance of this opinion is that we will obey the law only so long as it coincides with our desires and interests. When we can't get what we want, or can't get it quickly enough, by legal means, we'll take it anyhow.

This view was expressed two years ago by the late James Rolph Jr., as Governor of California, after two white men charged with kidnaping and slaying a San José man had been hanged by a mob. Referring to "those fine, patriotic San José citizens who knew how to handle such a situation," the Governor proclaimed that "if anyon is arrested for the good job I'll pardo them all."

It was really the same state of min that actuated the violators of the pro hibition law. It is the same state of min that leads dictators of whatever color t kill their enemies in order to hold power It is the same state of mind that cause some employers to hire private armies o incite vigilantes to crush their workers Indeed it is the same state of mind tha brings wars.

It is a state of mind which, if not controlled, will bring also an end of all orderly government.

NEW YORK TIMES
NOV 15 1935

GLORYING IN THEIR SHAME.

There have been half-hearted apologists for lynching, but it remained for Texas to furnish two out-and-out defenders of it. They happen also to be responsible for the trial and punishment of criminals in their particular county. The dispatch in yesterday's TIMES from Columbus, Texas, told of the lynching of two Negro boys who had been guilty of criminally attacking and murdering a white girl. Because they were only 15 years of age they could not, under the law, be sentenced to death. This fact was cited by the county judge as a reason why he could not condemn "those citizens who meted out justice to the ravishing murderers." The county prosecutor went even further, declaring that "I consider their "action an expression of the will of the "people."

The will of the people of Texas, and of all other States, has been deliberately "expressed" by setting up a system of government by law. This provides sworn officers to prosecute crime, and courts to try and to punish guilty men. It also enacts penal laws, which are to be enforced in an orderly manner, without fear or favor, against all violators of them, white or black. The will of the people was declared in the State Constitution and in the statutes of the Legislature to be opposed to entrusting to a mob the execution of those who had taken life or committed other capital offenses. The citizens who took the Negro boys from the custody of the Sheriff and hanged them showed that they were conscious of acting in defiance of law by wearing masks so that they would not be recognized and themselves brought to trial. In that case the will of the people was expressed with a handkerchief over its face. That does not look much like a proud and sovereign will. There is to be an official inquiry into this lynching but not much can be hoped from it. No inquiry is needed, however, to prove that the county prosecutor and the county judge have, by their extraordinary language, added their quota of disgrace to the whole affair.

NEW YORK SUN
NOV 16 1935

Frankness is usually considered a virtue, but in the case of the County Attorney and County Judge at Columbus, Texas, it got unusual attention because the officials, charged with enforcement of law, were talking about a lynching. Whereas prosecutors and judges in the South frequently say for publication after Negroes have been killed by mobs that it is indeed a blot of the fair escutcheon of this our beloved community, and then sit back and do nothing by way of vengeance, County Attorney O. P. Moore and Judge H. P. Hahn said what they thought, outright.

Ernest Collins, 15 years old, and Benny Mitchell, 16, who had confessed to the murder of Miss Geraldine Kollmann, white high school graduate, were taken away from peace officers and strung up on a tree near the girl's home.

"I do not call the citizens who executed the Negroes a mob," said Mr. Moore. "I consider their action an expression of the will of the people."

Judge Hahn, having in mind the fact that because of their youth the two could have been punished only as juveniles, and confined until they reached their majorities, said, "I am strongly opposed to mob violence and favor orderly process of the law. The fact that the Negroes who so brutally murdered Miss Kollmann could not be adequately punished by law because of their ages prevents me from condemning those citizens who meted justice to the ravishing murderers last night."

With Creed Conyers, Negro farmer, included as a concession to the findings of the Supreme Court, a Grand Jury in Jackson county, Alabama, reindicted the nine "Scottsboro boys," the Negroes accused of having assaulted two white girls on March 25, 1931, prisoners since then, saved three times on appeal from death sentences imposed by the trial court.

NEW YORK SUN
NOV 14 1935

The Will of the Mob.

The declaration of County Attorney O. P. MOORE of Columbus, Texas, that the lynching of two Negroes near Columbus on Tuesday night was "an expression of the will of the people" must be about the most inept defense of mob violence that has ever been uttered. It would be as easy, on the same grounds, to condone looting after a flood or an earthquake, or, on nearly similar grounds, to forgive the murder of one individual by another. The will of the people can be expressed through the verdict of a jury and through statutory punishment, but the man who reads the will of the people in the savage frenzy of a mob, with a personality and temperament far different from the sum of individual personalities and temperaments, is inviting the whirlwind.

Lynchings—1935
Discussions

White Press, Northern.

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SAN PEDRO, CAL.
NEWS-PILOT
JAN 1 1935

Truth About Mobs

MOB HYSTERIA has been mentioned often. Less has been said about mob meanness. There is nothing of nobility in the spirit that sways a murderous gang of lynchers. The latter fact was brought out by recent mob outrages in Tennessee.

There the mob desired to kill an accused man already under arrest, facing speedy trial, and in case of a demonstration of guilt, swift and certain penalty. So this mob did not have even the poor shadow of excuse that possibly could have been cited for other similar outbreaks.

The sheriff lacked the courage to remain at the scene, but soldiers were called out. They had no sympathy with the mob, and, as seemed in line of duty, killed some of them and wounded more. As an expression of its feelings the mob had burned the courthouse. This led to the necessary shooting. Blood transfusions were needed by some of the wounded but none of their comrades could be induced to yield the blood. It was supplied by soldiers.

Now the matter will rest with a jury. As a rule a jury fails to convict lynchers. In our own shameful affair at San Jose the lynchers were not even brought to trial. However, the firmness and promptitude of Tennessee troops in meeting the emergency there may indicate a change in the public attitude. The hanging of murderers who operate in crowds might have a salutary effect on the whole lynching program.

HAMMOND, IND.
TIMES
JAN 3 1935

TENNESSEE THWARTS A MOB

A welcome variation from the uniform rule of success attending lynching enterprises is reported from Shelbyville, Tenn., where, for a change, the forces of law presented a determined front, with the result that another mob murder was not added to the shameful record.

Customarily, the law enforcements agencies of states in which lynchings are common merely fo through the motions of opposition when the crowds, usually inspired merely go through the motions of opposition when the crowds, usually inspired by a liberal indulgence 'n corn liquor, gather around the jail, demand their victim, take him to the outskirts, kill him and burn his body.

As a rule, the sheriffs and deputies, charged with responsibility for the safe custody of the prisoner, attempt the fulfillment of their duties only in the most perfunctory fashion. As a result of their feeble resistance, another murder is staged.

At Shelbyville, however, something in the nature of an awakened official conscience was encountered. An attempt to storm the court house was repulsed by a withering fire from the machine guns of national guardsmen. Terror reigned, the ancient court house was destroyed by fire and frenzied men terrorized the Negro sections of the city.

But the prisoner was guarded and removed to Nashville, where he will be held to await trial in accordance with the due processes of law. Tennessee has reason for pride in the sternness and effectiveness with which she met a serious threat against her honor as a state.

NIAGARA FALLS, N. Y.
GAZETTE
JAN 3 1935

LYNCHING IN 1934

Even in its most favorable aspects lynching is not a pleasant subject for discussion, serving as it does to remind us of the thin line that separates the natures of human beings from those of the beasts.

However, there is a measure of gratification in the knowledge that not more than fifteen persons were lynched in the year that has just passed. This is important news because it represents progress.

There have been years in which as high as 231 men were executed by mobs, often inflamed by drinking orgies, and for many years the average ranged between a hundred and two hundred.

Of late, however, the trend has been definitely downward and, in consequence, there arises in hopeful minds a renewed confidence that this evil will ultimately be eliminated from our national life. We cannot with reason lay claim to the attainment of a high state of civilization until that objective has been reached.

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TIMES
JAN 12 1935

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MERIDEN, CONN.
RECORD
JAN 5 1935

IMPEACHMENT OF JUDGE LYNCH

(From the Washington Post)

Two dead, half a dozen wounded and the destruction of a $150,000 courthouse. Such was the price paid for the prevention of a lynching in Shelbyville, Tenn. That price, if it helps to stop this cowardly and barbaric practice, is not necessarily exorbitant.

National Guardsmen successfully whisked away a Negro accused of attacking a young white girl and stood their ground when a rapacious mob, robbed of its prey, rushed the courthouse. Tear gas not availing, bayonets and finally bullets were called into action with the above horrible results. Late reports indicate that the bloodletting has greatly calmed the temper of the community.

The sordid episode again calls attention to the sentiments expressed by the organization of Southern Women for the Prevention of Lynching, which claims to represent a membership of a million. That association will be remembered as the group which last year declared that lynchers have no commission to protect the virtue and honor of its members, thereby repudiating the traditional plea of extenuation and condemning its hypocrisy.

These women, who may be taken as representative of the finest citizenry of the South, are on record as condemning the lack of equal educational opportunity for Negroes and urging action to eliminate constant inter-racial friction. Lynching, the association describes as "the logical result" of racial oppression, coupled with the exploitation and intimidation of a weaker element for economic gain.

The impeachment of Judge Lynch and the maintenance of constitutional procedure, at whatever cost to rioters, is a welcome contrast to the customary course of lynchings.

CHRONICLE
NORTH ATTLEBORO, MASS.
JAN 5 1935

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CATSKILL, N. Y.
MAIL
JAN 8 1935

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CLINTON, IA.
HERALD
JAN 10 1935

LYNCHING IN 1934

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WILLOWS, CAL.
JOURNAL
JAN 3 1935

Tennessee Thwarts a Mob

A welcome variation from the uniform rule of success attending lynching enterprises is reported from Shelbyville, Tenn., where, for a change, the forces of law presented a determined front, with the result that another mob murder was not added to the shameful record.

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Lynchings-1935
Discussions.

White Press-Northern.

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Brooklyn, N. Y. Eagle
NOV 17 1935

Lynchings: Mobs and Juries.

The apathetic attitude of great numbers of Southerners toward the lynching problem is probably best shown by the mere fact that such mob outbreaks still continue and that their perpetrators go unpunished in spite of the rising flood of condemnation of this barbaric practice. It is rare, however, that such acts are officially condoned in high places, a notable exception being the public statement of the late Governor Rolph of California in the case involving the kidnap-murderers of Brooke Hart, in which it may at least be said that the circumstances were very different from most of such acts in the South.

It comes as a shock, therefore, to read the declaration of County Attorney O. P. Moore of Columbus, Texas, that the lynching of two Negroes charged with assaulting and murdering a white girl near there Tuesday night was an "expression of the will of the people." This was practically an open invitation to citizens of that county to take the law into their own hands whenever they see fit. A more amazing or dangerous enunciation of public policy would be hard to imagine. Even the county judge, though favoring orderly process of law, virtually condoned the mob for meting out "justice."

It is at least somewhat encouraging to note that the Jackson County, Alabama, authorities have taken steps to conform to the decision of the Supreme Court of the United States in reversing the death sentences in the notorious Scottsboro case because of the systematic exclusion of Negroes from grand and trial juries there. New indictments against the nine defendants have been returned with a Negro sitting on the jury for the first time in sixty years. The repudiation of her original testimony by one of the girls involved apparently made little impression. It will be hoped, however, that the change of venue granted for the actual trial will tend to eliminate any prejudice which Judge Horton feared in case of a retrial in the original jurisdiction.

PITTSBURG, KANS.
HEADLIGHT

NOV 15 1935

A mob of Georgians, bent on lynching a Negro slayer already doomed to die within a month, met defeat at the hands of the state last night. The mob members were beaten because someone in Georgia, possibly Governor Talmadge, had the foresight to send national guardsmen to escort the prisoner to the town where he was tried from a place of hiding in another section, guard the courthouse and escort him to the prison.

The Negro had murdered a white man last month. He was tried yesterday and found guilty and condemned to die in the electric chair Dec. 10. When the officers, with the soldier escort, started to take the condemned man to the prison where he will be executed, the crowd, which had surged around the courthouse all day, made an effort to seize him. The result was hand-to-hand fighting the use of rifle butts for clubbing and the employment of tear gas bombs. The gas guns finally dispersed the mob and the soldiers went on their way with the doomed prisoner.

Here was a case where the law not only was taking its course but it was moving rapidly. In less than a month from the date of the crime, the slayer had been found guilty and his day to die fixed for less than a month in the future. But the mob, with the inevitable lack of sense or reason, attacked the troops. Perhaps it was believed that the national guardsmen would yield to the mob as civil officers in the states in the lynching belt, almost without exception, yield. The leaders guessed wrong. The state soldiers had been charged with a duty, a very simple duty, and they carried it out. Georgia escaped a blot on the year's record because someone saw the possibilities and the state executive was not afraid to act in defense of law.

LINCOLN, NEB.
EVENING STATE JOURNAL

NOV 13 1935

Seven hundred persons in Texas must feel pretty bad today. They are the persons who murdered two Negro boys Tuesday. It is difficult to see how they can feel otherwise than terrible, now that the fury of Tuesday has worn away. These persons violated the law. They let themselves be swept away by mob hysteria. They permitted their passions to reign, and murdered two boys. These boys had been accused of a particularly ghastly murder. But their guilt had not been proved. The law specifically states that they were to have been regarded as innocent until proven guilty. In the eyes of the law these boys were innocent. They were being taken to jail to face trial later on. But the mob interfered and slaughtered them. Has anything been accomplished by this action? Has the sacrifice of two human lives eased the pain of the relatives of the murdered? Does this sacrifice restore life to life? Seven hundred Texans should feel pretty bad today. They have the murder of two boys to answer for to their Maker.

NEW BEDFORD, MASS.
MERCURY

NOV 16 1935

A serious situation is indicated by the current series of lynching outrages, attempted or consummated in the South. Closely following the murder by a mob of two 16-year-old Negro boys in Texas, comes the news of National Guardsmen being called upon to protect a Negro accused of slaying a white man. Although the prisoner had been legally convicted and condemned to execution on Dec. 10, so unreasoning was the mob which attacked him at Moultrie, Georgia, that the Guardsmen had to fight their way out of town with the prisoner, using tear-gas bombs during the struggle and felling several of the mob with the butts of their rifles.

Meanwhile five white men have been placed on trial in Ashland City, Tennessee, on murder charges in connection with the lynching of a Negro railroad laborer.

This deplorable epidemic of violence will provide material for new arguments in favor of a national anti-lynching law, a measure which Congress has up to the present time persistently refused to pass.

SIOUX FALLS, S. D.
PRESS
Argus-Leader

NOV 19 1935

The Will of the People

A mob of 700 persons lynched two young Negroes last week on a farm near Columbus, Tex. The bodies of the two were left dangling from an oak tree.

County Attorney O. P. Moore, however, expressed no interest in the prosecution of those who were responsible for the lynching.

"I do not call the citizens who executed the Negroes a mob," he said. "I consider their action an expression of the will of the people."

If that be the will of the people, why are not the lynchings sanctioned by law? The law is the will of the people as expressed in the only manner in which it can be presented in a civilized nation.

County Attorney Moore has no right to assume otherwise. He cannot speak for the people as well as the chosen representatives of the voters who have been selected for that express purpose. It is his business to prosecute those who break the laws.

A mob lynching is never right and never justified. If the crimes of the victims are such that the death penalty is in order, proper action would come through the courts and the laws. It is the privilege of the people to decide whether they want capital punishment or not. It is also their right to determine whether their wishes should be expressed through the legislatures and the courts or by mobs. So far, they have displayed a profound preference for orderly justice.

No one who is familiar with a mob will respect its ability to judge carefully and dispassionately. When men assemble with a lynching in mind, they operate swiftly and violently. The evidence is not weighed with caution and prudence because if such considerations prevailed there would be no lynching.

CANONSBURG, PA.
NOTES
NOV 18 1935

"The Will of the People"

IT IS NOT SURPRISING THAT THE United States suffers from mob violence. The surprising thing is that the American people, in view of the open defiance of the law by some of their officials and some of their best people, enjoy as much security as they do.

In Texas two Negro boys have just been lynched by a mob of 700, including several women. The county attorney is quoted as saying that he considers this action "an expression of the will of the people." The county judge is reported to feel that he cannot condemn "those citizens who meted justice" to the Negroes, on the ground that "they could not be adequately punished by law because of their ages." They were too young to be legally executed, but not too young to be murdered.

If these official comments expressed an isolated view they would be shocking enough; they represent an opinion widely held and not infrequently expressed in the United States. The substance of this opinion is that we will obey the law only so long as it coincides with our desires and interests. When we can't get what we want, or can't get it quickly enough by legal means, we'll take it anyhow.

This view was expressed two years ago by the late James Rolph, Jr., as governor of California, after two white men charged with kidnaping and slaying a San Jose man had been hanged by a mob. Referring to "those fine patriotic San Jose citizens who knew how to handle such a situation," the governor proclaimed that "if anyone is arrested for the good job I'll pardon them all."

It was really the same state of mind that actuated the violators of the prohibition law. It is the same state of mind that leads dictators of whatever color to kill their enemies in order to hold power. It is the same state of mind that causes some employers to hire private armies or incite vigilantes to crush their workers. Indeed it is the same state of mind that brings wars.

It is a state of mind which, if not controlled, bring also an end of all orderly government.

ERIE, PA.
DISPATCH HERALD
NOV 30 1935

CAN'T LAST FOREVER

Down in Texas a county attorney expressed the belief that the recent lynching of two young Negroes by a mob of 700 persons was "an expression of the will of the people." That it expressed the will of 700 people can hardly be denied in face of the fact that 700 people participated in this outrage upon humanity and the law, but it certainly did not express the will of the American people generally.

Slavery was once an expression of the will of far more people in the United States than now condone or defend lynching: yet today it is nowhere tolerated in this country.

And the day will come when the mob-execution of criminals or persons suspected of having committed a crime, without due process of law, will pass into the same discard.

WILKES BARRE, PA.
NEWS
NOV 26 1935

"WILL OF THE PEOPLE"

The recent lynchings of two young Negroes by a mob of 700 persons, a county attorney down in Texas, declares was "an expression of the will of the people."

That it expressed the will of 700 people can hardly be denied in face of the fact that 700 people participated in this outrage upon humanity and the law, but it certainly did not express the will of the American people generally.

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NEW YORK TIMES
NOV 22 1935

Working Against Lynching.

To the Editor of The New York Times:

As chairman of the executive committee, Association of Southern Women for the Prevention of Lynching, and speaking, as I believe I may, for the 27,000 enrolled members and for the allied organizations committed to a program of education to prevent lynching, may I thank you for the editorial in THE TIMES of Nov. 15, "Glorying in Their Shame"?

That a county attorney and a county judge in Texas, through public statement, condone the action of a mob in lynching two Negroes makes more evident the work the women of the South have to do.

GEORGE MADDEN MARTIN.
Louisville, Ky., Nov. 18, 1935.

CORTLAND, N. Y.
STANDARD
NOV 23 1935

THE WILL OF THE MOB

The declaration of County Attorney O. P. Moore of Columbus, Texas, that the lynching of two Negroes near Columbus last Tuesday night was "an expression of the will of the people" must be about the most inept defense of mob violence that has ever been uttered. It would be as easy, on the same grounds to condone looting after a flood or an earthquake, or, on nearly similar grounds, to forgive the murder of one individual by another. The will of the people can be expressed through the verdict of a jury and through statutory punishment, but the man who reads the will of the people in the savage frenzy of a mob, with a personality and temperament far different from the sum of individual personalities and temperaments, is inviting the whirlwind.—New York Sun.

TRANSCRIPT
NOV 6 1935

LYNCHINGS CONTINUE

Two Negro boys, fifteen and sixteen years of age, respectively, are alleged to have murdered a white girl. A Texas mob lynched them. County Judge H. P. Hahn is alleged to have said, "The fact that the Negroes ** could not be adequately punished by law because of their ages prevents me from condemning those citizens who meted out justice ** last night." County Attorney O. P. Moore was alleged to have remarked, "I consider [the mob's] action an expression of the will of the people."

In other words, the judge and the county attorney interpret our Federal and state constitutions and laws according to the color of the skin of persons who are to be tried. To avoid such discrimination, murder cases should not be held from trial any longer than necessary to obtain evidence, and justice should be according to law and swift.

The reason that Negroes do not use their ballots on election days as a protest against the Hitler-like demonstration is probably due to their having little sympathy with wrongdoers.

Lynchings—1935
& Discussions.

White Press, Northern

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CARTHAGE, MO.
DEMOCRAT
APR 26 1935

LYNCHING'S WORST FEATURE.

One bad feature of lynching—which it must be admitted pretty generally in the South picks on the Negro—is the sort of defense of the practice that is offered by members of the United States Congress from South aCrolina. Indeed, we are inclined to think this is the worst feature, because, believe it or not, there are scattered throughout the entire South a lot of mushbrained electors who seem to feel the same way about lynching as do Coley Blease and Cotton Ed Smith.

It was Senator Smith's turn this year to rise in the national legislative halls to oppose the anti-lynching bill. Mr. Blease is not at Washington this term, or he would have "to helled with-the-Constitution" long before Cotton Ed got around to it.

It is the argument of such old-fashioned Southern chivalves as Smith and Blease that there is one crime for which lynching is the only fit punishment. When a white woman has been insulted by a "black brute," all that should be asked of her is to point her finger. (By the way, a presumably intelligent woman pointed her finger at a white man t'other day over at Kannapolis, but he proved he was at prayer-meeting at the time of the alleged assault.)

Which might be all right if the remedy for rave were simply that of hanging, shooting or burning the first convenient victim. We have never been able to believe it is. In the first place there is the danger of mistakes—we have heard of rapists' victims making some mistakes; we have known mobs which did.

Passage of a federal anti-lynching law is not a pet project of our—we haven't been able to make up our mind to vote for the Federal child labor amendment as yet—but we are glad Cotton Ed didn't happen along at Scottsboro when the whole covey of Negro hoboes was arrested. Doubtless he'd have helped string them all up.

And then when one of the women in the case sought to recall her testimony as to the outrage, he'd have been out on a limb his ownse'f.

Honestly, we, who have never lived or moved and had being for appreciable time anywhere else save right down here in the midst of those who believe in the high hand as the savior of womanhood, have never met more than half a dozen Southern gentlemen to whom we would delegate the right to lynch.

None of these, we might add, was, had been or expected to be right soon a member of Congress.—Greensboro (N. C.) Daily News.

NEW ROCHELLE, N. Y.
STANDARD STAR
MAY 1 1935

Lynching 'Enemy No. 1,' Rabbi Asserts in Sermon

Temple Israel Leader Denounces Racial Discrimination, Bitterly Scoring Defeat of Federal Bill

Though the epithet of "Public Enemy Number 1" has been applied to a succession of criminals tracked down by the Department of Justice, none of the men deserved the appellation, according to Rabbi Alvin S. Luchs, Temple Israel.

The title in this land belongs to the crime of lynching, he said last night from the pulpit, for it is diametrically opposed to those rights of liberty and pursuit of life and happiness guaranteed by the Constitution.

Burial of the Costigan-Wagner Bill against lynching, which is favored by the majority of American voters, the speaker said, was brought about by the anti-filibuster rule. He bitterly denounced the move.

The anti-lynching move is especially important, he said, because the Negro race is rapidly becoming conscious of its power and numbers, and will not long tolerate the position of inferiority into which it is now forced.

Women Support Measure

The speaker went on to point out white women themselves do not sympathize with defenders of lynching who say it makes the white women safe from Negroes thus inspired with fear. A million women have organized in the past three years to fight this public enemy Number 1, Rabbi Luchs said.

"They do not want to hide behind the skirts of untruthfulness hypocrisy and pervarication," which lynching needs, he said.

Since 1889, he said, 3,724 people have been lynched in America "the crying share of a nation that calls itself Christian." In France lynching is called the great American pastime.

Rabbi Luchs went on to cite scientific research to show the Negro mentally superior to the average white of backward states, and the equal of the average white if given equal opportunity to develop.

Would Root Out Attitude

"We cannot consider ourselves civilized until we root up every vestige of this reactionary vicious attitude . . .," the speaker said.

The average Negro child in the South, he pointed out, has but one-eighth of the average American expenditure for his educational preparation for citizenship, one-fourth of what is spent on the average white child of the South. He urged Federal support of Negro education.

Racial segregation was also condemned by Rabbi Luchs, who pointed out the unwillingness of white congregations to accept a Negro in their midst. The YMCA's of the land will not permit Negroes in their buildings, unless they be special Negro buildings, he charged, and for that reason no Negro can be on the Senior High School swimming team here, which trains in the "Y."

Cites Reason for Radicalism

"We wonder when we read in the papers today why the Negro element in this country is becoming radical, Communistic . . . It will tell you why: Because the Negro has not benefitted from the so-called Democratic government. He is submerged by bigotry, oppressed by hatred, misunderstood by those who rule the land.

"The great leaders of Communism and International Labor Defense today are Negoes, at one time the most docile people in our land. Not with threat but rather from the point of view of justice, let those who believe in fair play, in uprightness, in giving the underdog a chance, let those raise their voices against discrimination which takes place socially, politically and economically against the Negro.

Prays For Economic Fair Play

"And let them raise their voices in prayer to God" Rabbi Luchs concluded, "that He gives those who rule the insight and knowledge, the uprightness and the sense of fair play and justice by which minority groups shall share in the goods, in the wealth, in the industry, in the morality of our great American Commonwealth."

DANVILLE, ILL.
COMMERCIAL NEWS
MAY 2 1935

GOVERNMENT AND CRIME

The solving of 36 kidnapings by the Department of Justice warrants the government in believing that it should take a hand in stamping out lynchings.

Yet, determined resistance is being met with in Washington by the supporters of the anti-lynching measure, this resistance coming chiefly from Southern Democrats.

It is the old argument about the invasion of state's rights by the federal government, not that belligerent senators uphold the right of a state to condone lynching parties, but they claim the state has the exclusive right to prosecute members of lynching parties.

Lynching, as a fanatic method of dealing with crime, is not confined to the South, but it is more prevalent there, with the Negro as the chief victim.

The Southern states do not permit the Negro to vote, yet base their representation in Congress upon population, which includes the Negro. Even in the enlightened state of Texas, the Democrats have won a court decision upholding them in the refusal to permit a Negro to participate in the party primaries.

The evils of lynching have reached proportions that merit federal intervention, similar to that given in running down and prosecuting kidnapers.

The Southern Democratic senators admit the evils, but insist upon their states being left to deal with the problem, despite the fact that there is nothing in the history of the South that would indicate the slightest effort to stamp out this particular form of crime.

If the opposing senators persist in filibustering against the measure, it might be well for some of our

more broad-minded senators to bring out into the open the question of the Negro voting in the South. Such action might improve the political complexion of the South. Domination of any section by one group year after year does not give all the people proper representation in Congress.

DAYTON, O.
NEWS

APR 28 1935

LYNCHING'S WORST FEATURE

[illegible]ro [N. C.] Daily News)

One bad feature of lynching—which it must be admitted pretty generally in the south picks on the Negro—is the sort of defense of the practice that is offered by members of the United States congress from South Carolina. Indeed, we are inclined to think this is the worst feature, because, believe it or not, there are scattered throughout the entire south a lot of mush-brained electors who seem to feel the same way about lynching as do Coley Blease and Cotton Ed Smith.

It was Senator Smith's turn this year to rise in the national legislative halls to oppose the anti-lynching bill. Mr. Blease is not at Washington this term, or he would have "to-helled-with-the-Constitution" long before Cotton Ed got around to it.

It is the argument of such old-fashioned southern chivalves as Smith and Blease that there is one crime for which lynching is the only fit punishment. When a white woman has been insulted by a "black brute," all that should be asked of her is to point her finger. (By the way, a presumably intelligent woman pointed her finger at a white man t'other day over at Kannapolis, but he proved was at prayer meeting at the time of the alleged assault.)

Which might be all right if the remedy for rape were simply that of hanging, shooting or burning the first convenient victim. We have never been able to believe it is. In the first place there is the danger of mistakes—we have heard of rapists' victims making some mistakes; we have known mobs which did.

Passage of a federal anti-lynching law is not a pet project of ours—we haven't been able to make up our mind to vote for the federal child labor amendment as yet—but we are glad Cotton Ed didn't happen along at Scottsboro when the whole covey of Negro hoboes was arrested. Doubtless he'd have helped string them all up.

And then when one of the women in the case sought to recall her testimony as to the outrage, he'd have been out on a limb his own-self.

Honestly, we, who have never lived or moved and had being for appreciable time anywhere else save right down here in the midst of those who believe in the high hand as the savior of womanhood, have never met more than half a dozen southern gentlemen to whom we would delegate the right to lynch.

None of these, we might add, was, had been or expected to be right soon a member of congress.

PITTSBURGH, PA.
[illegible]
Press
MAR 16 1935

DISEASE AND REMEDY

ON TUESDAY a Mississippi mob crossed the Tennessee line, captured Ab Young, a Negro accused of fatally shooting a white laborer, placed him in a truck and drove into a school yard. There they tied a rope around his neck, fastened the rope to a tree and drove the truck from under the praying victim.

This was the third lynching since Jan. 1, the other two being in Louisiana, a state that Senator Long says knows how to prevent such crimes without help from the Federal Government. It is the second interstate lynching within a year, the other being the unspeakably savage killing of Claude Neal in Florida last October. It is the 96th lynching in the past five years.

The lynch evil is a cankerous social disease. Congress has a remedy, if not a cure. It is the anti-lynching bill, making such mob murders Federal offenses and holding counties financially liable for them.

On Tuesday the Senate Judiciary Committee put this measure squarely up to the Senate membership by voting unanimously to report it. Its authors, Senators Costigan of Colorado and Wagner of New York, are determined to reach a vote early in the sessions to prevent a filibuster. Obstructive tactics by Southern Senators last session killed this same measure. By the same method the Dyer anti-lynching bill was killed in the Senate in 1920, after it had passed the House by a two-to-one vote.

The Costigan-Wagner bill is backed by organizations with membership of more than 40,000,0000 citizens. President Roosevelt supported it by inference when he said in his message to Congress: "Crimes of organized banditry, cold-blooded shooting, lynching and kidnaping have threatened our security."

The graves of more than 5000 lynch mob victims, killed in the past 50 years, testify that local communities are not coping with this evil. A Federal law will not cure the disease outright, but it will remedy it. Southern Senators will have much to answer for if they kill this measure again.

NEW YORK JOURNAL

JUN 12 1935

CLUB WOMEN BATTLE REDS

DETROIT, Mich., June 12.—The General Federation of Women's Clubs, representing 100,000 American women, today is unanimously on record as opposed to Communism, Fascism and other political systems which tend to curtail free thought or undermine our democracy.

Meeting here in their triennial convention, the 1,550 voting delegates voted to a woman to pass the "Declaration of Democracy."

The clubwomen also demand that birth control literature be allowed to go through the mails.

The federation also went on record as favoring entrance into the World Court, and a resolution on anti-lynching, introduced by delegates from Louisiana and Virginia, passed with only three negative votes.

NEW YORK DAILY NEWS

MAY 31 1935

LED LYNCHING, ADMITS CLERIC, TWICE KILLER

De Ridder, La., May 30 (U.P.).—Rev. C. E. Eskridge, 240-pound Baptist preacher of Orange, Texas, held here on a murder charge, admitted today he once led a mob that lynched a colored man in Tennessee.

Eskridge, who used to show his marksmanship by writing his name on a board with bullets from two six-shooters, was captured here yesterday a few hours after killing Police Chief Ed J. O'Reilly at Orange.

Admitting the shooting of O'Reilly, Eskridge later said to officers that he once before had been the "instrument of death."

"When I was a senior student at Cumberland University in Tennessee," he said, "I was forced to lead a mob that lynched a colored man."

Eskridge, a former Federal prohibition agent, said he shot O'Reilly because he had been persecuted. A short time before the shooting the officer arrested the minister and took two pistols from him.

O'Reilly recently had been baptized by Eskridge.

MISSISSIPPI ON THE RUN

Bravery and chivalry of the good old state of Mississippi have been tested and found wanting; two outlaws—just two, robbed a bank and kidnaped two women and went about their business. Of course, the sheriff organized a posse of fifteen men and pursued them; but that was bad, the two outlaws turned around and disarmed the sheriff and his posse of fifteen men, took their guns and continued their journey.

The conduct of the outlaws in taking the sheriff's gun and disarming his posse was not a nice thing to do, but it should teach those cowardly colored men down there to at least defend their women when the hill billies insult and rape them at will. Those same fifteen white men could have gone to the homes of forty colored men and lynched all of them and not one would have been willing to risk his life in defense of his rights.

Yet two outlaws can rob the bank, take away their women and kick fifteen men in the pants and continue their journey. Mississippi is only brave when she is dealing with cowards. There is only one thing for Southern black men to do if the government does not pass the Costigan-Wagner Anti-lynching bill, and that is to prepare to defend themselves; to defend their lives and homes by taking life for life.

If you must die, and the law will not protect you, then die like men. The fifteen men and the sheriff whom the two outlaws disarmed are typical of the rest of the lynchers in Mississippi—they are cowards when real men show fight. Then real men of courage could stop lynching in the whole state of Mississippi. But you cannot stop lynching by prayer meetings. But shotguns will stop lynchings.

You have been praying three hundred years, and these Christians whose prayer books you use are still burning both you and your homes. Now, just lay down the prayer book and take up the shotgun and see if that doesn't stop lynching. Even the Bible tells you "Without the shedding of blood there can be no redemption of sin." You say that you believe in the Bible.—the same rule applies to all Southern states.

When the governor, the courts, and the peace officers refuse to enforce the laws of the United States and the states and cities, then go to the defense of your country and see that those laws are enforced. You have nothing to lose—but your chains. Freedom is not worth having if it is not worth fighting for. Men who will not protect their homes and families have no right to call themselves free men.

Lynchings-1935
Discussions.

White Press, Northern.

5201

PHILADELPHIA, PA
RECORD

FEB 2 1935

CIVIC GROUPS OPEN FIGHT FOR WAGNER ANTI-LYNCHING BILL

Speaker Blames Exploitation of Negro Labor for Evil.

A vigorous campaign for passage of the Wagner-Costigan anti-lynching bill in Congress was launched in Philadelphia last night.

Representatives of more than 40 civic, social and religious organizations met in Friends' Meeting House, 15th and Race sts., and pledged themselves to service in the campaign.

They heard lynching denounced by a group of prominent speakers as "the greatest social problem confronting the United States today."

Calls It Instrument of Terror.

Charles H. Houston, dean of the Law School of Howard University, attributed lynching and the lynching spirt primarily to widespread exploitation of Negro labor in the South.

"Lynching is not a natural phenomenon," he declared. "It is not a natural expression of race prejudice. It is an instrument deliberately used to strike terror, to subject one class of men to a system which exploits them."

Walter White, secretary of the National Association for the Advancement of Colored People, told the audience that the Wagner-Costigan bill can be tremendously effective in checking lynchings. It not only sets penalties up to death for members of a lynch mob, but also punishes peace officers who fail to check lynchings.

"The Senators and Representatives from the sections where lynchings are most prevalent realize the power of that law," White said. "For that reason they will seek to kill it in Congressional committee."

Congressman William H. Wilson, of the 2d Philadelphia district, pledged himself, as a member of the House Judiciary Committee, to do everything possible to put the anti-lynching bill onto the floor of the House, if it is sent to the lower House by the Senate.

State Representative Marshall L. Shepard told the audience he was considering introducing a State anti-lynching bill in the legislature.

Blames Economic System.

"They say we don't need it in Pennsylvania," he declared. "But the lynch spirit in present day civilization is everywhere in America."

Frank R. Crosswaith, editor of the Negro Labor News Service, called lynching "an institution peculiar to the United States." "That proves," he said, that it is attributable solely to an economic system."

In 245 years before emancipation of the slaves, he asserted, there was not a single mob lynching in the South. But in some 70 years since the salves were freed to come into competition with free white labor, there have been more than 5000 lynchings.

Last night's meeting was presided over by Miss Marjorie Penney, chairman of the Young People's Fellowship.

IN FIGHT TO STOP LYNCHING



Speakers at last night's anti-lynching mass meeting at Friends' Meeting House, 15th and Race sts., included (left to right) Charles H. Houston, dean of Howard University Law School; Congressman William H. Wilson; Frank R. Crosswaith, editor of the Negro Labor News Service; State Representative Marshall L. Shepard, and Walter White, secretary of the National Association for the Advancement of Colored People.

LA SALLE-PERU, ILL.
DAILY POST-TRIBUNE

JUN 17 1935

Very Little is Needed to Rouse Mob Spirit

The human race has to cope with many enemies in its long struggle to work out a scheme for peaceful living, but the greatest enemy of all is the mob.

For a perfect picture of the way the mob acts, consider the riot that swept up and down the streets of New York's Harlem the other day.

A colored boy tried to pinch a 10-cent knife from a store counter. A floor-walker collared him and the boy, naturally enough, set up a holler. An excitable woman saw and heard just enough to touch off her motor reactions, and she ran out into the street yelling that the boy had been killed.

Up and down the streets went the cry. Out of poolrooms, lunchrooms, and workshops came angry men, milling in the streets, yelling, looking for someone to fight, afraid, suspicious, and angry. A crowd of a thousand men and women swept into the store, turning things upside down, breaking things, yelling, hitting, fighting.

Police reserves came, by the hundreds. There were dozens of fights. Scores of men were cut, beaten, or slugged. More than a hundred were arrested. Thousands of dollars' damage was done to property.

And the juvenile knife-stealer who unintentionally started it all managed to jerk away from his captors during the melee and vanished, utterly unharmed.

You could search the world over without finding a better example than this of the blind, panicky insanity of the mob spirit. Here was a riot of major proportions, an ugly welter of fights that spread all across a populous section of a great city—and all for what?

Not one of the rioters knew. They could not possibly have hoped to know. It started, literally, from nothing at all; and because men and women were jittery, and gave way to the combined emotions of anger and fear, there was merry Ned to pay.

Now you don't need to think very hard to draw the needed moral from all this. The mob spirit that can seize a few thousand people in one city is the same spirit that can and frequently does seize whole nations, when hatred and panic get together.

It sweeps dictators into power, causes mass executions, concentration camps, sluggings and clubbings; it fills the air with bombing planes and the fields with infantrymen and sets cruisers loose on the sea lanes; it inflicts more misery and destruction on the earth than a generation can repair.

And all, as in Harlem—for what?

CUMBERLAND, MD.
TIMES
JAN 31 1935

BILLS OFFERED IN HOUSE WOULD STOP LYNCHING

Three Measures Introduced By Delegate From Fourth Baltimore District

POINTS ARE LISTED

Sheriffs In Counties Would Be Made More Responsible For Keeping Prisoner

Annapolis, Md., Jan. 31 (AP) —A new attempt to put an end to lynching in Maryland was inaugurated in the legislature today.

Three bills aimed at this end were offered in the House of Delegates by Theodore B. Berman, Republican, of the fourth Baltimore district. In pattern, they followed generally the lines of laws proposed two years ago at the time of a lynching outbreak on the Eastern Shore. The principal points of the Berman bills were:

Remove Prisoner

County sheriffs would be required to move a prisoner suspected of a capital offense to a distant jail for safekeeping.

All sheriffs would be made responsible for damages for failure to exercise care for the safekeeping of persons in their custody.

A sheriff found guilty of negligence in this particular would be subject to removal by the governor.

The trial of removed capital cases would be speeded by a requirement that the transcript of proceedings be furnished to the court at the new venue within four days.

Summon Jury

Judges in the counties, where grand jury terms are widely separated, would be definitely authorized to summon the jury panel in special session for quick indictments.

The bill dealing with the duties of sheriffs in capital cases, Berman said, would cure the greatest weakness in the present system.

"If this bill is adopted, it will, in my opinion, go far toward preventing lynchings in Maryland," he said.

A second bill, dealing with quick indictments Mr. Berman said would do away with over emphasis of heinous cases while prisoners remain in jail for long periods awaiting trial. This legislation, he pointed out, is not needed in Baltimore, when the grand jury meets continually, and the petit juries sit ten months of the year and are subject to recall during the two months of the summer recess.

NEW YORK TIMES
FEB 12 1935

PROTESTS BAR SHOW OF ART ON LYNCHING

Macabre Exhibition Canceled on 'Outburst' of Objections From Secret Sources.

SOCIAL MESSAGE WAS AIM

Display Backed by Prominent Persons Will Be Held, Negro Group Official Insists.

Protests from unidentified sources resulted yesterday in the cancellation of one of the most macabre art shows ever scheduled for this city.

The exhibition was to be called "An Art Commentary on Lynching" and was to be opened to the public on Saturday of this week at the Jacques Seligmann Galleries, 3 East Fifty-first Street, after an invitation opening on Friday. After several announcements had been issued by the galleries and after paintings, drawings, prints and a few pieces of sculpture had arrived, Mr. Seligmann decided last night not to hold the exhibition.

Although no public announcement had been made of the fact, the show had been arranged by the National Association for the Advancement of Colored People.

Mr. Seligmann declined to reveal the source of the protests.

"I took over the show merely on its artistic merit," he said. "Some of the exhibiting artists are well known. However, I was faced with an outburst of opposition. Since I wish to keep the galleries free of political or racial manifestations, I thought it better to cancel the show."

Work by Prominent Artists.

The pictures and sculpture in the show were to be the work of contemporaries, some of them well known. Among the work included was to be the famous print by the late George Bellows, "The Law Is Too Slow," showing a Negro being burned by a mob. Another picture was a large oil painting by Thomas H. Benton, mural artist, showing a Negro being hanged on a telephone pole, with members of a mob replenishing the fire beneath him.

One of the most sensational works scheduled for the show was Reginald Marsh's portrayal in black and white called "This Is Her First Lynching"—a young girl being held by her mother above the heads of a mob so the child can get a view of the lynching.

In almost every picture a Negro was portrayed as the victim of a vengeful mob. The treatment varied, but its effect on the person viewing the work was generally one of horror.

The work had been selected not only with an eye to its subject-matter but also to artistic merit, and much of it was effective from that point of view.

Long List of Sponsors.

Among those on the long list of sponsors of the show were Dr. and Mrs. Ernest Alexander, Sherwood Anderson, Katherine Anthony, Faith Baldwin, Harry Elmer Barnes, Charles A. Beard, Robert Benchley, Stephen Vincent Benét, Mr. and Mrs. Artur Bodanzky, Henry Bradford, Witter Bynner, Henry Seidel Canby, Mrs. Richard S. Childs, Mrs. W. Murray Crane, Mrs. Margaret Deland, Mrs. Bernard S. Deutsch, Max Eastman and Dorothy Canfield Fisher.

Walter White, executive secretary of the National Association for the Advancement of Colored People, said last night he did not know the source of the protests, but he declared that cancellation of the show by Mr. Seligmann, who was donating his galleries, would not prevent holding the exhibition elsewhere on the scheduled dates.

Mr. White said the idea of holding the show had originated with his organization six or eight weeks ago. The purpose was to exhibit distinguished art with a social message. To prevent any disposition to dismiss it as mere propaganda, it had been decided to open the show under the auspices of a large committee of well-known persons rather than as an activity of the association.

Artists had cooperated willingly in the show, according to Mr. White, and some had even produced work especially for the exhibition.

Fasting as a Cure for Lynching

EDITOR THE CHRISTIAN CENTURY:

SIR: As one who loves the United States only next to his own motherland, may I from this end of the world suggest a remedy for lynching, which blackens the fair name of America more than anything else? As this is a corporate and almost a national sin, it has to be expiated in a deeper way than suggested by Mr. R. R. Gregg from Pendle Hill (The Christian Century, November 7, 1934).

While I was in Nashville in 1933, a young Negro was killed there in what was nothing less than a most flagrant disregard of the law of the land. Some of the white people of the place were doing all they could to get the perpetrators of the diabolical crime arrested and punished, but I am not sure how far they succeeded in this attempt. Although this was not a case of lynching, I suggested to some friends that one of the best remedies for such crimes was *fasting*, as the evil was too great to be cured by ordinary remedies. I said this to one of the finest Christians I knew in the place, but I am sorry to say the thing did not commend itself to the lady. Perhaps she thought it to be too medieval. I would, however, still persist in saying that such crimes as lynching should be expiated by fasting and prayer on the part of all those people all over the land who feel the awful injustice and iniquity that lie behind the neutrality that inspires such crimes.

All the other things that are being done today to get rid of this neutrality are very good, and what Mr. Gregg suggests is still better, but we need to get deeper still and take the punishment of the crime in some way upon ourselves. If such a thing as this were done on a large scale under the leadership of the Christian ministers all over the land, e.g., if a hundred thousand people and more were to fast for a day after every such crime, I am sure the effects thereof would be far-reaching, and this would perhaps be the most potent means of getting rid of a corporate crime the like of which it is difficult to find in any other part of the world.

Jesus said certain kinds of evil spirits can only be got rid of by fasting and prayer, and I am afraid this is one of them, although I do not believe that there are any other evil spirits besides our own hearts inspired by pride of race, etc., behind such crimes.

Harmony House,
Rajkot, India.

MANILAL C. PAREKH.

[redacted]

Two More Lynchings.

Mobs have taken the lives of eighteen victims in the United States during the year. Two persons were killed in this way Tuesday.

With more than a month and a half left of the year, it is probable that the lynchings of the year will reach an average of two a month. Four within the last two weeks have caused discouragement on the part of those who had hoped for a good showing for the year. They have shown that mob outbreaks are as uncertain as storms. Most unexpectedly the outbreaks of lawlessness in the name of punishment for the wicked occur. It happens that such outbreaks occur almost entirely in states where the most severe punishment is not only possible but extremely likely for the victims. Mobs bent on destruction of life, however, never are influenced by the assurance that the law will doom the guilty, or the fact that the culprits have little chance to escape the proper penalty for crimes.

Lynchings-1935
Discussions.

White Press, Northern.

5202

BUFFALO, N. Y.
NEWS
JAN 25 1935

TENNESSEE VENDETTA

One of the little-known aftermaths of the mob activities at Shelby, Tenn., has been the savagery with which citizens who openly and stoutly opposed the attempted lynching have been covertly persecuted. The latest incident has been the burning of a Methodist parsonage occupied by a minister who protested vigorously against the appeal to lynch law. Warned by an anonymous letter to cease from "meddling in matters of protecting Negroes against white people," the clergyman had a forcible demonstration of the fact that a barbarous minority of Shelbyville's population will stop at nothing to attain its ends.

It would be unfair to assume that any large number of responsible citizens share such views in Tennessee or in the South generally. There is, however, a savage element of the populace which would persecute the Negroes. Press and pulpit in Dixie often have inveighed against the heathenish practice of lynching. The former have in many instances found their circulation affected in districts where lynching is considered a sport. The latter have suffered from the savagery of morons who objected to any interference whatsoever with their practice of mob murder.

The Birmingham Age-Herald correctly calls the Shelbyville situation "monstrous" and it is. It is hoped the grand jury speedily will ferret out the offenders who committed the crime of arson in a vain attempt to still the Rev. W. O. Largen's tongue. The Alabama daily condemns Shelbyville as a "civilized town overrun by savages"; and none aware of the latest vendetta directed against the church in that community will be inclined to dissent from this verdict.

COLUMBUS, O.
CITIZEN
JAN 30 1935

War, Lynching

By

MRS. WALTER FERGUSON

WHAT a wonder it would be if the women's clubs decided to abandon their cultural and social programs for the duration of the 74th Congress!



Mrs. Ferguson.

This Congress will make history; whether that history is to be great or ignoble, we, the women of the country, must help to decide. Numbers of subjects demand our attention, but I am thinking particularly of the Costigan-Wagner anti-lynching bill and the Senate arms inquiry.

As long as lynchings and wars continue to be tolerated we cannot call ourselves civilized. All the club papers we prepare, all the educational programs we promote, all the social causes we sponsor, will never prove otherwise. War and lynching, being cousins in crime, go hand in hand, trailing their bloody robes down the highway of time. Both are induced by hysteria, which result in mob violence, and mob violence is always inimical to progress. In design and spirit they are one, and may well be called the umbilical cord linking us with barbarism. Until that cord is severed all other efforts for advancement will prove futile.

The Costigan-Wagner bill is designed to make lynching a costly business for the lynchers. If passed, the counties in which the law is flouted will have to pay in cash for their orgies of bestiality. Murder is murder, whether done by individuals or crowds.

Again, we know that startling information has been disclosed by the munitions investigation. Are we to have it stopped before we find out the whole truth? Fortunately, another $50,000 has just been appropriated for the inquiry. The women should see that more is obtained if necessary.

If the clubs would prove their boast of intelligent leadership, let them demonstrate their ability here. It's time to put some firm pressure on your legislators.

CLEVELAND, O.
NEWS
FEB 4 1935

Groups Open Fight for Law On Lynching

An intensive campaign has been started by various interests for congressional legislation looking towards the prevention of lynching.

The National Association for the Advancement of Colored People has been joined by a number of other organizations to work for the passage of the Costigan-Wagner bill, now before the Senate in Washington.

This anti-lynching bill would put the prosecution of lynchers in the hands of federal courts and provides stiff penalties for law officers who fail to perform their duty in protecting prisoners.

The associations backing the proposed law are urging interested persons to write to President Roosevelt, to Joseph T. Robinson, majority leader in the Senate and to their senators and congressmen in their respective states, asking them to aid in passing the bill.

Impetus was given the movement by the lynching of Claude Neal in Florida last October. Details of this occurrence led white and colored persons alike to demand congressional action.

The measure, which has been read twice and referred to the Senate judiciary committee, gives to the federal court in the district in which the mob violence takes place jurisdiction to punish those who take part in lynchings, provided that state officers have failed to prosecute or punish the offenders.

Such jurisdiction also may become effective if the jurors in the state courts are so strongly opposed to such punishment that there is probability the guilty persons may escape the penalty. Failure of state authorities to act within 30 days after a lynching would also give federal authorities jurisdiction.

SPRINGFIELD, ILL.
REGISTER
JAN 22 1935

OVERRULING JUDGE LYNCH

The mounting force of public opinion, manifested in active public support for law and order is gradually checking the lynching evil, according to the most recent statistics on the subject. The reliable figures of the Tuskegee Institute show that a total of 15, all Negroes, were victims of mobs during the past year—a marked decrease from the record of 28 lynchings in 1933.

The same authority reports that during that year 51 "necktie parties" were prevented by the forces of law and order, thus saving the lives of 14 white men, 57 Negro men and 3 Negro women. All 15 of the lynchings of 1934 occurred in the Southern states—6 in Mississippi alone.

The vigorous measures taken at Shelbyville, Tenn., in December last, reflected extreme credit upon the authorities of that town and the judge, sheriff and national guardsmen, who protected the prisoner and only failed to save the courthouse because they were reluctant to kill their fellow-citizens.

The 50-year lynching record, recently compiled, reveals that a total of 4,372 persons—including 1,050 whites—have met death in the United States at the hands of mobs, a record which every thinking citizen deplores.

However, as the St. Louis Globe-Democrat remarks, a fact that relieves to some extent the somber impress made by this appaling total and encourages antilynching effort, is that the annual average of 87 has not been approximated since the 83 total of 1919. Verily, "mobilization of public opinion against the mob pays."

BELLEVILLE, ILL.
ADVOCATE
JAN 29 1935

It is the hard-hearted land of lynchings and it is the generous land which will send millions of dollars to Japanese earthquake victims. It maintains a gigantic navy and spends millions on aircraft, but it is the only nation brave enough to expose the chican-

ery of munitions manufacturers.

You could go on like that for an hour. How, indeed, is any foreigner to understand such a people?

A compound of wisdom and foolishness, of braggadocio and humility, of strength and weakness—we can't understand ourselves.

We can only sense that we are a strange people of infinite possibilities, who are building a society unlike any other on earth. . . . and our saving grace is the fact that we have the courage and the idealism to insist that it shall also be better than any other.

BALTIMORE, MD.
EVENING SUN
NOV 15 1935

Invidious Comparison

In Columbia, Texas, two boys were lynched earlier this week. The county attorney, far from deploring this piece of mob violence, applauded it. He called it "an expression of the will of the people," thus demonstrating convincingly his lack of faith in the effectiveness of law, of the State's law-enforcement machinery and, indeed, of his own participation in that machinery.

Yesterday in Moultrie, Ga., a mob threatened violence to a Negro. Members of the National Guard were sent to Moultrie immediately, took the Negro into their custody and literally fought their way out of town with their charge. The Negro will receive justice, but it will be the civilized justice of the courts and not the mere satisfaction of mob lust.

Out of these two episodes, which emerges with its reputation enhanced—the law-enforcement machinery of Texas or that of Georgia?

PHILADELPHIA, PA.
RECORD

FEB 1 1935

The Movement Against Lynching

Public support should be forthcoming for the Co-operative Committee Against Lynching which is sponsoring a mass-meeting tonight at the Friends' Meeting House, 15th and Race sts.

The meeting will be primarily one of demonstration and protest. But speakers also will discuss constructive measures looking toward ending lynching by legislation.

This subject is in need of careful thought. It may be possible to stifle barbaric mob spirit by passing laws against it. Yet grave doubts were raised concerning the potential effect of the Federal anti-lynching bill recently proposed.

It is certainly true that the lynch spirit will not be crushed so long as men who tolerate it—for instance, the late Governor Rolph, of California—are allowed to hold office.

By protest and ballot, the decent men and women of the nation must serve notice on police, politicians and potential mobsters that this blot on our civilization shall be wiped out.

British Columbian
New Westminster B.C.
JAN 29 1935

The Chivalrous South

The Literary Digest is authority for the statement that 15 negroes were lynched in United States in 1934, and all of them in southern states — that South which in romantic fiction is the very home of chivalry. Mississippi, Florida, Louisiana, Georgia, Kentucky, Tennessee, Texas — so runs the list of states that have thus vindicated their honor by permitting mobs to indulge their bloodlust. For the statistically inclined, it is remarked that 1934 showed an improvement over 1933, when 28 met a dreadful end without process of law or benefit of clergy, but on the other hand it was not so good a year, from the humanitarian standpoint, as 1930, 1931, and 1932. Perhaps the depression had something to do with it. The number of Judge Lynch's victims increased each year of the depression, reaching its peak in 1933 and beginning to recede with recovery in the past year.

Perhaps, also, the 1934 record revealed no actual increase in a disinclination to vent mob fury on the hapless object of its rage, for the Digest goes on to say that in the same year officers of the law prevented 51 lynchings that were obviously on the way.

Illuminating also is a list of the various crimes or offences charged against the negroes who were lynched. In a certain famous lynching of some years ago, the Governor of California publicly exonerated the mob for taking the law into its own hands against the confessed perpetrator of an infamous crime. But consider the case of a negro charged with "talking disrespectfully" — it seems incredible but the Literary Digest is a publication with a reputation for accuracy and these are its words—consider such an alleged offender brutally murdered by a brutal mob; consider the enormity of lynching a negro accused of "striking a man," presumably with his fist. Surely the population where such crimes can be committed must include an extraordinary proportion of homicidal maniacs still at large. It will not do to call them savages, for that is to insult people who, although denied the "blessings" of civilization have yet a primitive sense of justice. Even the Red Indian of pioneer days had the excuse of being on the warpath when he slew his victims, and so subject to the war hysteria which no race escapes.

Salt Lake City, Utah
DESERET NEWS

JAN 22 1935

LYNCHINGS IN 1934

LYNCHING is not a pleasant subject to think or talk about, but there is some satisfaction in knowing that in the United States we are gradually outgrowing this relic of barbarism. It is important to know that not more than fifteen persons were lynched in this country during 1934. This is gratifying because it represents progress.

For many years the average number of persons who lost their lives through mob violence ranged between one and two hundred, and there have been years in which as high as 231 persons were put to death by mobs. Of late years, however, the number of these outrages against law and order has been definitely downward and this gives us hope and confidence that this evil will in the near future be entirely eliminated from our national life. Until that time lynching for any cause whatsoever will remain a black spot upon our civilization.

As an evidence of the extent to which mobs will go, inflamed as they generally are by drinking orgies, it is pointed out that seven of the fifteen men lynched last year were charged with what would have been classed in the states in which the offense was committed merely as a misdemeanor. One was charged with wounding a man in a quarrel; another with associating with white women; one with striking a white man; one of talking disrespectfully of others; another insulting a woman; one charged others with stealing, and one with writing a disrespectful letter.

During the year officers have displayed commendable courage and vigilance in defending their prisoners against attack. There were fifty-one instances of mob uprisings in which the victims were saved. On five occasions soldiers were utilized to repel the attacks of the lynchers. Six of the 1934 outrages occurred in Mississippi, two in Floride, two in Louisiana, and one in Alabama, Georgia, Kentucky, Tennessee and Texas.

Whether a man is white or black he is entitled to the protection of the law. Public sentiment everywhere should be active against this brutal and unconscionable practice, which degrades those who engage in it to the level of the beast. We cannot lay claim to a high state of culture or civilization until the unlawful taking of human life is eliminated.

British Columbian
New Westminster B.C.
JAN 2 1935

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Lynchings-1935
& Discussions.

White Press, Northern.

5203

Walter White Accuses Senator Bailey Of North Carolina Of Lying About Recent Lynchings

WASHINGTON, D. C. — Senator Josiah W. Bailey, of North Carolina, one of the leaders in the filibuster against the Costigan-Wagner anti-lynching bill was charged Friday by Walter White, secretary of the N. A. A. C. P., with deliberate distortion of the facts regarding the lynching of Govan Ward of Louisburg, N. C., on July 30th. The controversy is one of the most acrimonious of the present session of Congress and reveals, according to informed observers here, how deeply opposition, even in the South, to the filibuster is getting under the skins of Bailey and other Southern Senators.

The N. A. A. C. P. Secretary charges Senator Bailey with lying unless his State can and does apprehend and punish Ward's lynchers. The full text of Senator Bailey's letter and of Mr. White's reply are:

"August 15, 1935"

"I have your wire of July 31st.

"I did assert that the people of the United States need no incentive by way of Federal interference to prevent lynching. I did assert that there had been more improvement in the reduction of the number of these crimes than in the number of the reduction of any other crimes whatsoever. These statistics were supplied by the Tuskegee Institute and are not to be questioned. I do not think Federal action would have the slightest thing to do with the stopping of lynching. I shall resist the Costigan-Wagner Bill as often as it comes up and it makes no difference whatever to me that the eyes of the world will be upon me and my State to see if I spoke truthfully and I need no reminder from you on this subject. I have nothing but contempt for your suggestion that I have spoken other than truthfully, and you know that you are lying when you undertake to make it appear that there has not been a very great reduction in lynchings throughout the country and in the South and in my State the past forty years. You have the facts before you. The idea of invoking the Federal power to prevent a crime, the number of which committed in the country is less than fifteen in a year, is an absurdity upon its face. I understand very well what your organization is up to and I do not hestitate to say that so far from advancing the interest of the colored race, it is doing as much as anything to keep the race race-conscious and in a condition of unrest.

"I do not want any more wires from you or any communications. You ought to go out and make an honest living instead of trying to attend to other people's business and taking up collections from people who are deluded by the folly which you put forward."

"Very truly yours,"
"(Signed) J. W. Bailey"

Walter White's Reply

"August 21, 1935"

"My dear Senator Bailey"

"Had I not with my own eyes and ears observed hysterical bitterness you displayed in filibustering against the Costigan-Wagner anti-lynching bill I should have been unable to believe that a member of a solemnly deliberative body like the United States Senate could have deliberately distorted the plain English language as you have distorted my telegram of July 31st in your reply to me of August 15th. My telegram to you regarding the Louisburg, North Carolina, lynching of Govan Ward on July 30th read:

"On April 26 you vigorously attacked the Costigan-Wagner anti-lynching bill and asserted that 'we need no incentive to do our duty' in preventing lynching or punishing lynchers. Yesterday a mob in your own State, at Louisburg, presented you and the State of North Carolina with a challenge to prove the truth of your statement of April 26. Thoughtful Americans, including many white citizens of North Carolina, do not believe that lynching can be stopped except by Federal action. The eyes of the world will be upon you and your State to see if you spoke truthfully when you filibustered against the Costigan-Wagner bill."

"No statement is made therein as to whether or not lynchings are decreasing, increasing or remaining the same. Can it be that the reason you failed to answer my direct question as to what you and the State of North Carolina plan to do to bring the Louisburg lynchers to justice is because you know that neither you nor your State plans to do anything? The plain question is this: What do you intend to do to make good your boast that North Carolina needs no Federal or outside help to apprehend, convict and punish any and all persons who commit or participate in a lynching in North Carolina? The question as to whether or not you told the truth in the filibuster is not going to be answered in any other fashion except by the apprehension and punishment of the Louisburg lynchers. If they are punished, then that action and it alone will proclaim to the world that you told the truth. Likewise, failure to punish the Louisburg lynchers will prove that you did not tell the truth, and there is no escaping that fact through hysterical statements such as contained in your letter of August 15.

"I note your letter of August 15th states that you desire no further communications from me. It is not difficult to appreciate your wish to have the last word on this lynching which must humiliate and embarrass you in spite of your self-righteous attitude.

"I note further your statement that 'it makes no difference whatsoever to me that the eyes of the world will be upon me and my State to see if I spoke truthfully.' Is it beyond your comprehension to realize that the time has long since passed when territorial subdivision, whether they be nations or states, can ignore what the outside world thinks? Not even the most notorious European dictators dare be so arrogant.

"My comment on your remarks about 'earning an honest living' is that I prefer my own means of earning a livelihood from an Association to which contributions are wholly voluntary, to your own where you draw a salary from public funds raised through the taxation of Negroes as well as white citizens, yet utilize that position to prevent effective action against that bestial and unChristian crime of lynching which President Roosevelt has rightly termed 'that vile form of collective murder.'

"Perhaps even you have learned by now that the leading newspapers of your own State, and thoughtful North Carolinians of both races, not only do not approve of your attitude but heartily disapprove your participation in the filibuster to prevent even an honest debate and vote upon the Costigan-Wagner anti-lynching bill. I have too much respect for the integrity and intelligence of the large and constantly growing number of decent citizens of North Carolina not to feel confident that they will resent your threat to filibuster against Federal anti-lynching legislation 'as often as it comes up.' Do you not realize, my dear Senator Bailey, that the world is moving forward and that the growing number of intelligent people, especially younger ones, will not countenance your continued efforts to block action to eliminate bestial mob violence from our national life?"

"Ever sincerely,"
"(Signed) WALTER WHITE"
"Secretary"

Two Ways

These columns last week told of Congressman Arthur Mitchell's straddle on the anti-lynching legislation before Congress.

He says he is pressing his own anti-lynching measure, but admits that he doesn't think it could stop lynching, even if it became a law.

Mr. Mitchell wanted to stand with the white Southerners who oppose an anti-lynching bill, and he also wanted to stand with those of his own people who believe this legislation necessary.

Any time a Congressman faces two ways, it is difficult to discover which way he favors most. Drew Pearson and Robert S. Allen, writing in a Washington newspaper, said this:

"Do you know that the sole colored member of Congress is opposed to anti-lynching legislation? He is Arthur W. Mitchell, Democrat, of Illinois."

THE INSIDE OF LYNCHING

A HIGHLY INTERESTING CASE was furnished in Municipal Judge Lausche's courtroom recently, when after an exhaustive effort, a white woman who had charged a Colored man—whom she claimed she did not know and had never previously seen—with assault was forced to admit, by the overwhelming facts that faced her that the man was her former husband.

There have been undoubtedly many lynchings in other parts of the country in cases not much dissimilar, for the only thing necessary in the present case to complete the stage for a lynching would have been to change the locale of occurence.

Incidents like this help to show the tremendous need that exists for curbing lynch-law.

BUFFALO, N. Y.
NEWS
SEP 4 1935

THE MAKING OF A MOB

Three little Kentucky girls, absent without leave from home the other day, "made up" a fanciful story of having been kidnaped by three Negroes. But the police of their home town, Louisville, were skeptical of the lurid tale and eventually ascertained the truth.

Those who realize how easy it is for lynching mobs to form will unite in condemning the children, but there is undoubtedly an explanation for their conduct. Having heard their elders discuss the fate of children "snatched" away, they immediately reached the conclusion that the alibi would be perfect, would make martyrs and heroines of them, giving each an opportunity to display that exhibitionist complex so prevalent among certain members of the present generation.

Children of those tender years could not be expected to realize that they were tossing a match into a powder keg, that they were playing on racial mistrust with a hastily concocted lie. It would not have taken a mob long to have lynched the wrong men. Members of the Negro race are all too often victims of unreasoning and distorted passion displayed by morons.

The childish fabrication at Louisville might have led to illegal murders, to race riots, to a public dis-

turbance which would have blotted the fair name of Kentucky and have imperiled the amicable relations now existing between the citizens in that state.

WASHINGTON, D. C
STAR
SEP 3 1935

COLORED CATHOLICS OPPOSE LYNCHINGS

Appeals Voiced for Equality of Educational Opportunity for All Church Groups.

Delegates to the convention of Federated Colored Catholics of the United States here yesterday elected officers and passed resolutions favoring continued support of the anti-lynching measures introduced to Congress and continued appeal "to the hierarchy for equality of educational oportunities for all groups in the church."

G. A. Henderson of Pittsburgh was re-elected president of the federation. Other officers include Eugene A. Clark, W. P. Dickerson, Elbert A. Holmes and Edgar Kenny, vice presidents; H. M. Smith, executive secretary; L. De Reef Holton, assistant executive secretary; Sarah P. Kirby, recording secretary; Marian Bruce, assistant recorder; William B. Bruce, treasurer; Helen I. Pinkett, editor; William A. Prater, field agent, and Benedict Smith, sergeant at arms.

The sessions yesterday, held in the auditorium of the Holy Redeemer Church, concluded a three-day convention which attracted approximately 300 colored Catholics from the entire eastern section of the United States.

WATERTOWN, N. Y.
TIMES
AUG 31 1935

THE SOUTH FACES THE LYNCHING PROBLEM.

Since the days of the Civil war the lynching of negroes has been a curse of the South. Every case is the same. A band of men, sometimes masked and sometimes not, will approach a jail, demand the prisoner, carry him off and string him to a tree. The officers of the law if they are brought before a court of inquiry never know anything about the lynchers nor how or when the hanging happened. They are affected by a complete loss of memory. The lynching of a negro in Franklin county, North Carolina, a short time ago is a true example of the process.

But, says Mr. W. J. Cash, a native North Carolinian, writing in the Baltimore Sun, a change in attitude toward lynching was noticeable after this Franklin county case. He points to the general dislike on the part of Southern people for lynching and the editorial attacks the practice always meets from the newspapers. Down through the years, he states, the substantial people have thrown up their hands at lynching, saying it was hateful, but have placed the whole blame at the door of the poor whites and the degraded citizens of a community.

The Franklin county lynching seemed to wake the people of North Carolina to a new responsibility. A new consciousness that the people as a whole are to blame and that the act cannot be pushed aside on the poor white population was noticeable, the writer says. The newspapers attacked the sheriff and his officials bitterly for handing the prisoner to the band of wrongdoers. Many pointed out that the South must awaken to the dreadfulness of the crime. The feeling that it is wrong is not enough. The attitude of indifference and the willingness to blame the poor whites must pass. The knowledge is dawning that lynching can never be stamped out while the great mass of solid men and women stand aside and frown at the practice but do nothing to halt it.

This, Mr. Cash feels, is striking progress. He makes no prophesies that lynching can be stopped immediately. He says that the temper of the South is such that it will take a long time. But, he declares, this willingness of North Carolina to face the lynching issue squarely and not to avoid it is a clear advance.

OAKLAND, CALIF.
POST ENQUIRER
SEP 20 1935

One More Lynching

Even When the Law Wasn't Slow

Ellwood Higginbotham, a Negro, was lynched last Wednesday night in Oxford, Miss., as a jury which had heard his murder case was leaving the courtroom to consider the verdict.

He was accused of killing a white farmer.

His case was tried promptly, and a legal verdict would have been reached shortly if the lynching had not intervened.

Most lynchings are excused on the ground that legal justice is too slow.

But that excuse hardly stands up in the case of Ellwood Higginbotham.

The real cause for lynchings is probably very deep, reaching back to the jungle days before the dawn of what we call civilization—and even the proposed federal anti-lynching law may not be able to reach it.

However, if those Mississippi lynchers who disregarded the law and the Constitution found themselves each involved in a personal murder case, that would tend to discourage lynchings in that vicinity.

NEW YORK JOURNAL
Bronx Section
OCT 8 1935

Defense of Lynching In C.C.N.Y. Textbook Stirs Student Protest

Because a City College textbook is said to contain a story defending lynching in the South, President Frederick B. Robinson today promised to investigate a protest by the Student Council against use of the book.

The book, an anthology of selections of English prose entitled "Models and Values," is condemned by the students because of the story by William H. Davis called "Unwritten Law."

The story is only a "psychological treatise portraying a mental state," according to Prof. William B. Otis, of the English Department.

Journal
OCT 3 1935

AND OF SUCH MOBS ARE MADE

On November 28, 1933, a Negro was lynched by a mob at St. Joseph, Mo. The story perhaps is recalled by most readers, for the mob was a particularly wild, disorderly and destructive one. The Negro was charged with attack on a woman and the crowd was inflamed as a result.

In a subsequent investigation there was an unusual ending. A mob leader was actually convicted and given a short time in jail. His name was Carl Fisher. No doubt Mr. Fisher was willing to be considered a patriotic protector of womanhood and an indivdiual to be reckoned with by anyone who might decide to overstep the boundaries of decency toward the weaker sex.

Now Mr. Fisher is again in jail. The charge against him is attacking a woman, a charge exactly similar to that allegedly committed by a Negro against whom he led a fatal mob. The incident is illuminating. No doubt lax enforcement of laws has encouraged many a mob. Certainly it has given the excuse for them. But the mob deserves little admiration. It represents people bereft of reason and judgment, it represents an agitator finding opportunity for violence and, too often, it enrolls quickly those who are not to be trusted too much themselves and who get into it, not for the laudable purpose of discouraging crimes against the innocent as much as sensing an opportunity to satisfy their craving for violence and action outside of the law.

It is a fine testimonial to the standing of a mob when one of its directing leaders himself is arrested for a crime exactly the same as it was alleged his victim committed and for which he had him torn to pieces by a mob goaded to fury.

DAYTON, O.
NEWS
NOV 7 1935

A Tennessee Lynching

There have been more brutally executed lynchings than that which occurred this week at White Bluff, Tenn., but rarely if ever one as brazen. The victim, a Negro accused of slapping a white woman, was taken from a deputy sheriff and another official who were en route with their prisoner to the county jail.

The "mob" consisted of five armed men. They took the deputy's pistol but assured him that they would "be back in a few minutes and bring your gun." The promise was kept. In less than half an hour they returned and surrendered to the official. "They were all just laughing and seemed like they enjoyed what they had done," he says. "They told me they shot the Negro with my gun." The sheriff placed no charge but said that they would be taken to the county seat for arraignment.

Only less shocking than the crime itself is the cheerful confidence of this quintet that the law which they boast of flouting will not punish them for it. In the history of lynching, to be sure, they have ample assurance for such a belief. Officials in most cases offer little resistance to a lynching mob. Seldom is there even an effort afterward to identify its members, although in the case of the ringleaders at least that should be comparatively simple. Instances in which they have been brought to trial are still more infrequent. A conviction is almost unknown.

But no mob has had the audacity to do its barbarous, bloody deed and then deliver itself to the law in the attitude of "What are you going to do about it?" The country waits to see how Tennessee will meet an unprecedented challenge.

Lynchings-1935
Discussion.

White Press, Northern.

5204

New York Evening Post

FEB 15 1935

Art Show Depicts Horrors Of Mob Lynching Hysteria

Pictures Express Seething Indignation of Civilized People Over Brutal Murders

By MICHEL MOK

You may get a little ill, as this reporter did, when looking at the pictures which have been gathered together in an exhibition entitled "An Art Commentary on Lynching" at the Arthur U. Newton Galleries, 11 East Fifty-seventh Street.

You may get a little ill, but it may do you good, for these canvases, etchings, water colors, cartoons and pieces of sculpture express the seething indignation civilized people feel when faced with the brutal murders committed by hysterical mobs in the darkest parts of this country.

No spoken or written argument against lynch law could be as hard-hitting as the work of these artists. It is unlikely that the editorial was ever penned, for example, that carries the conviction of George Bellows's etching, "The Law Is too Slow."

Man Burned at Stake

In this nightmare work, if you can stand it, you will see a huge Negro writhing at the burning stake, while a group of hooded, masked men, like figures from Dante's In[illegible] up the fire, replenish it with fuel.

[illegible] less shocking in its impact are Bertram Goodman's "Lynching" and Bernar Gussow's "Hysteria." The Goodman picture, an oil, shows a hanging. The mountaineers executing the Negro victim evidently are not satisfied with the rope they have brought and are applying. They are provided also with shotguns and burning torches.

"Hysteria" is a study of the mood of a lynching mob. With revolting frankness it depicts the faces of a group of men who are about to hang a Negro. A similar study is "This Is Her First Hanging," the original of Reginald Marsh's drawing printed some weeks ago in the New Yorker. The central figure in this picture is a moron mother lifting high a little girl who, finger in mouth, watches a burning at the stake over the heads of a throng.

Heywood Broun a Judge

Perhaps not the finest picture in the exhibition, but undoubtedly one of the strongest entries from the point of view of propaganda, is "I Passed Along This Way," by E. Sims Campbell, in which the figure of Christ, carrying the Cross, a hand covering the face, trudges up a hill beside a Negro who is being pulled up by a rope around his neck.

The exhibition, which includes forty-nine entries, has been prepared under the auspices of the National Association for the Advancement of Colored People. Heywood Broun, Mrs. A. P. McMahon, Dr. Alain Locke and Alfred Barr are the judges.

At a preview this afternoon, Mrs. Pearl S. Buck made a brief address. The exhibit opens to the public tomorrow and will continue through March 2.

Is Too Slow," showing a negro being burned by a mob; an oil painting my Thomas H. Benton in which a negro was being hanged to a telephone pole, and a portrayal in black and white of a young girl being held above the heads of a mob by her mother so the child could see the lynching.

Invariably a negro was pictured as the victim of a mob. Treatment differed, but the general effect always was one of horror. The work was selected as to artistic merit and was said to be effective from that point of view.

Jacques Seligmann explained that he took over the show merely on its artistic merit.

SPRINGFIELD, O.
NEWS

FEB 8 1935

TO STOP LYNCHINGS

Since 1882 there have been 5068 lynching in the United States. The crime is no longe committed as frequently as it was a decad or two ago, but as long as it is permitte at all we do not escape the shameful blot There were 28 lynchings in 1933; last yea the number dropped to 16. There is mor than a suspicion that the drop was occasioned by the threat of the anti-lynching bill then before congress, for it would hold counties financially liable for mob violence within their own boundaries. While that measure was pending there were no lynchings. When it was evident that congress was not inclined to act they began again.

A courageous Tennessee sheriff showed recently how lynchings could be stopped without the necessity of such a law. He held his prisoner even at the cost of the lives of several members of the mob who were shot down when they attempted to storm the jail. But such instances are rare. Usually the mob encounters little resistance to its lawless purpose. Nine of the victims last year were taken from peace officers. Once a lynching has been accomplished, rarely if ever are the perpetrators brought to judgment, let alone punished.

A federal measure ending this virtual immunity to justice would put a powerful check on the mob spirit. Sociological studies have established a definite relation between ignorance and poverty and lynchings. The evil should be attacked at this source. Meanwhile the anti-lynching bill, once more before congress, should be enacted without further delay.

Greenville, S. C. Piedmont
February 13, 1935

TAKE 'HORROR' PICTURES DOWN

Works Showing Negroes Suffering Death Tortures Not To Be Shown In New York

NEW YORK, Feb. 12.—A "gallery of horror" containing pictures, murals and statues of negroes suffering death tortures from mobs was dismantled today, ending an outburst of secret protests.

The National Association for the Advancement of Colored People sponsored the exhibition, which was to have opened Saturday at the Jacques Seligmann galleries. An invitation opening was held last Friday and the exhibition was called one of the most macabre art shows ever arranged in New York.

Contemporary artists were represented. Included were a print by the late George Bellows, "The Law

Brooklyn, N. Y. Eagle

FEB 15 1935

Artists Call Attention to The Gentle Art of Lynching

Exhibit Canceled by Jacques Seligmann Gallery Finds a Home With Arthur U. Newton

By WINSTON BURDETT

A comprehensive show illustrating the art of lynching in all its phases will be put on view this afternoon at the Arthur U. Newton Galleries at 11 E. 57th St., Manhattan. The exhibit, which is being sponsored by the National Association for the Advancement of Colored People, was originally scheduled to open at the Jacques Seligmann Galleries, but for reasons best known to the officials it was suddenly cancelled. Whether the move was made because of outside presure or out of consideration for those who still find lynching a useful amendment to the law or simply because the truth is hard to bear has not been disclosed. In any case a number of galleries offered space for the show after announcement of the cancellation and the Newton Galleries won the asignment.

The collection, which was seen in pre-view yesterday, ranges from George Bellows to Rollin Kirby and from Peggy Bacon to Orozco. It includes sentimental glorifications of the martyred Negro, symbolic analogies between the Negro and Christ, scenes of lustridden mobs at lynching parties and a number of cartoons. The pictures are particularly good when they satirize less the act of lynching than the state of mind which makes it possible—the state of mind which Rollin Kirby in his classic cartoon of Governor Rolph of California in the act of displaying two lynched figures sums up in the caption "California Points With Pride."

Governor Rolph, it will be recalled, gave official sanction to lynching as a civilized weapon by applauding the mass murder of two California criminals. Thereby he transformed an act of mob violence into one of administrative justice. He would probably agree with the title of George Bellows' contribution to the present show, "The Law Is Too Slow," as the distinction between law and anarchy was manifestly too fine for his perception. Among other things he entirely overlooked the fact that the next step would be for the lynchees or their kind to take advantage of his principles and turn on the lynchers.

Among the pictures which Mr. Newton displayed with particular pride were a lynching scene by Thomas Benton—the largest canvas in the collection and a typically dynamic Benton composition—John Steuart Curry's "The Fugitive," showing a Negro hiding in the woods from the pursuing hounds, and Reginald Marsh's "This Is Her First Lynching." The last is typical of the best in the exhibit in the line of satire. It shows a frightened and fascinated girl of about 8 hoisted up by her mother above the heads of the mob to get a better view of the gala proceedings.

Perhaps the most disappointing aspect of Mr. Newton's show is that the actual lynching scenes are the least successful. There are dramatic and striking compositions, but as propaganda they are rather innocuous. They are not nearly as gruesome as they should be, and do not compare for horror with any number of Goyas you might think of. The painters were more preoccupied with problems of space and coloring than they were with social issues. And quite naturally, as they had no idea when they painted their pictures, that they would be part of a show that would have the express purpose of acquainting the man in the street with the horrors of lynching.

Samuel J. Brown, for example, contributes an ingenious design of a lynching seen by an imaginary spectator from on high. The most prominent feature is the head of the victim; his body and the tree from which he is hung fall backward sharply foreshortened. A number of dots in the background give a nice effect of gaping onlookers. It is a decorative grotesque but not very violent, and preciosity is a little out of place in so urgent a subject.

At the opening this afternoon

Pearl Buck will deliver an introductory talk and Edwin Matthews, Negro singer, will entertain. The exhibit will remain here through March 2, and will thereafter be sent on tour.

From bed to verse has gone the National Roof Garden Theater, E. Houston St. and 2d Ave. Long noted as a burlesque house, a group headed by J. L. Smukler has taken over the place and renamed it the Ibsen Theater. They will open on Feb. 21 with "Ghosts." Other Ibsen plays in their repertory are "A Doll's House" and "The Master Builder."

Brooklyn film premieres today:

"The Gilded Lily," with Claudette Colbert, at the Paramount; "Under Pressure," at the Fox; "Shadow of Doubt," at Loew's Met., and "The Good Fairy" at the Albee.

New York World Telegram

FEB 18 1935

HER FIRST LYNCHING.

TO any who hold that art cannot be propaganda and still be true and even great art we recommend a visit to the Arthur U. Newton Galleries, 11 E. 57th St., where a distinguished exhibition of the art on lynching is now on view.

There are numbers or persons, perhaps, who might be inclined to steer away from such an exhibition as from a chamber of horrors. But here art and truth come in. A number of these paintings and drawings—by Bellows, Benton, Curry and the cartoonists and illustrators Kirby, Duffy, Fitzpatrick, Reginald Marsh—are on their merit as pure art worth a place in any museum or art gallery.

Such is their power and strange beauty of execution and idea that to many who see them it becomes tragic that museums and art galleries are so exclusively concerned with mere objective beauty and afraid of art which exposes injustice and brutality and human degradation—art which tells a moving story, stirring thought and feeling.

Unforgettable fear and pity is in the face of the beautiful little girl raised high so she can see in the hands of her frenzied mother, who amid a mob cries to another woman, "This is her first lynching."

Imperishable impression of dumb terror is in the face of the young Negro braced in a tree as a mob—dog led, afoot and on horseback—pass behind on the road in the moonlight, in the painting by John Steuart Curry, Kansan.

In these courageous artists with social zeal, combined with artistic genius, lie the finest immediate hope for art in America or the world.

New York Evening Post

FEB 18 1935

In the Wake of The News

—By Archer Winsten—

Art Goes Educational on Decorous East Fifty-seventh, Near Fifth

THE invitation originally read, "You are cordially invited to a private view of an Art Commentary on Lynching under the patronage of a committee of distinguished Americans at the Jacques Seligmann Galleries."

But fairly close to the last minute Mr. Seligmann began to think the subject matter might prove offensive to some one. There had been protests from unnamed sources. As you yourself will realize, it is one thing to deplore lynching, as who does not, and quite another to see it on the wall.

It is one thing to hear the familiar indignation and add your opinion to that of unanimity. Let us make a law about it. Or better, let *them* make a law about it. But it is another thing to look at the detail of a first class lynching. Can't we be spared the revolting details?

Never mind. Arthur U. Newton read of the homeless exhibition in the New York Times and he hastened to welcome it at 11 East Fifty-seventh Street, where his gallery was just ending an exhibition of Italian primitives . . . pink and blue and gold-leaf Virgin Marys and Christ Children.

The Exhibition

There are works by outstanding American artists and cartoonists, Peggy Bacon, Bellows, Benton, John Steuart Curry, Edmund Duffy, Daniel Fitzpatrick, Rollin Kirby, Reginald Marsh and Orozco.

Ten of the thirty-nine exhibitors are themselves Negroes. These include William Chase, young cartoonist of Harlem's Amsterdam News, and E. Simms Campbell, maker of humorous pictures for the New Yorker and Esquire. The latter's picture shows a noosed Negro being dragged along and by his side the dim figure of a Christ under the cross. It is called, "I Passed Along This Way."

Paul Cadmus, who painted "The Fleet's In" with considerable effect a year ago, has a picture here.

Noguchi's steel statue of a lynched figure hanging from a small gallows dominates one end of the room.

Orozco's picture of several figures hanging above the flames, their legs partly burned away, begins to touch the note of deep horror.

Allan Freelon, a Negro artist, is another who fails to pull his punch. He calls it, "Barbecue—American Style."

Harry Sternberg, the one picture of mutilation, cuts deepest. "Pass by quickly, nice people. Retain your fixed smile. This is not something that happened only once, somewhere, when a maniac got loose." It is called, "Southern Holiday."

A young unknown Negro artist submitted a much more violent treatment of the same incident. It was not accepted. There was, of course, a limit. He stood by Sternberg's picture, saying, "Well, what I drew happens." It may eventually be shown to a tough-minded John Reed Club audience.

A Speech Against It

Mrs. Pearl S. Buck made a speech, saying she would "always raise her voice against race feeling, against mad mob rule in any form." It was her opinion that the pictures could not be too terrible if they portrayed lynching horrors as they really are.

"Frankly," she said, "I have not looked at many of these pictures. I cannot bear them. And yet, if one of these pictures for one moment brings to any one a realization that behind every one of these pictures there is a reality—some one did so die at the hands of such a cruel horde—then we cannot spare these pictures. We must not let them escape into a false heaven of easy optimism and blind good cheer. We must show them there is a true optimism which determines not to rest until this wrong is righted."

The long, narrow room was crowded with distinguished and standing guests: Countee Cullen, the poet; Ruth Aley, the author's agent; Molly Picon, Second Avenue's perennial star of the Yiddish Theatre; several Spingarns; B. W. Huebsch, the publisher; Sheila Hibben, the author of a cook book; Inez Haynes Irwin, and, of course, Carl Van Vechten.

Walter White of the National Association for the Advancement of Colored People, the organization which got up the show, was busy here and there.

Edward Matthews, the main Saint of "Four Saints in Three Acts," sang "Jericho" and "The Crucifixion."

Then every one began talking, just like a literary tea, and nobody paid much attention to the pictures on the walls.

A man was saying to another, "At the Pigeons-on-the-grass part I found myself going like this. I was hugging myself with delight. What did you say your name was?"

"Edward Matthews."

"Oh, yes. Well, if you ever come to Washington I hope you'll look me up."

The crowd thinned rapidly before the unrelenting pictures.

Owner of the Gallery

Soon Mr. Arthur U. Newton was left totting up a big day for an art gallery. He turned on the ozone machine—an aid to faulty ventilation—and the smell of ozone dominated.

He told of Mr. Seligmann coming in to see how the exhibition went. He said, "I thought the exhibition deserved to be shown. I feel it has real artistic merit, showing how many artists tackle the same problem. And then, too, it's still the crucifixion—the same problem so often treated by the old masters.

"Late this afternoon I had an inspiration about 3 o'clock. I remembered I had a Van Dyck lynching—'The Martyrdom of Saint Sebastian.' It parallels these absolutely. I hung it in the other room. Perhaps you'd like to see it."

In a rear room bathed in gentle light was the huge Van Dyck, valued at $25,000 and painted three hundred years ago. The colors were rich and gentle, the brown of age mellowed its oils. The Saint looked inquiringly at you. There was no blood, no fire, no hemp at the neck. No agony.

"You see," said Mr. Newton, "Van Dyck painted himself as the Saint. He's looking straight in the mirror."

DAYTON, O.
NEWS

FEB 8 1935

To Stop Lynchings

Since 1882 there have been 5068 lynchings in the United States. The crime no longer is committed as frequently as it was a decade or two ago, but as long as it is permitted at all we do not escape the shameful blot. There were 28 lynchings in 1933; last year the number dropped to 16. There is more than a suspicion that the drop was occasioned by the threat of the anti-lynching bill then before congress, for it would hold counties financially liable for mob violence within their own boundaries. While that measure was pending there were no lynchings. When it was evident that congress was not inclined to act they began again.

A courageous Tennessee sheriff showed recently how lynchings could be stopped without the necessity of such a law. He held his prisoner even at the cost of the lives of several members of the mob who were shot down when they attempted to storm the jail. But such instances are rare. Usually the mob encounters little resistance to its lawless purpose. Nine of the victims last year were taken from peace officers. Once a lynching has been accomplished, rarely if ever are the perpetrators brought to judgment, let alone punished.

A federal measure ending this virtual immunity to justice would put a powerful check on the mob spirit. Sociological studies have established a definite relation between ignorance and poverty and lynchings. The evil should be attacked at this source. Meanwhile the anti-lynching bill, once more before congress, should be enacted without further delay.

Lynchings - 1935
Discussions.

White Press, Northern.

5205

Lynchings in the Land of the Free

I SHALL not bear my body proudly, now
That other bodies hang from gallows-trees.
The sun turns dark at mid-day, as of old,
And what were hills become grim Calvaries.

Was it for this He ordained brotherhood?
How long shall men partake the curse of Cain?
Have mercy, Lord, we know not what we do!
Speak pardon from each tree of cruel pain.

ELINOR LENNEN.

[redacted]
NEWS
MAR 20 1935

SCHOOL YARD LYNCHING

Mississippi's school yards have witnessed none too much progress during the political regimes of

en like Theodore Bilbo, now a Senator from the Magnolia State. But it is retrogression indeed for education in Mississippi when a mob uses one of the State's school yards for a lynching.

What was the talk among the children as they came to school the next morning? And what was the talk among them as they gathered, first at a distance, for death is awing, and then closer about the tree from which the lynchers, 50 men of the neighborhood, had visited mob law vengeance upon a Negro suspected of killing a white man? And what did the teacher tell them if they had a lesson in civics the morning after the mass murder?

Perhaps the Costigan bill will receive now the legislative attention which President Roosevelt asked of Congress in his annual message.

HARRISBURG, ILL.
REGISTER

APR 6 1935

VERY LITTLE IS NEEDED TO ROUSE MOB SPIRIT

The human race has to cope with many enemies in its long struggle to work out a scheme for peaceful living, but the greatest enemy of all is the mob.

For a perfect picture of the way the mob acts, consider the riot that swept up and down the streets of New York's Harlem the other day.

A colored boy tried to pinch a 10-cent knife from a store counter. A floor walker collared him and the boy, naturally enough, set up a holler. An excitable woman saw and heard just enough to touch off her motor reactions, and she ran out into the street yelling that the boy had been killed.

Up and down the streets went the cry. Out of poolrooms, lunchrooms, and workshops came angry men, milling in the streets yelling, looking for someone to fight, afraid and suspicious and angry. A crowd of a thousand men and women swept into the store, turning things upside down, breaking things, yelling, hitting, fighting.

Police reserves came, by the hundreds. There were dozens of fights. Scores of men were cut, beaten, or slugged. More than a hundred were arrested. Thousands of dollars' damage was done to property.

And the juvenile knife stealer who unintentionally started it all managed to jerk away from his captors during the melee and vanished, utterly unharmed.

You could search the world over without finding a better example than this of the blind, panicky insanity of the mob spirit. Here was a riot of major proportions, an ugly welter of fights that spread all across a populous section of a great city—and all for what?

Not one of the rioters knew. They could not possibly have hoped to know. It started literally, from nothing at all; and because men and women were jittery, and gave way to the combined emotions of anger and fear, there was merry Ned to pay.

Now you don't need to think very hard to draw the needed moral from all this. The mob spirit that can seize a few thousand people in one city is the same spirit that can and frequently does seize whole nations, when hatred and panic get together.

It sweeps dictators into power, causes mass executions, concentration camps, slugings and clubbings; it fills the air with bombing planes and the fields with infantrymen and sets cruisers loose on the sea lanes; it inflicts more misery and destruction on the earth than a generation can repair.

And all, as in Harlem—for what?

DYERSBURG, TENN.
STATE GAZETTE

APR 3 1935

NOTHING TO BE GAINED

Letting the law take its course often has been neglected in southern states, and other sections of the country as well for that matter, but it has been recognized more often than not and the decrease in mobs and lynchings has shown a growing consideration.

Now comes a course, if persistently pursued, that may result in tearing down what has been accomplished. The supreme court has reversed the decision of the lower court in the conviction of two of the negroes in the Scootsboro case because no negroes served on the juries that tried them.

The state of Alabama announces that it will try the negroes again and most likely after its own custom of having only white men on the jury. Certainly the supreme court, if the case reaches it again, will follow its previous ruling.

Such insistence probably in the end will find fewer cases left to the courts in the future and both the white and negro races will suffer as a result. The public is not likely to favor letting the law take its course when that course is not approved of and as the outcome an increase in the mob blemishes on states may climb.

The earlier now that the Scottsboro cases are brought to an end, the better it will be for all concerned in the future. For the doubt that was manifest in the case it has been carried on far too long and nothing can be gained that continues to fan the frames of resentment.

INDIANAPOLIS, IND.
TIMES

MAR 26 1935

THE ANTI-LYNCH LAW

FREDERICK VANNUYS, senior United States Senator from Indiana, deserves the praise of every thinking American for his determined efforts in behalf of the Federal Anti-Lynching Bill.

Senator VanNuys has forced before the upper House of Congress his law to do away with the appalling number of lynchings which take place in the United States every year. Senator VanNuys is putting every ounce of power he can muster behind the measure.

He pointed out to the Senate Judiciary Committee the simple fact that last year when the measure was pending in the Senate, there were no lynchings during that period.

Senator VanNuys is convinced that mob rule can exist only when officers of the law lend tacit encouragement and his law would hold responsible the men in charge of the prisoner when a lynching occurs.

There is little doubt but that with the Federal Anti-Lynch law on the books, the number of lynchings in the United States would decrease to almost none.

It is high time that peace officers learned that they can not shut their eyes to the law and cater to the mob.

PORTSMOUTH, VA.
STAR

MAR 30 1935

MOB SPIRIT DANGERS

The human race has to cope with many enemies in its long struggle to work out a scheme for peaceful living, but the greatest enemy of all is the mob.

For a perfect picture of the way the mob acts, consider the riot that swept up and down the streets of New York's Harlem colored district the other day.

A colored boy tried to pinch a 10-cent knife from a store counter. A floor-walker collared him and the boy, naturally enough, set up a holler. An excitable woman saw and heard just enough to touch off her motor reactions, and she ran out into the street yelling that the boy had been killed.

Up and down the streets went the cry. Out of poolrooms, lunchrooms, and workshops came angry colored men, milling in the streets, yelling, looking for someone to fight, afraid, suspicious, and angry. A crowd of a thousand men and women swept into the store, turning things upside down, breaking things, yelling, hitting, fighting.

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And all, as in Harlem—for what?

CHILLICOTHE, MO.
CONSTITUTION

MAR 28 1935

SCHOOL YARD LYNCHING

Mississippi's school yards have witnessed none too much progress during the political regimes of men like Theodore Bilbo, now a senator from the Magnolia state. But it is retrogression indeed for education in Mississippi when a mob uses one of the state's school yards for a lynching.

What was the talk among the children as they came to school the next morning? And what was the talk among them as they gathered, first at a distance, for death is awing, and then closer about the tree from which the lynchers, 50 men of the neighborhood, had visited mob law vengeance upon a Negro suspected of killing a white man? And what did the teacher tell them if they had a lesson in civics the morning after the mass murder?

Perhaps the Costigan bill will receive now the legislative attention which President Roosevelt asked of congress in his annual message.

OTTAWA, ILL.
REPUBLICAN TIMES

APR 25 1935

LYNCHING'S WORST FEATURE.

[Greensboro (N. C.) Daily News.]

One bad feature of lynching—which it must be admitted pretty generally in the south picks on the Negro—is the sort of defense of the practice that is offered by members of the United States congress from South Carolina. Indeed, we are inclined to think this is the worst feature, because, believe it or not, there are scattered throughout the entire south a lot of mush-brained electors who seem to feel the same way about lynching as do Coley Blease and Cotton Ed Smith.

It was Senator Smith's turn this year to rise in the national legislative halls to oppose the anti-lynching bill. Mr. Blease is not at Washington this term, or he would have "to-helled-with-the-Constitution" long before Cotton Ed Smith got around to it.

It is the argument of such old-fashioned southern chivalves as Smith and Blease that there is one crime for which lynching is the only fit punishment. When a white woman has been insulted by a 'black brute," all that should be asked of her is to point her finger. (By the way, a presumably intelligent woman pointed her finger at a white man t'other day over at Kannapolis, but he proved he was at prayer-meeting at the time of the alleged assault.)

Which might be all right if the remedy for rape were simply that of hanging, shooting or burning the first convenient victim. We have never been able to believe it is. In the first place there is danger of mistakes—we have heard of rapists' victims making some mistakes; we have known mobs which did.

Passage of a federal anti-lynching law is not a pet project of ours—we haven't been able to make up our mind to vote for the federal child labor amendment as yet—but we are glad Cotton Ed didn't happen along at Scottsboro when the whole covey of Negro hoboes was arrested. Doubtless he'd have helped string them all up.

And then when one of the women in the case sought to recall her testimony as to the outrage, he'd have been out on a limb his ownself.

Honestly, we, who have never lived or moved and had being for appreciable time anywhere else save right down here in the midst of those who believe in the high hand as the savior of womanhood, have never met more than a half a dozen southern gentlemen to whom we would delegate the right to lynch.

None of these, we might add, was, had been, or expected to be right soon a member of congress.

WORCESTER, MASS.
TELEGRAM

JUN 13 1935

BISHOP ASKS LAW AGAINST LYNCHING

Chicago Prelate Speaks to A. M. E. Zion Group

Declaring that the American Negro is "still in a state of quasi slavery" Bishop W. J. Wallis of Chicago, Ill., in his annual address before the New England A. M. E. Zion Church Conference at the Belmont Street Church yesterday demanded that Congress pass a law against lynching.

"A country that can track down and find kidnapers can also track down and discover lynchers," he said. "Congress, which made kidnaping a federal offense, can make lynching a penitentiary offense."

The conference voted unanimously his return for another term. He has been bishop for seven years.

The program last night brought greetings by Mayor John C. Mahoney and Rev. Dr. George E. Heath of Wesley M. E. Church on behalf of the city and its churches.

J. Luther M. Stovall, J. Alexander W. Bosley, Mrs. Margaret Kennedy, Mrs. Bertha McWhorter, Robert Brevard, Jr., and Miss Mammie Lennon, were other speakers. Rev. E. H. Brown of Norwich, Conn., preached the sermon.

The convention continues with business sessions this morning. It will end Sunday afternoon.

Lynchings—1935

White Press, Northern

5286

Discussions

'WE DON'T LYNCH'

MASS. HOUSE RESOLVE CONDEMNING NAZI PERSECUTIONS BRINGS HEATED RETORT.

BERLIN—"It is a case of seeing a splinter in a neighbor's eye and no beam in your own. We do not hang Jews who attack women; we do not lynch men of another race; we do not indulge in shameful excesses such as characterize the strikes in the United States.

"To us, the Boston strictures appear clownish and not motivated by a sense of moral responsibility, but simply hollow bumptiousness.'

These were some of the verbal shafts which the Nazi newspaper ANGRIFF shot back in resenting the Massachusetts House of Representatives' resolution condemning the persecutions of Jews in Germany. They appeared in a front page editorial under the caption "Hypocritical Impudence".

The resolution which aroused the ire of the Nazis was adopted last Monday by the Massachusetts House without debate and on a voice vote. It had been offered by Representative Thomas Dorgan of Boston and Representative Albert E. Morris of Everett, protesting against religious persecution in Germany.

The resolution reads in part: "Whereas: It is reliably reported that certain inhabitants of Germany are being persecuted on account of their religious faith and nationality to an extent abhorrent to modern civilized Nations, therefore be it.

"Resolved: That the House of Representatives of the General Court of Massachusetts affirms its conviction and belief that freedom and equality of mankind, regardless of race, creed or color, is indispensable to the maintenance of any modern civilization, and views with alarm any violation of these sacred principles."

The Guardian Boston 8-14-35

Streicher Reminds America Of Lynching Disgrace

IT will do Americans no harm to read with care parts of the speech which Julius Streicher, leader of the fanatical anti-semitic wing of the nazis, delivered in Berlin on August 15. More than fifty thousand Berliners are reported to have listened while Streicher spoke—a wild, illogical harangue of which large parts, according to the correspondents, were unfit for circulation through the mails. Doubtless the well-drilled nazi press has by this time made the essential parts of the speech familiar to all the rest of Germany. And one point in it, at least, may be counted on to circle the globe. That was the juncture at which Streicher, turning on American critics of nazi offenses against Jews, shouted: "In America they get excited when in Berlin or anywhere else anything happens to Jews that is not pleasant. Whose business is it when we pass laws that will bring us quiet? Whose business is it when we clean our own houses? . . . We read almost every week of the lynching of an American Negro who wronged a white woman, but we merely say, 'It serves them right,' and do not worry about it. Still, as far as I know, no Jew has been beaten to death in Germany." Without bothering with the statistics in this declaration, which are open to argument both as they apply to America and to Germany, honesty compels a facing of the charge. Such a *tu quoque* as this has been inevitable from the start of American criticism of nazi brutality, and will inevitably follow any expression of criticism in this country directed against savagery abroad. Of course, there is some difference between the outburst of a lynching mob, and the deliberate fomentation of race hatred as a government policy, to be whipped up and extended by all the devices at the command of a government. Nevertheless, even a Streicher should remind Americans that they have no moral right to demand race justice of the nazis without demanding it—and working for it—at home.

The Christian Century 8-28-35

Is This America?

THE tar-and-feather party in Santa Rosa, California, in the course of which 300 vigilantes wrecked the house of a citizen and his family with tear-gas bombs in order to make him surrender, was supposed to be the spontaneous outburst of farmers against Communist agitators. There is no doubt that farmers took part in the affair, but a correspondent whom we trust writes that the mob was led and backed by bankers, a head of the federal reemployment bureau, motor cops, a member of the state legislature, American legionnaires, petty politicians, and members of the chamber of commerce; and a suit brought by one of the victims of the raid named among others the mayor of the town, who is a banker. The crime of the radicals was organizing strikes among crop-pickers. "Ninety per cent of the farmers in this community," writes our informant," are bankrupt and their crops are selling below the cost of harvest. Practically every rancher must borrow money from the bank or packer to meet his harvest payroll. The mob could count with certainty upon the approval of the local press, the protection of the police, and the inertia of the people. The raids took place under the nose of the sheriff, and it is rumored that the tear-gas bombs came out of his office." We quote briefly from an eyewitness's account of the raid published in the Oakland *Tribune*. The Nation

Green [one of the victims] was held until the occupants of the cars could get out and hide behind trees. . . . I was told that it was the home of Sol Nitzberg, one of the most active of the "reds." Then Green was told to go up to the door. . . . Green, instead of calling Nitzberg out, disappeared inside. There was a wild yell of rage from some of the waiting vigilantes, and a rush toward the house. Then I heard a window go up, and then came the blast of a shotgun. . . . "I'm shooting to kill!" Nitzberg yelled from time to time. He must have fired fifteen or twenty shots when I heard a commotion. Some of the vigilantes had gone away and got some tear-gas bombs. Now they crept as close to the house as they dared to go . . . and then someone tossed a bomb. . . . There was another yell from Nitzberg, and then another shot. Then there came the tinkling of glass from the other side of the house, where another bomb had gone through. One or two bombs hit the side of the house. And then came a cry from inside, in a woman's or a child's voice. The firing ceased. I heard the door open and Nitzberg and his wife and children and Green came out wiping their eyes. One of the children was crying. Several men closed in on them, grabbed Nitzberg and Green, and dragged them down to the road where the cars waited.

The attitude of the local press is clearly revealed by this quotation from the Santa Rosa *Press Democrat*: "Daybreak revealed no deaths from the wild orgy of mob action—but plenty of results that will herald to the world what Sonoma County means to do to Communist agitators." In Santa Rosa, on the night of August 21, 1935, a mob of vigilantes, with the connivance of officials sworn to support the Constitution, overthrew established government, instituted a reign of terror, and violated the most fundamental rights of citizens. Yet the attorney general of the state has refused to take action and the governor has barely noticed the affair. Is California a part of the United States or isn't it?

Sept 7th 1935 New York Call

Vol 128, No. 36622

PITTSBURGH, PA.
PRESS

OCT 2 1935

WHOSE CONSTITUTION?

NEWS dispatches from Georgia, reporting that a Negro, arrested for drunkenness, was taken away from a sheriff and lynched by a mob, call to mind that Georgia is ruled by a governor who has gone much about the country in recent months telling the people how highly he respects the Constitution. Which also calls to mind that the Constitution, among other things, guarantees that no man shall be deprived of life without due process of law.

It will be interesting to note whether Governor Talmadge will be as vehement in deeds, as he is in words, in defense of the Constitution.

BOSTON, MASS.
CHRISTIAN SCIENCE MONITOR

OCT 4 1935

Mirror of Opinion

The Jury Wasn't Sure

ELLWOOD HIGGINBOTHAM, the Mississippi Negro, who has been lynched within the shadow of the State University, was charged with killing a white man who had gone to his home "to have a talk with him." . . . The Negro had been arrested, had been tried before a white jury, with a white judge presiding and a white prosecutor representing the State of Mississippi—and yet the jury had so much difficulty reaching a verdict that it had already spent some 24 hours considering the evidence.

This is the vital fact because everyone knows that unless the jury had been in serious doubt as to its verdict—in brief, was gagging over the State's contention of cold-blooded murder—it would have convicted Higginbotham in a much shorter time. . . . When a jury reflects long, a reasonable question is raised as to whether the evidence against the prisoner was impressive.

Lynching the prisoner would have been indefensible if he had been as guilty as a Dillinger. But the solemn question raised by this latest example of the traditional Mississippi savagery is whether the mob killed a man whom the State's justice would have treated more leniently. In the circumstances it seems easily probable.—*Norfolk Virginian-Pilot.*

New York Evening Post

OCT 5 1935

ROBINSON PROBES C.C.N.Y. TEXTBOOK

Starts Inquiry Into Charges Lynching Is Condoned by Author

The City College student council is very concerned about the school's freshmen.

So concerned, in fact, that members of the council have petitioned President Frederick B. Robinson, asking him to remove from the curriculum an English textbook which they claim has a "degrading" influence on the "youngsters."

The council claims the book, titled "Models and Values — A Course of Reading for Students," treats lynching and hanging in a favorable light. It asserts that a passage in the book condones forms of punishment "abhorrent to our society."

Probe Is Promised

The book, used in first-year English classes, is edited by Walter C. Phillips, William G. Canoe and Frank P. Byers. It is published by the Oxford University Press.

The passage in particular which aroused the indignation of the students concerned a speech of witness to an "abhorrent death." The observer said his "tears were dried" because the person to be executed committed a similar crime himself.

President Robinson told the council that he would "look into the matter at once." He promised that he would inform the students of the results of his investigation.

PITTSBURG, KANS.
HEADLIGHT

NOV 7 1935

A TEST FOR TENNESSEE.

A test of the sincerity of Tennessee public officials and the general public in the matter of lynch law is about to be made.

A white woman accused a Negro of slapping her. She swore out a warrant for his arrest on a charge of assault and battery. The Negro was arrested. Two officers were taking him to jail. In the busiest section of a small town, five white men stopped the party and took charge of the prisoner. It was said they used the threat of guns on the officers. The mob of five took the Negro into the country four miles where they murdered him and threw his body into a thicket. Officers who gave chase as soon as they could were too late.

The five men who comprised the "mob" appeared at the jail and surrendered.

So there is nothing to prove on the lynchers. They gave themselves up and the facts are plain. Will Tennessee prosecute them for murder? Will the public demand vigorous prosecution if the officials appear to be backward? Or will this lynching take its place alongside most other lynchings so far as punishment of the mob members is concerned? In almost every instance where any attempts have been made to penalize mob murderers, the prosecution is not able to prove that accused persons have been members of the mob. The question rests on identification and juries are required to decide, if the cases ever proceed as far as juries, whether the accused were in the mobs. It is easy to show that there was a murder by lynching and that a number of persons committed the murder. Declaring officially that certain persons were members of the mob, however, is something else. But in this case, there is no dispute as to identity.

The offense the murdered Negro committed, allowing that he did commit it, was only a misdemeanor. The comparative triviality of the charge adds to the seriousness of the crime the mob committed and to the necessity for prompt and proper prosecution by Tennessee.

MADISON, WIS.
STATE JOURNAL

NOV 8 1935

South Must Change

BAXTER Bell, a Negro, slapped a white woman in White Bluff, Tennessee and was lynched by a mob for the offense.

Five of the leaders of the mob that took Bell from the sheriff of Cheatham county and after running him out in the country shot him have surrendered to the authorities. They consider they meted righteous justice to the Negro because of his alleged insult to the white race.

The charge of murder has been lodged against the men under arrest. The good name of Tennessee should compel a vigorous prosecution of the men who thought so lightly of human life than they would kill a man because he slapped a woman.

Lynchings under any circumstance are a deplorable blot on this country. The killing of a man, however, for an offense as trivial as assault and battery, the charge filed against the Negro, is an outrage that even the citizens of the southern states with their prejudices against the colored people and their desire to keep them in subjection cannot overlook.

Lynchings of persons charged with revolting crimes are not defensable but the killing of a man simply because in the heat of anger he committed a minor assault is beyond comprehension.

The south will never win the respect of the world through citizens taking the law into their own hands and punishing Negroes without even the semblance of a trial.

Such methods are merely bull-dozing attacks on the colored race in an attempt to keep it a peasant population.

Southern sentiment on the race question cannot but be viewed as unfair in the north as long as such incidents occur as the White Bluff lynching.

How far the prejudice is being carried can be seen when it is stated that Judge James E. Horton was defeated for reelection as circuit judge in Alabama because he followed the conclusions of a United States supreme court decision in the same case and ordered a new trial for Negroes whom the citizens of that locality are determined shall pay the death penalty for an alleged criminal assault on two white women despite two decisions of the United States supreme court, which although based on technical grounds, clearly indicate that the federal judges do not believe the Negroes guilty of the crime with which they are charged.

Judge Horton is now bein mentioned for an appointment to the federal circuit bench. It is to be hoped he will be appointed to the place as he has shown he is willing to accord justice even at a great cost to himself.

The Negro question will never be settled by lynching members of the colored race or defeating judges who dare interpret the law with justice regardless of race or color.

PHILADELPHIA, PA.
RECORD

NOV 9 1935

Justice in the South

To the Editor:

A news item I read in The Record of November 5 reports the lynching of a colored man in Tennessee for slapping a white woman's face.

Why should any man, white or black, in Tennessee or any other place, be lynched because he slapped someone? The persons who do the lynching probably do things behind closed doors that would make lynching too good for them.

After seeing "I Am a Fugitive From a Chain Gang" and reading about all the lynchings, also an article about a man sentenced to life imprisonment because he stole 85 cents, I guess I'm skeptical about there being any justice in the South.

At least a person should have the formalities of a trial when he commits a wrong, even if it doesn't mean anything.

JUSTICE.

Lynchings-1935
Discussions.

White Press, Northern.

5207

COLUMBIA, MO.
MISSOURIAN
MAR 1 1935

Killing Old Judge Lynch

LYNCHING is a horrible thing, because it demonstrates so clearly that we have not yet attained the degree of civilization which we so often profess. The usual means of controlling lynching through the states and their law enforcement agencies, have failed utterly. To stop this evil the federal government must take matters in its own hands.

To this end the Costigan-Wagner anti-lynching bill is before the Senate Judiciary Committee. This bill provides federal punishment for lynchers. The proponents of the bill do not intend to build up the federal law enforcing agencies at the expense of the state. The bill provides that only in case local and state law enforcement break down completely in the matter of apprehending lynchers shall the federal government take a hand.

Incorporated in the bill is a proviso, giving local authorities ample opportunity to act in the matter. Then, if within thirty days, there has been no noticeable effort to clear up the matter locally, the federal government can step in and bring the matter into the jurisdiction of a federal court. This court will conduct hearings on the basis of the laws of the state concerned.

The Costigan-Wagner bill is not a stranger to Congress. It was reported favorably by the Senate Judiciary Committee at the last session and had the support of the president. However it was never voted upon by either house.

There have been other lynching measures before Congress. The Dyer anti-lynching act of 1922 passed the House but was opposed by a group of southern senators who revived the rather frayed argument about too much federal intervention in a problem of the states.

The pending legislation is likely to be killed by opposition on similar grounds or from general indifference on the part of Congress. Certainly there is less of a popular demand for such action at the present time than there was a year ago, when the nation was shocked by the brutal mobbing of two kidnapers in California, a Negro at St. Joseph, a Negro in Maryland and three Negroes in Alabama. All of these occurred within a period of a few weeks. All were in widely separated sections of the country. Thus there was every opportunity to crystallize public opinion in favor of federal intervention in lynching cases.

The need of such a law is apparent. The utter breakdown of law-enforcing agencies in communities where racial feeling is acute stands as an eloquent argument for unprejudiced outside justice.

PEEKSKILL, N. Y.
UNION
FEB 23 1935

Senate Session At Vassar Overflowed By 'Lobbyists

POUGHKEEPSIE, N. Y., Feb. 22—Delegates from 25 colleges representing thirty states assembled today at Vassar College for a mock session of the Senate to discuss unemployment insurance and anti-lynching legislation and ratification of membership in the League of Nations. Vassar students impersonating lobbyists, some representing the American Federation of Labor, some the Communist party, some the United States Chamber of Commerce and some the American Legion.

The speaker at the session held tonight was Dr. W. Stull Holt, of Johns Hopkins University, who spoke on the foreign relations of the United States.

"The framers of the Constitution did not anticipate two factors which trously affected and sometimes disasterously affected the conduct of American foreign relations," Dr. Stol said. "There are, first, the contest between the Senate and the President over the treaty making power, and secondly partisan politics. Since the administration of George Washington the Senate in acting on treaties has repeatedly paid less attention to the merits of the particular foreign policy involved, than to its continual struggle with the President for control over foreign policy or to the chance of political profit by defeating the President's policy. This was clearly the case in the Senate's action on the Versailles Treaty."

After Dr. Holt had spoken the Finance Committee took up unemployment insurance; the Judiciary Committee, anti-lynching legislation, and the Committee on Foreign Affairs, the question of joining the League of Nations. The committees will continue their work tomorrow morning and the Senate will assemble for the first reading of bills. In the afternoon there will be a final session for the enactment of legislation.

There was a dinner for the delegates tonight at which Warden Eleanor C. Dodge pronounced a benediction in the style of Rev. Z. T. Phillips, Senate Chaplain. She also delivered an address of welcome.

"This model Senate," she said, "is entirely within the philosophy of the Vassar faculty. We believe this and similar activities will provide students with a more practical approach to an understanding of our political government and will enable them to return to their communities upon graduation to take an active part in the conduct of government."

A dormitory has been turned over to the visitors for the week end, where they are being chaperoned by Dr. Henry Noble MacCracken, president of the college, and Professor Charles Gordon Post, Jr., of the Vassar faculty.

CINCINNATI, O.
POST
MAR 14 1935

DISEASE AND REMEDY

ON Tuesday a Mississippi mob crossed the Tennessee line, captured Ab Young, a Negro accused of fatally shooting a white laborer, placed him in a truck and drove into a school yard. There they tied a rope around his neck, fastened the rope to a tree and drove the truck from under the praying victim.

This was the third lynching since Jan. 1, the other two being in Louisiana, a state that Senator Long says knows how to prevent such crimes without help from the federal government. It is the second interstate lynching within a year, the other being the unspeakably savage killing of Claude Neal in Florida last October. It is the 96th lynching in the past five years.

The lynch evil is a cankerous social disease. Congress has a remedy, if not a cure. It is the anti-lynching bill, making such mob murders federal offenses and holding counties financially liable for them.

On Tuesday the Senate Judiciary Committee put this measure squarely up to the Senate membership by voting unanimously to report it. Its authors, Senators Costigan of Colorado and Wagner of New York, are determined to reach a vote early in the session to prevent a filibuster. Obstructive tactics by southern senators last session killed this same measure. By the same method the Dyer anti-lynching bill was killed in the Senate in 1920, after it had passed the House by a two to one vote.

The Costigan-Wagner bill is backed by organizations with membership of more than 40,000,000 citizens. President Roosevelt supported it by inference when he said in his message to Congress: "Crimes of organized banditry, cold-blooded shooting, lynching and kidnaping have threatened our security."

The humble graves of more than 5000 lynch mob victims, killed in the past 50 years testify that local communities are not coping with this evil. A federal law will not cure the disease outright, but it will remedy it. Southern senators will have much to answer for if they kill this measure again.

ONEONTA, N. Y.
STAR

MAR 9 1935

An Increase in Lynching

In spite of a reduction in lynchings during 1934 as compared with 1933, the number last year is almost double that for 1932, which set a new low record for the 12 years during which careful records have been kept by the Federal Council of Churches.

In 1934 40 states were free of lynchings, the 15 occurring during the year being in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, Tennessee and Texas. A large number of lynchings have been prevented by determined officers of the law, while in other cases forces of the state have been unable to cope with a determined large mob. There still remain many states, however, where the possibility of lynching is strong and where reasonable precautions are not taken, indicating a failure on the part of law abiding citizens to provide suitable protection for those in the custody of the state.

No excuse can be advanced for mob rule, regardless of how henious a crime may be, but it is a fact that such an unsatisfactory showing during the year just past may be attributed to the high feeling aroused by the brutal, inhuman, and revolting crimes that this period saw. The savagery of the mobs as indicated in the torturing of their victims serves to bear out this explanation.

The race relations department of the Council of Churches in announcing the honor roll of states free of lynching during 1934 shows that Kentucky and Florida lost places which they gained during 1933, and that California, Maryland, Missouri, North Carolina and South Carolina won places on the roll although they had not been included for 1933. During the past 10 years 17 states have been on the lynching honor roll and then off, indicating the persistence of the evil in some states.

Connecticut, Massachusetts, New Hampshire, Rhode Island and Vermont have no recorded lynchings, Maine and New Jersey have had none since 1866, and New York has had 12 years without a lynching.

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WASHINGTON, D. C.
NEWS

MAR 14 1935

DISEASE AND REMEDY.

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Sumter, S. C., Item
March 27, 1935

VERY LITTLE IS NEEDED TO ROUSE MOB SPIRIT

The human race has to cope with many enemies in its long struggle to work out a scheme for peaceful living, but the greatest enemy of all is the mob.

For a perfect picture of the way the mob acts, consider the riot that swept up and down the streets of New York's Harlem the other day.

A colored boy tried to pinch a 10-cent knife from a store counter. A floor-walker collared him and the boy, naturally enough, set up a holler. An excitable woman saw and heard just enough to touch off her motor reactions, and she ran out into the street yelling that the boy had been killed.

Up and down the streets went the cry. Out of poolrooms, lunchrooms, and workshops came angry men, milling in the streets, yelling, looking for someone to fight, afraid, suspicious, and angry. A crowd of a thousand men and women swept into the store, turning things upside down, breaking things, yelling, hitting, fighting.

Police reserves came, by the hundreds. There were dozens of fights. Scores of men were cut, beaten, or slugged. More than a hundred were arrested. Thousands of dollars' damage was done to property.

And the juvenile knife-stealer who unintentionally started it all managed to jerk away from his captors during the melee and vanished, utterly unharmed.

You could search the world over without finding a better example than this of the blind, panicky insanity of the mob spirit. Here was a riot of major proportions, an ugly welter of fights that spread all across a populous section of a great city—and all for what?

Not one of the rioters knew. They could not possibly have hoped to know. It started, literally, from nothing at all; and because men and women were jittery, and gave way to the combined emotions of anger and fear, there was merry Hell to pay.

Now you don't need to think very hard to draw the needed moral from all this. The mob spirit that can seize a few thousand people in one city is the same spirit that can and frequently does seize whole nations, when hatred and panic get together.

It sweeps dictators into power, causes mass executions, concentration camps, slugging and clubbings; it fills the air with bombing planes and the fields with infantrymen and sets cruisers loose on the sea lanes; it inflicts more misery and destruction on the earth than a generation can repair.

And all as in Harlem—for what?

WASHINGTON, D. C.
NEWS

APR 25 1935

He Calls Attention of Sen. Smith to a Couple of Lynchings

Editor, The News:

ON FEB. 24, a crowd of about 25 men, without any opposition, broke into the local jail at Marinquin, La., seized Anderson Ward, a Negro, and hanged him. Ward had previously been arrested for striking Dennis Brudnoe, a white man who had attempted to shoot him in a quarrel. Town officials returned a verdict of killing "by parties unknown."

Ab Young, another Negro, was hanged by a mob of 50 white men near Slayden, Miss., on March 12. Young, according to reports by officials, while drunk on March 9, mortally wounded Hardie Mackie, a white man. According to other sources, the quarrel was provoked with the intent of putting an end to the activity of Young, an organizer for the sharecroppers. Altho the local authorities had notice in advance, they did nothing to prevent the lynching. (These two cases are quoted from the March issue of the International Juridical Association Monthly Bulletin, 100 Fifth-av N. Y., P. 2.)

I call these two cases to the particular attention of Sen. Ellison D. Smith, of South Carolina, for his comment, in view of his often repeated statement that lynchings in the South are "to protect the virtue of southern women." In these two cases, there are no women mentioned.

The opinion of many investigators is that the underlying motive for Negro lynching is economic. This fact is revealed in the case of Ab Young of Slayden, Miss., whose real crime was trying to organize the oppressed sharecroppers.

JUSTICE.

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Discussions.

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GLENS FALLS, N. Y.
TIMES
NOV 18 1935

AFTER THE LYNCHING

Last week in Texas two negro boys, one aged fifteen, the other sixteen, accused of murdering a young girl, were being taken by the sheriff for trial in the juvenile court. Under the laws of Texas, if convicted, they would have been incarcerated in the state reformatory until they reached the age of twenty-one. A mob of seven hundred men and women, impatient with the orderly procedure of the courts and dissatisfied with the penalty invoked by the laws of their state in case the prisoners were found guilty, tore the two boys from the custody of the sheriff and lynched them.

The incident would have inspired no different comment than many similar incidents that adorn the annals of our nation, were it not for the remarks of two of the public officials within whose jurisdiction the lynchings occurred.

"I do not call the citizens who executed the negroes a mob I consider their action an expression of the will of the people."

So spoke the county attorney.

"I am strongly opposed to mob violence and favor orderly process of the law. The fact that the negroes who so brutally murdered Miss Kollman could not be adequately punished by law because of their ages prevents me from condemning those citizens who meted justice to the ravish.ng murderers last night."

Thus spoke the county judge.

Of a certain man who excused his conduct by saying it was dictated by his conscience, Theodore Roosevelt once said, "A man with a conscience like that ought to take it out and look at it."

A county judge or a county attorney with a sense of duty like that of those above-mentioned, ought to take it out and look at it. But these two worthies are no different from their fellow law officers of the sunny south. For the ability to truckle to the mob or argue that two wrongs make a right there is nothing to compare to a southern judge or prosecutor after a lynching.

HOBOKEN, N. J.
OBSERVER
NOV 26 1935

BORAH AND THE PRESIDENCY.

Senator William E. Borah has finally reached the point where he is willing to enter into an argument on the "assumption" that he is a candidate for the Republican nomination for President. At least, he accepts that angle of it as presented by the National Association for the Advancement of Colored People in a letter threatening him with reprisal for his opposition to anti-lynching legislation.

In rebuking the association for sending him that letter, Senator Borah kills more than one bird with the one stone. In the first place, he reiterates his unalterable stand for Constitutional processes and states that the anti-lynching measures in question "both were in contravention to the plain terms of the Federal Constitution."

Adding that he has often expressed "by word and act" his "horror of lynching," yet he cannot agree to any Federal action in the matter save by the proper means, and this he holds to be through an amendment to the Constitution. It must be said for Senator Borah that in matters such as this he never fails to speak courageously, be the political effect what it may.

Thus, he does not let the matter rest with his forthright statement to the colored people explaining why he voted against the proposed legislation. More significant still, he adds: "Should the unexpected and great honor come to me of being President of the United States, and such a bill should reach me, under my oath and in the light of my convictions, I would unhesitatingly veto it."

Equally significant is his accompanying statement that he will make a series of speeches in the East and Middle West before Congress meets in January, with the first a radio broadcast from Washington, December 7. This looks very much as if the "assumption" that he is a Barkis in respect to the nomination, and is "willing," is not altogether without foundation.

BOSTON, MASS
TRAVELER
NOV 25 1935

Candid Candidate

Asked by Negroes if, as President, he would sign the Costigan-Wagner anti-lynching bill, Senator Borah answered that he would veto it.

No negrophobe, Senator Borah, like all civilized persons, abhors lynchings. His stand is that Congress is stepping outside its constitutional authority in passing such a bill and for this reason he would veto it.

For the purposes of this discussion let us not go into whether the bill is constitutional. Who, these days, outside the nine old gentlemen of the supreme court, can give an opinion on such matters?

What is particularly interesting about the senator's answer is the answer. Here is a man who may be a candidate for the presidency. In advance he gives an honest and obviously disappointing answer to 12,000,000 American Negroes.

This, we say, is the most important, most encouraging incident of recent politics—a candidate daring to be unpleasantly truthful while a possible vote-seeker. Let us have more such candor.

Hereabouts, voters of both parties disagree frequently with Congressman George Holden Tinkham, but because he is always honest, both parties nominate him for Congress. Why aren't many more office seekers as straightforward?

CINCINNATI, O.
ENQUIRER
NOV 30 1935

A Bit Too Frank.

If Senator William E. Borah ever had a chance of winning the presidential nomination of his party—or better, the party which he occasionally supports—he reduced that chance considerably when he spoke bluntly against the Costigan-Wagner anti-lynching bill. For even 70 years after the Civil War Negro votes are an important asset to a candidate of the G. O. P. and the anti-lynching bill, however unwisely, has been made a major objective of various Negro welfare groups.

The Idaho Senator pointed out very plainly that he would continue to vote against such anti-lynching measures, in the belief that they are unconstitutional, in addition to being impractical and futile. If he should receive the "unexpected and great honor" of election to the presidency, Mr Borah added, he would veto such a measure on grounds of unconstitutionality.

Senator Borah is to be commended for his candor and his wisdom as well, particularly at a time when the presidency seems no wholly beond the pale of possibility. He is a bit too frank for

his own political success. Every one of common sense and commoi decency condemns the whole insti tution of lynching as an ugly blo on American civilization. But tc do that is not to support a meas ure which has no prospect of util ity and no basis of constitution ality.

A Federal law to prevent lynch ing would be a grave invasion of the ordinary police power of the states. It would involve attempts to coerce whole populations. It could not serve its purpose save by the formation of a gigantic Federal police force, just as na tional prohibition was impractical. The agitation behind anti-lynching measures is doubtless sincere, but one may be permitted to suspect that their sponsorship in Congress is only too often a bid for Negro votes by men who know or ought to know that their proposals are not realistic.

LITERARY DIGEST
NEW YORK
NOV 23 1935

Lynchings Stir Southern Debate

Preacher Pleads for Law, County Attorney Condones Hanging of Two Negroes in Texas; Statute Called Inadequate

"Why don't you preach to your own people, who hang and burn black men in the streets?" was the blunt question an African chieftain put to an American missionary not long ago, as the missionary asked his permission to proselyte among members of his tribe.

"We don't know what the missionary said in reply," continues the Springfield (Mass.) *Union* (Rep.). "What answer could be given to such a question?"

Preaching to his own people, the Rev. C. G. Marmion, thirty-three - year - old Episcopalian Rector of St. John's Church at Columbus, Texas, tried to prevent the lynching of two young Negroes, accused of the criminal attack and murder of a white girl, in his home town last week.

Climbing on top of an automobile at the scene of the hanging, he shouted: "Let the law take its course." Boos, jeers, and cries of "Suppose it had been some of your women folks?" drowned out his ringing appeals that were stilled when a bold spirit called, "Get another rope."

The two Negroes, fifteen and sixteen years old, were on their way, chained neck to neck, to the county jail when the Sheriff's car was held up by a dozen men. Still chained together, they were hanged to a tree by a mob of 700, including several women. Near-by was the home of Geraldine Kollmann, nineteen, valedictorian of her high-school class, said to have been attacked and slain by the two Negroes. What made this double lynching national news were two statements by responsible legal authorities of Colorado County, Texas.

Said O. P. Moore, County Attorney:

"I do not call the citizens who executed the Negroes a mob: I consider their action an expression of the will of the people."

Had they been convicted in court, the Negroes, because of their youth, would have been committeed to a reformatory until they were twenty-one.

Said H. P. Hahn, County Judge:

"I am strongly opposed to mob violence and favor orderly process of the law. The fact that the Negroes who so brutally murdered Miss Kollmann could not be adequately punished by law because of their ages prevents me from condemning those citizens who meted justice to the ravishing murderers."

In Houston, eighty-six miles away, this editorial was printed:

"*The Chronicle* (Ind.-Dem.) can understand the feeling of Columbus and Colorado County citizens against the Negro boys who raped and murdered a fine and beloved young white girl of their county.

"Nevertheless, lynching is not the right course. For that matter, it believes that the majority of Colorado County citizens do not regard it as the right course. This majority owes it to itself, to Texas, and the South, to make itself articulate, just as similar majorities in all sections of the South do.

"This case will be seized on to shame the South. Every detail will be magnified; all the horrors dwelt upon: our entire civilization will be brought under attack.

"*The Chronicle* knows that the critics have no conception of the South's feeling toward the raping of its women: it knows they give no thought to our racial situation, or what may be done to eliminate this terrible evil. The proper way is by law, and adherence to law.

"It is to the honor of that Columbus minister that he could see this, and had the courage to speak his convictions."

And the Dallas *Journal* (Ind.) also lashes out against lynch-law with:

"The murder of two Negro boys at Columbus by vengeance-crazed citizens is evidence of savagery in Texas as truly as would be the burning of an Ethiopian criminal after he had been wrapped in linen and honey.

"To the extent of the practise of lynching in Texas, this State is uncivilized, and there is no use denying it."



Again the Piece of String—Reminder and Challenge!

—*Duffy in the Baltimore* Sun

SEATTLE, WASH.
STAR
OCT 31 1935

Lynching

Editor, The Star: I have to smile when I read the headlines in the papers. They seem childish, shouting that by having Hall in a secret jail lynching is prevented. Such actions surely don't speak highly of our law enforcement.

Our police force can handle any attempted lynching. Why, with all the gas and other death-dealing weapons that the officers are equipped with, they can easily stop any lynching.

If a few lynch mobs were treated to a dose of buckshot and tear gas the ardor of the mob would be cooled. Force and violence. What good does a gang of lynchers do? And usually such a mob chooses the darkest night to perform their actions. Lynching is an uncivilized act and should he done away with. R. WADE.

Lynchings-1935
Discussions.

White Press, Southern

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Charlotte, N. C., News
October 24, 1935

Murder by Mistake.

Before Mississippi, Louisiana, Florida or North Carolina replace the latest lynching in Georgia with one of their own, let it be chronicled that here again was an instance where the wrong man was killed by a mob. It is not the first time this year—Californians committed a similar murder and in Burlington, North Carolina, it was avoided only by a lucky chance—and it is not at all unusual. Of the 21 lynchings in 1930, for example, the Commission on Interracial Cooperation reported that two victims were certainly innocent and eleven others possibly so.

But the unwritten law shielding members of a mob which lynches the right man applies with equal force and effect to mobs which make a regrettable mistake and kill an innocent person. Hence it is futile to expect the state of Georgia or the county in which the violence took place to look upon this murder in the light of murder and to make any attempt to bring the murderers to justice.

Greensboro, N. C., News
November 7, 1935

A NEW TECHNIQUE.

An entirely new technique in southern lynchings, or at least in their denouement, is revealed in Tennessee following seizure of a negro, accused of slapping a white woman, by a small band of armed men in broad daylight and in the business section of the town of White Bluff and his summary dispatch with a bullet allegedly fired from the revolver of one of the officers who had him in custody when the lynchers descended. The officer's gun, need it be explained, was taken along with his prisoner.

To that extent the seizure followed the accepted southern style. The new wrinkle was injected, however, when five men returned about 25 minutes after the seizure and surrendered to county officers. One of the deputies from whom the negro had been taken says that the men, after disarming him, promised: "We'll be back again in a few minutes and bring your gun." How they kept their word is attested by subsequent events, augmented by the deputy's further testimony that "they were all just laughing and seemed like they had enjoyed what they had done."

Transcending interest now centers upon what happens to these surrendered mobsters. Is there to be any deviation from the southern pattern of justice? Some commentary, however temporary, is offered by the sheriff's revelation that no charges have been placed against the quintet. They were to be taken to the county seat, and then—well, we shall see what we shall see. In practically all southern lynchings which come to mind, there has been avowed inability of officials to identify any of the mobsters. Here is an instance, however, where, laughing and joking, they voluntarily surrender to what may be distinct embarrassment for an officialdom which may or may not have wished them. The challenge is pre-eminently to southern justice, as exemplified by the courts in the border state of Tennessee. Is it possible that the quintet decided surrender was the easiest way out, that on the basis of what has gone before conviction on such an offense and under such conditions is unthinkable, that they can continue their way, laughing and joking, to acquittal at the hands of 12 men good and true, fellow citizens who feel the same way about it? At this distance and with the meager details at hand, there appears to be no sidestepping for the blind goddess.

While awaiting the ultimate results of this new technique, the interval may be utilized for further cogitation upon the fervent declaration of Dixie statesmen that no federal anti-lynching law is needed in their fair and favored section.

Nashville, Tenn. Banner
November 5, 1935

HUMAN LIFE CHEAP

The lynching that occurred near White Bluff yesterday morning was a direct and serious challenge of the law which its official representatives, public opinion and the press should promptly accept.

The Negro victim, according to all reports, had not criminally assaulted the white woman, whose relatives at the point of pistols, on a busy thoroughfare, overpowered the officers who were transferring him from the White Bluff jail to Charlotte, and, with full deliberation, and without molestation, proceeded to the vicinity of the town and shot him to death.

The Negro, it appears, had "insulted" the woman and struck her, shortly after she had left a bus, early Sunday night near her home in Cheatham County. Reporting the occurrence to White Bluff officers at once, he was arrested and jailed there.

The offense committed was flagrant, but it stopped much short of that form of criminal violence which has so swiftly and deeply inflamed public sensibilities that lynch law has often been invoked. The miscreant should have been punished at once, and to the utmost limit of the statutes of the State, which would have given him a long term behind the bars.

But those who took the law into their own hands went much too far. They have brought reproach upon the community and the State; and are themselves facing responsibility for the commission of a felony.

Life has become far too cheap in Tennessee. Courts are too often mocked. It is such occurrences as this which bring a serious realization to the people of Tennessee that human life must be valued higher, if law is to command any measure of real public respect.

MIAMI, FLA.
NEWS
NOV 9 1935

A Tennessee Lynching

There have been more brutally-executed lynchings than that which occurred this week at White Bluff, Tenn., but rarely, if ever, one as brazen. The victim, a negro accused of slapping a white woman, was taken from a deputy sheriff and another official who were en route with their prisoner to the county jail.

The "mob" consisted of five armed men. They took the deputy's pistol, but assured him that they would "be back in a few minutes and bring your gun." The promise was kept. In less than half an hour they returned and surrendered to the official. "They were all just laughing and seemed like they enjoyed what they had done," he says. "They told me they shot the negro with my gun." The sheriff placed no charged, but said they would be taken to the county seat for arraignment.

Only less shocking than the crime itself is the cheerful confidence of this quintet that the law which they boast of flouting will not punish them for it. In the history of lynching, to be sure, they have ample assurance for such a belief. Officials in most cases offer little resistance to a lynching mob. Seldom is there even an effort afterward to identify its members, although in the case of the ringleaders at least that should be comparatively simple. Instances in which they have been brought to trial are still more infrequent. A conviction is almost unknown.

But no mob has had the audacity to do its barbarous, bloody deed and then deliver itself to the law in the attitude of "What are you going to do about it?" The country waits to see how Tennessee will meet an unprecedented challenge.

Miami, Fla., News
November 9, 1935

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Valdosta, Ga., Times
November 7, 1935

Wonder what's wrong in Tennessee? Five white men took a negro charged with assaulting another white man, from the officers and lynched him. That is perfectly in order, but the strange thing is that the lynchers surrendered themselves to the officers before the coroner's jury could return the usual verdict that the negro came to his death "at the hands of parties unknown."

GREENSBORO, N. C.
NEWS
NOV 7 1935

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CHARLOTTE, N. C.
OBSERVER
NOV 11 1935

THE USUAL CAUSE IS RARE.

The lynching of a negro in Tennessee for slapping a white woman adds another to the long list of examples of lynch law that are not prompted by "the usual cause." Legally the Tennessee negro was charged with assault and battery. He was not accused of criminal assault.

The comparatively recent lynching in North Carolina and numbers of others that have taken place in States farther south this year, with hardly an exception, were in consequence of other than the proverbial "usual cause."

Examine any authoritative statistics on lynching and it will be found that in the South as elsewhere only a comparatively small percentage are prompted by the crime known as criminal assault upon white women.

And yet it has been the custom, when answering denunciation of lynchings in the South, for some spokesmen of this section to argue in general terms that the victims were to blame because of their attacks upon white women and to assert rather defiantly that lynchings by Southern white men could never be stopped until criminal assaults upon their women by blacks ended.

Such arguments are out of date. Comparatively few lynchings in these times are inspired by wrath aroused by criminal assaults upon women. Some of them have been and continue to be inspired by grave crimes against white men, including murder, but numbers of them in late years have been the result of nothing more serious than misdemeanors.

The time has come when those who condone lynchings and cry out in defense of States where lynchings are frequent must find some other defense than the traditional "usual cause." Lynchings for "the usual cause" have become comparatively rare — and the apologists of lynching know it.

ROCKY MOUNT, N. C.
TELEGRAM
NOV 14 1935

MOB VIOLENCE CONTINUES

Mob violence apparently is enjoying a banner year in the United States, especially in the South, this year as every month brings news of fresh disorders where alleged criminals have been lynched as the citizens took the law in their own hands. Texas is the latest state to join the parade with the lynching of two youthful Negroes for the slaying of a young white woman. Jeering a minister who attempted to reason with them, the members of the mob hanged the hapless Negroes to an oak without benefit of trial and heedless of the clergy. Mississippi, we believe is leading in this rather bizarre distinction, while North Carolina must confess that she also is in the ranks.

Always there is almost the identical angle of where the mob caught up with the sheriff, removed the prisoner from him, and committed the dastardly deed. Then, the officer suddenly disappears from the picture. What becomes of him is seldom mentioned. We believe that some ambitious student anxious to earn a master's or a doctor's degree might write a thesis after he had made a thorough investigation upon the subject, "The Forgotten Sheriff at a Lynching," or some other suitable title. It is a pretty well known fact that the sheriff seldom is made to feel ashamed of his part in the grim drama. He usually is the silent, shall we say, partner, who merely delivers his prisoner to the mob then vanishes into thin air. Seldom do we hear of a sheriff who rushed away to appeal to the attorney general or the governor or any other officials, and the case is rare indeed where a sheriff has boldly challenged the right of the mob to relieve him of his prisoner.

Originally, every time a black was lynched it always was for committing or attempting to commit assault upon the white man's woman, but figures now will show that most lynchings committed in recent years have been for other reasons. Lack of confidence in the courts, together with a show of uncivilized emotions in the individual are the only reasons we see for explaining this abuse of law and order on the part of the citizenry. We believe an educational program portraying intensively the wrong involved in the taking of a person's life without first awaiting the court's decision is necessary to lift this country from the depths to which it has fallen.

Lake Worth, Fla., Leader
November 14, 1935

Lynching Is Called Will Of The People

COLUMBUS, Texas.—County Attorney O. P. Moore said yesterday he believed the lynching of two youthful negroes by a mob of 700 persons, including several women, on a farm near here last night, was "an expression of the will of the people."

Moore's statement came soon after Justice of the Peace E. C. Thrower said he would conduct a court of inquiry into the lynchings during the day.

The town was quiet. The mob seized Ernest Collins, 15, and Benny Mitchell, 16, who assertedly had confessed the attack and subsequent drowning of Miss Geraldine Kollman, high school honor graduate, and left them dangling from a live oak tree near the girl's home.

"I do not call the citizens who executed the negroes a mob," said Moore. "I consider their action an expression of the will of the people."

County Judge H. P. Hahn, said, however:

"I am strongly opposed to mob violence and favor orderly process of the law. The fact that the negroes who so brutally murdered Miss Kollman could not be adequately punished by law because of their ages prevents me from condemning those citizens who meted justice to the ravishing murderers last night."

At Austin Gov. James V. Allred said he did not know the facts but the though of "lynching was deplorable at any time."

Lynchings-1935
Discussions.

White Press, Southern.

5200

Mocksville, N. C., Record
August 21, 1935

Recalls Old Times.

Raleigh News and Observer.

"We have had some real sheriffs in Iredell county," recalled William W. Leinster. "I well remember one time, about 30 years ago, when we nearly had a lynching. It never occurred because of the resourcefulness of Sheriff W. A. Summers.

"A negro had raped a woman, killed her and thrown her body in a well," continued Mr Leinster. "I didn't know anything about the negro being caught, but that Sunday morning in Statesville I went downtown and saw a crowd of about 3,000 angry people milling about the jail.

"Presently, Sheriff Bill as we called him, arrived to lock up his prisoners. He was leading the negro by a rope tied around his middle, and he was carrying a pistol that looked to be a foot long.

"Seeing me, he said 'come here and take this rope' I grabbed the rope and led the negro behind the sheriff, who waved his gun at the crowd and said 'the first damned man that lays his hand on this nigger is gonna get killed.' The crowd fell back and we got through without any trouble.

"Fearing that the jail would not hold the prisoner Sheriff Bill decided to take him to Charlotte. On the day he was to be moved, a crowd gathered at the front of the jail. Sheriff Bill freed the negro and told him to walk down the street to the next corner, crawl through a hole in a board fence and get in a carriage that would be waiting for him there with guards. Deputies were stationed along the back street that the negro took, but because he was not shackled or guarded nobody suspected he was culprit. He got in the carriage, which was pulled by two fine horses, and was 20 miles away before the mob knew he was gone.

"In about 60 days he was tried and convicted, and shortly afterwards was hanged for his crime," said Mr. Leinster.

Beaufort, N. C., News
August 15, 1935

AN INEXCUSABLE LYNCHING

Going suddenly insane in the home of his sister in Franklin County Tuesday morning, Sweat Ward, a Negro, seized a rock and struck down his sister. Then rushting from the house he seized a club and struck down C. J. Stokes, a prominent farmer. The crazy Negro then took an axe and severed the head of the stricken farmer from his body body. A gruesome act.

A group of Negroes attracted to the scene caught and held the crazy Negro until white officers could arrive and take him into custody Sheriff Moore and a deputy, of Franklin County, later took the mad Negro into custody, handcuffed him, tied up his legs and started with him to Nashville. On the way to Nashville they were met by a small group of whites and Negroes who took the prisoner away from them, carried him to a church grove near the scene of his crime, hanged him to a tree and riddled his body with gunshot and pistol bullets.

The decapitation of a prominent white farmer by a heat-crazed Negro was a gruesome thing, but it does not equal in gruesomeness the act of a mob in possession of its mental facilities that lynched the irresponsible brute in cold blood and riddled his body with lead.

Governor Ehringhaus here has an opportunity to show such courage as he may possess by seeing to it that the members of this infamous lynching party are brought to justice. North Carolina has provided the machinery for killing its capital felons and that machinery works swiftly and effectively in the case of a Negro. The sheriff and his deputy whose dumbness or acquiessence was responsible for the lynching of that insane Negro should be booted out of office if they fail to identify and arrest every man in that brutal mob. Lynch law has no place in our civilization.—(Elizabeth City Independent.)

Nashville, N. C. Graphic
August 15, 1935

DISPOSING OF A LYNCHING

The attitude of the State and the final disposition of the Franklin county lynching is aptly summed up in the following article from the News and Observer column, "Under The Dome":

No one seriously expects anything to be done about the Franklin County lynching any more than was done about the Pender County lynching two years ago or any other lynching in this State. The State has been through its face-saving routine and Franklin County will have to pay for the services of a Superior Court judge for one day and a court stenographer for taking and transscribing scores of pages of evidence that shed no light on the question of who did the lynching. That, with the exception of a flood of unfavorable publicity, will be about the extent of the penalty on the county.

No sacred oath administered to a witness is going to draw from him even a hint of the identity of the mob members. Men who take the law into their hands and get away with it to the extent of committing a public murder probably would not be averse to making it very uncomfortable for anyone who squealed. Anyway, everyone reasonably suspected of knowing anything is suffering from complete blindness, deafness and forgetfulness so far as what happened about noon on July 30 near Louisburg is concerned.

Governor Ehringhaus was properly indignant in both the Franklin and Pender lynching cases. In Pender, Solicitor Woodus Kelllum investigated and nothing happened. In Franklin, Solicitor Bickett is investigating.

The solicitors could tell you, if they would, that the way to catch the lynchers is to plant outside detectives in the community to listen in when some of the folks get tanked up and blow-off about their lynching prowess. But that costs money, and besides, just picture a native grand jury returning true bills against their fellow citizens for engaging in a lynching.

A lot of people know who committed the lynchings, but not the Governor nor Solicitors. And the chances are. they won't. But that doesn't mean all North Carolinians condone the crime of lynching. A high percentage of the expressed indignation is genuine.

GREENSBORO, N. C.
RECORD

SEP 5 1935

Get the Lynchers!

On the 30th of last July some 25 unmasked mobmen, operating in broad daylight on a North Carolina highway, took from the sheriff of Franklin county and two deputies their prisoner, a crazed negro named Govan Ward, and lynched him. Circumstances clearly revealed that numerous persons must have seen the lynchers at, or going to or from, the scene of the crime. Certainly, the sheriff and his deputies had a close-up, face-to-face, view of the mobmen.

The state investigated, of course. But five weeks have elapsed since the crime and as yet the state's investigation has failed to reveal the identity of any of the mobmen, and no arrests have been made. Now comes the National Association for the Advancement of Colored People, presenting to Governor Ehringhaus the names of nine persons, all white and as yet not made public, who, it asserts, participated in the Franklin lynching.

It is understood that the information the association now offers was obtained from a white "under-cover" man it hired and paid to reveal the truth. The Governor has officially acknowledged receipt of the information. If it is found to be trustworthy and pertinent it will, presumably, be used in further efforts to bring the mobmen to trial.

Perhaps some progress would have been made in the solution of this case by the state had its agents, Solicitor Bickett and Attorney General Seawell, put a competent sleuth on the trail of the lynchers. But it is possible, of course, that the unrequested information given by the association is inaccurate. Or, even if it is accurate, it may be no easy matter to convict the lynchers even with their identities revealed.

The people of North Carolina expect, and have every right and reason to expect, the state to accomplish something at least in the way of clearing up the Franklin lynching, which, ironically enough, occurred within only a few miles of work should bestir the state and the state capital. "White wash" cause it to revive and intensify its methods will not satisfy. In any event, the association's efforts to bring to justice the per-

RICHMOND, VA.
TIMES DISPATCH

AUG 31 1935

The Blame for Lynchings

IT HAS been customary in the South from the very inception of one of its blackest evils to lay the blame for every lynching at the feet of the "poor whites." They are the people with brutal instincts and disregard for the orderly processes of law. The "best people" of the community not only hold themselves sternly aloof from lynchings but hate them with all the ardor of their souls.

Writing in the Baltimore *Evening Sun*, W. J. Cash deplores this practice of apology and urges that one of the gravest social problems which faces the South be met in a spirit of realism. And, to this end, he sees a hopeful sign in developments which followed the recent lynching of a crazy Negro in Franklin County, North Carolina. The victim was taken by 25 unmasked men in broad daylight from the sheriff and five of his deputies. At the resulting inquiry these officers were of no help in the effort to place responsibility for the crime. They could not recall the makes of the automobiles used by the mob, nor could they say whether the cars carried license plates. Thus this investigation ended in the same manner as the one which followed the more widely heralded lynching in Georgia of Leo M. Frank 20 years ago. Thus ends virtually every such inquiry.

The hopeful sign which Mr. Cash sees in this unfortunate affair in North Carolina is that there was no apology on the part of the leading newspapers of the State. They did not lay it at the feet of the "poor whites," but took the realistic view that the "good people," too, must share the shame of the mob murder. The ultra-conservative Charlotte *Observer* struck out fiercely in a series of editorials. Moreover, it printed a signed editorial article by a member of its staff in which he made some very blunt assertions and challenged the people of North Carolina to face the issue squarely.

It is doubtful if many of the so-called "best people" actually participate in the barbarous business of lynching. There are convincing indications, however, that they, or some of them, condone what is being done. In this attitude they become parties to the crime. Sheriffs and their deputies would hardly "go blind" on such occasions if they did not know they were doing the safe thing. These men are shrewd appraisers of community opinion. In the interest of their own political hides, they are likely to steer a popular course.

But the "best people" of the South can stamp out lynching if it is their will so to do. At the polls and in the courts they can hold recreant officers and guilty mobsters to strict accountability for their acts. This they have not been doing as a body. This they must do if they are to retain the good opinion of the world.

Richmond, Va., Times-Dispatch
August 31, 1935

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BEAUMONT, TEX.
ENTERPRISE

AUG 29 1935

CALIFORNIA'S MOB SPIRIT

California's early Vigilantes quickly won their war against crime because the outlaws did not resist. A few "judicious" hangings convinced the badmen that the law-abiding citizens meant business, even if they did take the law into their own hands, and that order would be preserved at any cost. The 1935 Vigilantes are defied by communists.

The situation thus created is the inevitable result of extra-legal acts committed against persons who can and will object. There is quite a difference between cleaning out the criminals that infested San Francisco in the days of the California gold rush and trying to drive out of a community people who are not criminals, who, furthermore, are entitled to the protection of the law, if the American constitution means what it says. It is not yet a crime in the United States to be a radical. Nor is it a crime to be a real or alleged labor agitator.

The Vigilantes at Santa Rosa, California, last week tarred and feathered two men and thrashed three others whose views and conduct they found objectionable. These persons could not be punished under the law. Therefore, the night riders took the law into their own hands. Ordinarily, when a situation of this kind arises in an American community, the mob wins. This time there may be a different story to tell, if the communists who declare they accept the Vigilante challenge persist in that determination.

California, as revealed by racial clashes, riots, lynchings, prolonged labor troubles and as poisonous a brand of politics as there is anywhere in America, needs a course of training in pure Americanism which abhors mob violence in any form and still believes that what a man thinks is his own business.

CHARLESTON, S. C.
NEWS AND COURIER

SEP 20 1935

Lynchers of All Sorts

What fools are Southerners, some of them, especially those who lynch a negro charged with murder in Oxford, Mississippi. They are no worse than Californians, who have lynched three or four white men in the last year or two. Still, the Mississippians and the Californians are as dependable to maintain civilization as are those New Yorkers and others who a few years ago were trying to lynch the courts of Massachusetts because they convicted and condemned murderers and are now denouncing the courts of Alabama. These people who demand a federal anti-lynchnng law love the courts no more than they love the lynchers when the courts do not conform to their opinions.

WILMINGTON, N. C.
STAR

SEP 19 1935

NOTE ON LYNCHING

The latest lynching—that of a Mississippi negro—is one of the least excusable that has dotted the records of American criminal annals.

The victim was taken from jail while a jury deliberated on his case.

The charge against him was heinous, that of slaying a white planter in cold blood.

Still the law was taking its course, and the accused was taking his chance of life before a white jury, with a white judge and white prosecutor. Certainly such odds that existed were not in his favor, and the lynchers should have been satisfied that if guilty he would pay for the crime.

We are reminded by this affair that a New Hanover sheriff once took precautions that commended him as a foe of mob violence and a diplomat as well.

The racial prejudice element was involved in a trial here, but the sheriff did not wish to rile the tempers of the spectators by parading armed soldiery in their midst, but neither did he wish to have his prisoner hurt.

The troops were mobilized, but kept in their armory several blocks distant, the sheriff arranging with the court to receive the verdict in private. This was done, and the guilty verdict returned assuaged the feelings of the crowd, and the soldiers were not needed.

A bit of foresight like this would have prevented the affair in Mississippi.

Lynchings- 1935
Discussions.

White Press, Southern.

4920

Charlotte, N. C. Observer
November 10, 1935

Hon. J. C. B. Ehringhaus,
Governor of North Carolina;
Hon. A. A. F. Seawell, Attorney General:
Mr. William Y. Bickett, Solicitor,
Seventh Judicial District.

Gentlemen:

The announcement that the lynching of a negro prisoner in Tennessee last Monday has been followed by the imprisonment of five alleged lynchers, under charges of murder, reminds me that no one has been charged with murder or anything else, or even arrested, in connection with the lynching of a ngero prisoner in Franklin county last summer, although several months have intervened.

To be sure, it was reported several weeks ago that a Franklin county grandjury was making some sort of an investigation, two or three months after the lynching was perpetrated. But so far as the public knows that is all that has been done about it since the brief hearing held by Judge Harris several days after the mob of 20 or 25 men in open daylight, undisguised, took the prisoner from the sheriff and deputies and lynched him. At that hearing the sheriff and his deputies testified they did not recognize a man in the mob nor get the number of any automobile used by the lynching party.

Could any one expect lynching to be stamped out in North Carolina or any other State by such apparent unconcern as all responsible authorities have exhibited in connection with the Franklin lynching? To an outsider it would appear that a lynching is regarded in North Carolina as of less gravity than petty bootlegging. Why is it?

GENERAL MECKLENBURG.

Montgomery, Ala., Advertiser
December 3, 1935

THE STATES MUST ACT OR TAKE THE CONSEQUENCES

The Advertiser must call attention here to two significant editorials on a vital Southern question by representative Southern newspapers, The Charlotte Observer and The Charleston News and Courier.

These splendid newspapers are concerned, independently and without collusion, with the question, "What does the South intend to do about lynching?"

And also, "What shall we do about the Costigan-Wheeler bill which would give Federal courts jurisdiction over lynchings?"

The two papers approach these questions from different agles.

Let us quote first what The News and Courier has to say in a leading editorial:

> Senator Borah's answer to Walter White, Negro leader and author of the Costigan-Wagner bill, that the bill is unconstitutional and that if president he would veto it, places him as the foremost man, Democrat or Republican, in any party, outside of the South, defending the State right, the Southern right, of each State to manage its own affairs.
>
> While Mr. Borah does not say in this answer (it was necessary) that he would oppose a constitutional amendment his record as a State rights man is enough. He voted against the Costigan-Wagner bill. A few years ago, when he was in Augusta, Ga., he made a statement that was the clearest and plainest that any man in the front political rank has made in defense of the position upon which government by Southern white people rests.
>
> Surely it is a singular thing—this far Western senator come to be the foremost American not a Eoutherner upholding the faith of Hampton, Vest, Ben Hil, Zeb Vance, Lamar, Butler, Bayard, Cleveland, Bryan, Tillman, all the Democrats who protected the beleaguered South decade after decade from "force bills," Lodge bills, Foraker bills, by which the South was harassed and menaced.
>
> The Costigan-Wagner bill would not stop lynchings. It is not designed to stop them.
>
> It is part of the insidious campaign, along many fronts, the educational included, of the Northern Negroes to enfranchise the Southern Negroes, restore to them the lost power that they had in "Reconstruction times." This so intelligent a Negro as Walter White could hardly deny without stultifying himself. Probably he would not do that.
>
> So when the Costigan-Wagner bill was pressed in the Senate and was being postponed by a filibuster of Southern senators last Spring, when Borah was voting against it. What was the attitude of the national Democratic party and administration?
>
> The President, Mr. Roosevelt, could have stopped the bill by a word—which he did not utter. Newspaper correspondents, Pearson and Allen, published that he favored it. That has been privately denied. They published that Mrs. Roosevelt strongly favored the bill and was active for it. That has not been denied.
>
> Anyway we all know that the Democratic senators from Northern States supported the bill, that all or nearly all of them from the border States supported it.
>
> There stood the South deserted by all save Southern senators—and Borah.
>
> The national Democratic party has captured the bulk of the Northern Negro vote.
>
> It cannot hold that vote without capitulating to Negro demands, and Northern Negroes of course demand that the Negroes vote in the States of the "Deep South."
>
> Are they not contesting in the courts that Negroes be admitted to Democratic primaries—in Texas and Virginia?
>
> "But Borah is a Republican." So is Norris, and President Roosevelt declares that Norris should stay in the Senate.
>
> The News and Courier has recited the facts. Who are your Northern friends?

Who are our Northern friends? That question is not so pertinent as the question, Who are the friends of Southerners?

The Observer says:

> The acquittal of the five white men in Tennessee charged with murder in connection with the lynching of a Negro, who was not even accused of the "usual crime," was another in a long series of invitations to Congress to enact a Federal anti-lynching law.
>
> The five men admitted at the trial that they overpowered two officers and took their prisoner from them by force, hauled him away to a thicket several miles distant and shot him to death. Their defense was that they had not intended to lynch him but that one of them shot the Negro to death in self-defense when he started to pick up a rock. Also they pleaded as an extenuating circumstance that the Negro had made an insulting remark to the wife of one of the five men and when she resented it he slapped her. He was arrested and chagred with assault and battery.
>
> After hearing all the evidence, including the testimony of the officers, the jury "deliberated" for two nights and a day and brought in a verdict of not guilty. The judge expressed himself as "astounded," but he had no reason to be, if he had been keeping posted on the record of such cases. As a rule the evidence and the law do not count with juries in lynching cases any more than they count with a mob bent on committing a lynching.
>
> For some months now North Carolina has maintained a standing invitation to Congress to enact an anti-lynching law by its failure to punish or even to arrest any member of the mob of 20 or 25 men who in mid-day light took a Negro prisoner from the sheriff and his deputies in Franklin County and lynched him. At a brief formal hearing before Judge W. C. Harris, sitting as a committing magistrate, immediately after the lynching, the sheriff and the deputies swore they were unable to identify a single member of the mob or get the number of any one of th group of automobiles used by the lynching party. And that seems to have ended the State's interest in the case.
>
> Of course the absurdity of the testimony of the sheriff and his deputies in a rural county, like Franklin, with a population of barely 30,000—where everybody knows the sheriff and the sheriff knows everybody in the county—made no difference.
>
> These two recent cases of lynching—one in North Carolina and one in Tennessee—widely different in their aspects—illustrate the manner in which States generally deal with lynchers, in South Carolina, Georgia, Mississippi, Louisiana and elsewhere.
>
> And yet, when Congress convenes again and an anti-lynching bill is introduced to provide for more certain punishment of lynchers, the Senators and Representatives from all of these States will be expected to make a determined fight in opposition, with orations in defense of States' rights, maintaining that a Federal law is unnecessary because the several States "are amply able to deal with lynchers and are doing so."
>
> Certainly the matter of dealing with lynchers should be one for the States and not for the Federal Government, and should be left to the States—if they will deal with this crime of combined murder and anarchy.
>
> But, sooner or later, if the States will not deal with it—if they will not punish or arrest lynchers, or if State court juries persist in acquitting lynchers regardless of the evidence and the law—then the arguments against a Federal anti-lynching law will become generally recognized as absurd and ridiculous and the matter of dealing with lynchers will be taken over by the Federal Government.
>
> The Nation as a whole has some rights as well as the individual States in the matter of the disgrace of continued and frequent instances of lynch law and sooner or later will insist that the Federal Government take action to deal with lynchers if the States will not.
>
> Frequent lynchings with virtual immunity for the mob are more dangerous to the constitutional rights of the people of the States than a Federal anti-lynchings law would be.
>
> In the interest of States' rights the States should prove that they can deal effectively with lynchers.

Apparently The News and Courier had not seen The Observer's editorial at the time its own editorial was written.

The Advertiser, like The News and Courier and The Observer, prefers to see lynching remain a State rather than a Federal offense, and has said so in numerous articles; it has heretofore roundly condemned the Wheeler-Costigan bill.

But condemning the Wheeler-Costigan bill and receiving the condemnation of mankind are not quite the same agreeable experiences.

Either lynching must go or the right of the States to exclusive jurisdiction over lynchers must go, whether we will it or not!

T[illegible]boro, N. C., Wkly. Southerner
November 21, 1935

Will of the People

As far as newspapers are concerned, the average Southern lynching follows a well-defined pattern. The Negro of the case assaults a white woman. A group of people customarily referred to, as a "mob" swings the culprit to a tree. The sheriff says he is unable to identify any of the members of the "mob". The editor plays up stories about the affair on the front page and rehashes the same old stuff about the disintegration of the American people as reflected in their disrespect for lawful processes on the editorial page. The spirit of the "mob" is decried, the inability of the authorities to bring the lynchers to justice is lambasted and anyone who happens to voice the view that the lynchers were, after all, meting out justice has a journalistic bomb planted under him.

There is perhaps but one other occurrence which is treated by newspapers with more rigid adherence to a pattern, and that is the death of a citizen. So-and-so died of such-and-such at a certain time and funeral services will be held from his home or his church with burial following at this or that cemetery with Rev. So-and-So in charge. Then his career, the his survivors and finally the pall bearers. It is all just so.

In the case of the death notices such treatment is desirable. Originality is not needed or expected. But why lynchings should stick to a cut-and-dried formula is a journalistic enigma. Therefore this newspaper scorns to follow it and to express its real views, unhampered by custom, upon the country's latest lynching, which occurred in Texas when two young Negroes were hanged by a "mob" for the brutal murder of Miss Geraldine Kollmann, high school valedictorian, whom they confessed they criminally attacked and drowned.

Let it be admitted, to begin with, that it would have been better had the lynching not occurred and the law taken its course. That point settled, let it also be admitted that in some respects the mob served the ends of justice better than the law could have and that therefore the lynching is not wholly to be decried. A so-called lynching mob, be reminded, may not and frequently is not a bunch of wild, emotional, unreasoning hoodlums; it may be and often is a group of resolute, calm but determined citizens who refuse to tolerate the cruel murder of their women and the possible delay and laxity in administering punishment by lawful processes. As the county attorney said of the Texas affair, the lynching was the "will of the people." The law also, in a democracy, is the will of the people. Under this definition then, the lynching method and the statutory method become synonymous, with the former possessing the undisputable advantage of quickness, impressiveness and completeness without expense to the state.

This is not to be interpreted as a condonement of lynching. There are many factors which make it contain more of the wrong than of the right. But it is an attempt to shew that there is something, even though not much, to be said on the side of the lynchers. This newspaper does not approve lynching; at the same time, it refuses to follow a pattern which requires that it believe lynching contains no points in its favor whatever. There is, in fact, considerable to be said for it, even if not enough to justify it.

Greensboro, N. C., News
November 15, 1935

NOTE ON INTERFERENCE.

Tuesday representatives of the government argued before the Supreme court, in a test case for the Bankhead act, the federal right to deal with the purloining of cotton from a bonded warehouse. And the Bankhead act, along with the powers and the principles which it embodies, has had the enthusiastic backing of the southern delegation in Congress.

On the very night after that hearing, a Texas mob seized two negro youths, took them from a sheriff and his deputy and did them to death. Aside from the violence of the act itself, the circumstances under which it occurred are significant in the pattern which they follow. The negroes were charged with the sort of crime which is calculated to give the inspiration for lynchings, if it is not sacrilege to suggest that lynchings are inspired. It had been officially announced that they had confessed. Authorities were thoroughly familiar with the provisions of the law whereby they could not be tried for a capital offense but dealt with only as juveniles and the natural reaction which such provision would cause amongst an aroused citizenry. Yet, with all these considerations before him, the sheriff to all practical purpose invited violence by bringing the defendants, guarded by himself and only one deputy, back to the scene of their crime for arraignment.

After the mob had wrought its vengeance, the official attitude was further revealed. The sheriff does not think that an immediate investigation will be made. He recognized none among the estimated 700 involved and he has no clues; he "guesses" the grand jury will make an investigation when it meets in February. The county attorney hails the dual lynching as "an expression of the will of the people." The county judge avers that the circumstances "prevent me from condemning those citizens who meted justice to the murderers last night." A clergyman who attempted to dissuade the mob was mocked and jeered at and desisted when suggestion was made from the crowd that "we get another rope."

Theft of cotton from bonded warehouses must be stopped, exercise of Washington's police power and jeopardy of the rights of sovereign states to the contrary notwithstanding. But federal interference with mob rule and the spirit which condones it, that shall not be. Nor, southern statesmen have reiterated, is it needed.

[redacted]

There is something new, after all. Just imagine five southerners taking a negro from officers in Tennessee and lynching him for slapping a white woman; then surrendering to officers before a coroner's jury could return the usual verdict that the victim came to his death at the hands of "parties unknown." Such a course violates one of the oldest traditions of the South.

Lynchings-1935
& Discussions.

White Press, Southern.

4921

Nashville, Tenn.
Morning Tennessean
NOV 5 1935

A Crime Against the Law

The white woman who stopped in a negro drinking place on Highway No. 1, in Cheatham county, Sunday night, violated the rules which guide the conduct of friendly relationship between the races. A drunken negro customer in the place made insulting advances to her and then struck her and she was rescued by a white man, who was the only other white person present.

No mob was formed and the kindred of this woman apparently took no steps to give her personal vengeance. On the contrary, a warrant was sworn out, the negro was arrested and confined at White Bluff until Monday morning, when the officers took him and started with him to jail at Ashland City. Then came the mob in the persons of five men who took the prisoner from the custody of the law and carried him across the Cheatham county line to kill him and to stain that little county with the blot of the first lynching ever to occur in that county.

This mob, composed of the woman's husband and four other relatives, seems to have followed the prudent procedure so popular among our latter-day mobs, which is to wait until the officers have captured the victim and deprived him of the means of self-defense.

For whatever crime, this negro may have committed he has paid so far as is humanly possible for no man can pay a greater price than his own life, but in exacting this payment this mob has committed a crime against the state and the punishment for this crime confronts the people of Cheatham county and the officials whose duty it is to enforce the laws there.

The circumstances of this case are revolting from beginning to end. But while this mob was so prudent and thoughtful it could nurse its grievance with fortitude until the officers of the law had taken the risk of capturing the victim, the mob was bold enough against the law and the officers of the law. This mob has brazenly smeared the blot of a lynching on a county that has not heretofore suffered from that misfortune, it has nullified the law and treated the officers of law with contempt, but the solemn duty of dealing with this mob is now before the officials who administer the laws in that jurisdiction, and the result will show whether this is a precedent that may be safely followed, or one to be avoided in the future.

Charlotte, N. C. Observer
November 11, 1935.

THE USUAL CAUSE IS RARE.

The lynching of a negro in Tennessee for slapping a white woman adds another to the long list of examples of lynch law that are not prompted by "the usual cause." Legally the Tennessee negro was charged with assault and battery. He was not accused of criminal assault.

The comparatively recent lynching in North Carolina and numbers of others that have taken place in States farther south this year, with hardly an exception, were in consequence of other than the proverbial "usual cause."

Examine any authoritative statistics on lynching and it will be found that in the South as elsewhere only a comparatively small percentage are prompted by the crime known as criminal assault upon white women.

And yet it has been the custom, when answering denunciation of lynchings in the South, for some spokesmen of this section to argue in general terms that the victims were to blame because of their attacks upon white women and to assert rather defiantly that lynchings by Southern white men could never be stopped until criminal assaults upon their women by blacks ended.

Such arguments are out of date. Comparatively few lynchings in these times are inspired by wrath aroused by criminal assaults upon women. Some of them have been and continue to be inspired by grave crimes against white men, including murder, but numbers of them in late years have been the result of nothing more serious than misdemeanors.

The time has come when those who condone lynchings and cry out in defense of States where lynchings are frequent must find some other defense than the traditional "usual cause." Lynchings for "the usual cause" have become comparatively rare — and the apologists of lynching know it.

Burns, Tenn., New Idea
November 7, 1935

Negro Mobbed

DOTSON BROTHERS AND COUSIN IN JAIL

Baxter Bell, negro, was taken from the custody of officers at White Bluff, Nov. 4 1935 and carried to a point near Robinson's store, on the Kingston Springs Road, and shot to death. The tragedy occurring about 9 o'clock Monday morning,

Bell, it is alledged had insulted Luther Dotson's wife Sunday night, at Ed Daniels, col. store just in the edge of Cheatam co and Luther Dotson, and brothers, Clyde, Jesse and James Dotson, and a cousin Allie Brown, are said to have taken Bell from the custody of officers Donnelly and Petty, at White Bluff, carried him to the point mentioned above and shot him, returning to White Bluff and surrendered to officers.

An inquest was held at the scene of the shoting and the jury decided that Bell met death by foul means.

CLARKSVILLE, TENN.
LEAF-CHRONICLE
NOV 5 1935

A Deplorable Lynching

The lynching of a Negro near White Bluff Monday was a crime despite the fact the group appeared to be motivated by "chivalry." The victim is accused of slapping a white woman. Of course such an act should not have gone unpunished and the man, Baxter Bell should have known that it was dangerous thing to do.

The woman took proper steps to punish the Negro by swearing out a warrant, charging assault and battery. Had the law been permitted to take its course there could be no doubt but what Baxter would have been punished severely.

Every time a mob lynches a man it is a reflection upon our judicial system. It is an echo of what should be a forgotten age—the age of vigilante committees. The lynching was a smear upon the fair name of Tennessee and adds another violence by mob for which our State is thoroughly ashamed.

SAN ANGELO, TEX.
TIMES
NOV 16 1935

San Sa

BALLINGER PUT TO ROUT EARLY BY ARMADILLOS

Winters Blizzards Defeat Goldthwaite Eagles By Score Of 50 To 6

BY KARL READ

BALLINGER, Nov. 15. —The San Saba Armadillos became 1935 champions of district 18-B in their last scheduled game by completely threshing the Ballinger Bobcats, 32 to 0, on the local field this afternoon.

Numbing the Bearcats early in the opening period by Perry, right end, blocking McMillan's punt across the goal line and covering it for a touchdown, the Armadillos featuring all backs, kept the Bearcats on the run thereafter. It was an elusive, fleety group of backs, combined with Ponton, left end, receiving passes, that completely broke the morale of the local lads, with the most sensational run being made by Williams, right halfback, who intercepted a pass on his own 10-yard line and raced 90 for a touchdown.

Bearcats In Enemy Territory

Nor, was there a let-up until the last quarter when the Bearcats regained composure and although possessing the ball most of the time in San Saba territory failed to cross the goal line.

Largely through the mighty line plunges of McMillan, triple-threater at fullback, the Bearcats threatened to score four times in the danger- ous 20-yard zone but each time were backed up field. Their first downs were eight compared to nine for the visitors.

After the encouraging first touchdown and conversion point through the blocked punt, the Armadillos scoring advanced the ball to the 15-yard line in a toss from McMillan to Korneck. Watkins plowed the Ballinger line for position on Ballinger's ten-yard line and a first down before the quarter ended. In three successive stabs at the line Watkins left only a foot to be covered by Whitt by the same route. Whitt failed in passing for an extra point.

Perry Makes Mad Dash

Then came the mad dash of Perry upon intercepting McMillan's pass to Korenek on the ten-yard line. A flock of Bearcats trailed him without avail. The Bearcats had just advanced the ball into scoring

GREENSBORO, N. C.
RECORD

NOV 14 1935

More Lynch Crimes.

From Columbus, Tex., comes news of the lynching of two negro youths, and a dispatch from Ripley, W. Va., tells of the apparent lynching of a CCC camp foreman.

Officers investigatnig the latter case subsequently decided the foreman had committed suicide. But in the Texas case there was no doubt as to death cause. The two negroes, accused of attacking and murdering a young white girl, were taken from the officers and hanged by a mob of 700 persons, including some women and children. To make matters worse, if possible, the Texas crime is apparently condoned by the county officers whose business and whose sworn duty it is to uphold the law. The county attorney would not refer to the lynching group as a mob, and characterized the crime as "an expression of the will of the people." The county judge, while declaring he opposes lynching, said he does not condemn "those citizens who meted justice to the murderers." His reason for this, he said, is that the negroes, one 15 and the other 16 years of age, could not legally be executed in Texas. Therefore, the judge reasoned, the guilty ones—if, indeed, they were guilty—could not be "adequately punished" under Texas statutes as they now stand.

Civilization surely must have descended to a low ebb, if it exists at all, in the Columbus, Tex., community, if the expressions of these officers is representative of community sentiment there. The duty of the state of Texas is obvious. It should lose no time in apprehending and punishing the mobsters.

AUSTIN, TEX.
AMERICAN

NOV 15 1935

Is Mob Violence 'The Will of the People'

Two negro boys charged with foul crimes were lynched by a mob at Columbus. They were taken from armed officials and hanged to a live oak tree not far from the home of their victim of a double outrage. O. P. Moore, county attorney, said he would vigorously prosecute "any of the 700 persons, including women, who participated," but added, "I do not consider the persons who executed the negroes a mob. I consider their action an expression of the will of the people." This expression of the prosecutor is said to have drawn protest the state over "as official action lagged." Gov. James V. Allred said, "Lynching is deplorable at any time," and L. G. Phares, head of the department of public safety and Texas rangers added, "I don't believe lynchings are the will of the people and if they are, they certainly ought not to be."

Mob law is said to be the law of the jungle. It overrides the law of organized society. There isn't a chance on earth for a negro charged with the double crime of murder and rape to win a verdict of not guilty in a court of justice in the commonwealth of Texas. Mob law, racial prejudices are as dangerous as a dynamite bomb or as a lighted torch in a powder magazine. The mob who lynched the two negroes near Columbus may be prosecuted but it is safe to predict the leaders will never be convicted of mob violence in the county or adjoining counties which was the scene of the ghastly horror and which called for the condemnation of those who participated in the live oak tree hanging.

Every alleged criminal, regardless of age, color or condition in life is entitled to a fair trial in open court. Then if convicted by a jury of his peers, the punishment should fit the crime.

CUERO, TEX.
RECORD

NOV 14 1935

MOB LAW

To say that we are disappointed in the action of the people that comprised the mob that hung the two young negroes at Columbus last night, is putting it mildly. We had thought that the civilizing spirit had gained ascendency in this section of Texas to permit of the law to take its course and mete out punishment upon those guilty of offending the law. But it seems that somebody had lost faith in the falibility of the law and those in whom the people had entrusted execution of the law and the meting out of justice and in execution of the mandates of the law, and in expressing disappointment because of such conditions, others of the same mind were drawn together and in the discussion of those conditions fires were kindled that developed into uncontrolable conflagrations and fury and men did the thing which, under deliberate second thought, they would have hesitated to do and as a consequence they added another stain upon the escutcheon of civilization which, to say the least, will not make them more proud of the action of the element that let mob spirit predominate among them.

There may be no question about the guilt of the two young negroes that were thus summarily executed, but guilty or not guilty, their fate was sealed when they got into the clutches of the mob. But there is always a possibility of innocent victims falling a victim to the wiles of unscrupulous officers and many a confession has been wrung out of people who were wholly innocent of the crimes with which they were charged. When officers apply what they call the "third degree" and grill their victim for hours and hours, they can wring a confession out of most anybody except a hardened criminal, hence it has come to a point where many of these alleged confessions should be accepted with a grain of salt.

Another thing that is responsible for such acts as were perpetrated at Columbus last night is the measures to which some lawyers will resort to obtain an acquital of their clients regardless of the guilt or innocence. It has come to the point where many such trials are nothing short of a farce. More time and effort are spent upon technicalities in the law, in the charges, or in methods of proceedure in the case up to the time of the trial, than there is in an effort to prove the innocence or the guilt of the accused. This sort of proceedure becomes disgusting to the public and this is what many times incents the public to take the law into its own hands.—Yoakum Herald.

Raleigh, N. C. Observer
November 15, 1935

It Ought To Be True

"You can't trample the law underfoot and get away with it," Judge Clawson L. Williams told a Negro, guilty of a serious crime, in the New Hanover Superior Court. Everyone will applaud Judge Williams' statement and everyone would like to believe that it is true. But is it? In a county adjoining that in which Judge Williams spoke, two years have passed since a mob lynched a Negro without one of those guilty of the lynching having been punished for trampling the law. In a county adjoining the county in which the State Capital is located, the months go by without any suggestion that any member of a lynching mob there will ever be brought to trial for "trampling the law underfoot." And this week in Texas a county attorney, commenting on a lynching, declared: "I do not call the citizens who executed the Negroes a mob. I consider their action an expression of the will of the people."

Judge Williams ought to be right, but he will not be right so long as the law is trampled underfoot by mobs of men and the law shows itself helpless, sometimes even, as in the Texas case, shows itself amenable to the trampling of many bloody feet across the body of the law.

Lynchings—1935
Discussions.

White Press, Southern.

4922

Birmingham, Ala. News
November 16, 1935

Determined Officers Can Prevent Lynchings

After a relatively good record for the first half of the year in the matter of lynchings, 1935 has become increasingly marred by outbreaks of mob violence. In the first six months of the year there were only four lynchings, and these took place in only two states, Mississippi and Louisiana. For a similar period, that is probably as low a number of lynchings as there is on record. In the first half of 1934 there were six lynchings, and for the same period of 1933 there were eight.

Since midyear, however, there have been several lynchings in various states. Happily, Alabama's record thus far in 1935 is free of such a blot.

In Texas two Negro boys, one 15 and the other 16 years old, were taken from officers by a large mob and lynched, after they were said to have confessed attacking and killing a 19-year-old girl. On Thursday a mob in Georgia tried to take from officers a Negro convicted of slaying a white man, but National Guardsmen frustrated the attempt.

These two cases illustrate one of the chief aspects of the lynching problem. In one case determined and courageous officers of the law fought off a mob and prevented a lynching. In the other, the officers, evidently less determined, did not prevent the mob from capturing the two victims. Perhaps the Texas officers were overpowered by great numbers and could not have prevented the mob from taking the prisoners. But if that was the case, it simply means that the authorities of the law did not take adequate precautions.

The crime of which the Texas Negroes were accused was a heinous one. But that does not excuse the lynchings. No crime justifies lynching, in a country where law is supposed to reign. The point was made, by legal authorities in Texas, that under the law these prisoners could not have been executed because of their youth. This point is advanced to condone the lynchings. In fact, the county attorney in whose county the lynchings took place said he considered the mob's action "an expression of the will of the people." The county judge, while saying he was strongly opposed to mob violence and in favor of orderly processes of the law, said the fact that the Negroes could not be "adequately punished" by law because of their ages prevented him from "condemning those citizens who meted justice to the ravishing murderers." That is not an enlightened attitude for a judge to adopt. Gov. Allred seems to have taken a more enlightened stand, saying that lynching was deplorable at any time.

In the Georgia case, the prisoner had been convicted of murder and sentenced to die on Dec. 12. Yet the mob did not wish to wait for less than a month for the man to be put to death. After hand-to-hand fighting, however, the National Guardsmen repulsed the members of the mob. Georgia is to be commended for thus upholding the law.

Unfortunately, there was a lynching in Georgia in connection with the same case. An entirely innocent Negro was put to death by a mob that was seeking the Negro convicted of the murder. This, of course, the officers could not prevent, because the victim was not in their custody. The incident affords a commentary on the unreasoning nature of mobs. Searching for one man, the Georgia mob put to death another who had no connection with the crime. But of course mobs do not reason, and they are not fair. That is why mob violence, whatever the provocation, cannot be tolerated in a civilized country.

In the great majority of cases, determined officers of the law can prevent mob violence. When our law-enforcement officials all realize that fact, and recognize their duty to protect any prisoner in their custody, we will see lynching disappear.

Durham, N. C. Herald
November 16, 1935

"WILL OF THE PEOPLE"

It is all right to pounce upon the Columbus, Texas, county attorney for branding the lynching of two Negro boys, one 15 and the other 16, as an expression of the will of the people and not the work of a lynching mob. And it is all right to yell against the sheriff for putting up little opposition when set upon by the mob. Still again, it is permissable to listen to and condemn the trial judge for denouncing mob violence but publicly refraining from denouncing a those who participated in the Columbus lynching.

But the only difference between the Columbus, Texas, lynching and the rest, including the one here at home in Franklin county, is that the Texas officials speak with more frankness. And somehow or other we prefer the frankness of the Texas brand to the tongue in cheek lament that usually clothes officialdom when mob violence supersedes the law.

The sheriff in the Texas case says he could not recognize a face in the mob of 700. That is what the sheriff of Franklin said when a mob took a half crazed Negro from him in wide open daylight. That is the usual story. And a perfunctory investigation is about as far as probes of mob lynchings usually get.

That being the case the calling of a mob lynching "an expression of the will of the people" is not the startling thing that it appears to be. Actually we have reacted to mob violence in that manner all along and if that is the way we are going to behave, why not go all the way and simply say, "when the people lose their sense of balance and commit murder, it is an expression of the will of the people."

Of course, accepting that thesis means breaking away from the fundamentals of law and order. It means placing the will of an emotional mind above the decree of many sober minds. It is equivalent to saying to the murderer, "if you killed some one who deserved to be killed or killed when the sentiment was on your side, you expressed the will of the people and deserve immunity from the law."

No one wants that sort of thing. The simple fact is that acts of lynching mobs do not represent the "will of the people" because when a mob gets started it knows no reason and the members in it have no will to express. After they do their devilment mobs scatter and members thereof realize their error. They do not count mob violence as expression of their will.

So after all the frankness of the Texas brethren is actually ignorance and cowardiceness. And that is what is behind mob lynchings.

Greensboro, N. C., News
November 21, 1935

ONLY ECHO ANSWERS.

Southern lynching has worked out new, but surely not unexpected, pattern in Tennessee. Five mobsters, after seizing a negro prisoner from officers and doing him to death, surrendered, submitted that their act was in self-defense, as their victim said he wouldn't take the whipping which they proposed to give him and stooped to pick up a rock as a combative weapon, and were accordingly awarded freedom by a jury of what was obviously their mob-minded peers.

How the situation will eventually work out, reflecting most seriously as it does upon southern justice, remains to be seen. With all due credit, let it be recorded that the court denounced the verdict and remanded the acquitted mobsters to jail on bench warrants which charged conspiracy to inflict corporal punishment. Conspiracy is recognized as one of the most difficult charges to prove; and there is little prospect that a jury, reflecting popular sentiment in its original verdict, can be found, especially in the same county, to bring in a conviction on this second count.

In event of another acquittal, which must be anticipated, the sheriff from whom the hapless victim was taken announces that the quintet will not be liberated but that he will file charges based "on the seizure of the negro from officers by armed force".

As justice, unable to mete out retribution, moves from one lesser charge to another, the Daily News finds itself again asking what constitutes kidnaping under the Lindbergh act or any other act, in Tennessee or any other state? Before the charge retrogresses to the simple misdemeanor of discharging firearms within the city—or was it the county?—limits, when and where do the urge and the authority for federal intervention in such cases have to come?

Charleston, S. C., Evening Post
November 15, 1935

Woman Protests Inquiry Demands

Austin, Tex., Nov. 15. (AP)—A white-haired woman, protesting demands for an investigation into the lynching of two negroes, shouted Thursday:

"Nothing in the world will save southern women from those brutes except lynching."

Unrecognized by the chairman, Mrs. J. R. White, of Coleman rose at the Texas Federation of Women's clubs convention and assailed demands for an inquiry by Governor James V. Allred into the hanging of two negroes accused of criminally assaulting and slaying a white girl at Columbus, Tex.

The demand was voiced by Mrs. Jessie Daniel Ames, of Atlanta, Ga., executive director of the Association of Southern Women for Prevention of Lynching.

Birmingham, Ala., Age-Herald
November 14, 1935

The People's Will

Could this county attorney of Columbus, Tex., be correct when he says that the lynching of two Negroes by a mob of 700 persons represents "an expression of the will of the people?" And yet that is the excuse he offers for the action of this crowd that took two Negro youths and hanged them to a tree.

This county attorney should remember that the will of a people is not expressed in heat and passion. Mob rule is not to be confused with the deliberate judgment made possible by orderly court procedure. If "the will of the people" is to prevail in times of emotional excitement, then we may as well submit to anarchy.

It makes no difference what the offense of the Negroes was. There is never, in an organized society, any justification for condoning executions outside the law. These Negroes were denied a jury trial, as pledged by the Constitution of the United States and, it is a safe assumption, by the Constitution of Texas. The circumstances of the case cannot conceal the fact that the hanging was a violation of the law as clearly as the deed of which the Negroes were accused.

As a public official, it is likely that this county attorney was sworn to uphold the law. But instead he says that the hasty, ill-considered act of an inflamed mob is superior to the law. To what depths the nation has fallen when men in office hold such views!

Richmond, Va., Times-Dispatch
November 15, 1935

"Will of the People"

P. P. MOORE, county attorney in Columbus, Texas, said of the lynching of two Negro boys who had assaulted and killed a high school girl, "I do not call the citizens who executed the Negroes a mob. I consider their action an expression of the will of the people."

Nothing more cowardly has been said by a public official in our recollection. Lynching is an extralegal measure that cannot be regarded as anything but murder. Those who participate in it are guilty of murder. To say that murder in any case is the "will of the people" is to negate every statute that has been passed for the protection of human life; furthermore, it is to say that any mob, in a frenzy of the moment, is justified in destruction either of property or life because that is the way it feels at the time. Human experience in all fields shows the folly and the ruinousness of any such attitude. The mob that cries for a man's life at one moment may lift him to power the next; the mob that cheers its hero in one instant may lead him to the chopping block in the next.

Civilization cannot be governed by impulse or whim. Our statutes have grown out of the agonizing experience of the years, of the progress toward a more perfect and happier relationship between individuals who compose communities. There are imperfections in abundance in our criminal statutes and in our methods of administering them, but they still stand as the one great bulwark protecting the individual from the mob, the weak from the strong, the helpless from the predatory. To break down this bulwark in any case, no matter how great the provocation, is to revert to that savagery and that barbarous period the emergence from which is best attested by enlightened enactments to protect human life.

Talladega, Ala. Home
November 14, 1935

ACTION IN PAIR'S

LYNCHING LAGGING

COLUMBUS, Tex., Nov. 14.—Official action lagged last night against the howling, cursing mob which lynched two young negroes here Tuesday night.

County Attorney P. P. Moore termed the lynching "an expression of the will of the people." Sheriff Frank Hegmeyer asked that a court inquiry be withheld pending investigation.

The town was quiet, but from many parts of the state—including the capital—sounded bitter denunciation of the mob's action.

Snatched from officers at a river crossing, Ernest Collins, 15 and Benny Mitchell, 16 were hanged to a live oak tree near the farm home of Miss Geraldine Kollman, valedictorian of Columbus high school, whom they confessed they criminally attacked and drowned.

The county attorney said he would "vigorously prosecute" any of the 700 persons, including women, who participated, but added:

"I do not call the citizens who executed the negroes a mob. I consider their action an expression of the will of the people."

NASHVILLE, TENN.
EVENING TENNESSEAN
NOV 11 1935

NEGRO MINISTERS DEPLORE LYNCHING

Urge Governor McAlister to Express Strong Condemnation.

The Interdenominational Church Ministers' Alliance, composed of ministers of Nashville negro churches, this morning adopted a resolution deploring the recent lynching of a member of their race in Cheatham County, Tennessee, and directing the secretary of the organization, Arthur D. Williams, to prepare a letter to Gov. Hill McAlister, setting forth their position, and asking him to express himself in no uncertain terms against the deed.

The secretary was directed to embody in the letter a declaration of the earnest respect for law and order animating the ministerial body.

A committee was designated to present the communication to Governor McAlister, after it had been signed by all present at the meeting.

J. T. Patterson presided over the session. The Rev. T. C. Johnson, pastor of Clark Memorial M. E. Church, offered the resolution for the transmission of the letter.

The Interdenominational Alliance will meet on November 25 to elect officers.

Atlanta, Ga. Georgian
November 22, 1935

WOMEN SCORE GA. LYNCHINGS

Resolutions deploring two recent lynchings in Georgia were announced Friday by the Woman's Missionary Society, Atlanta district, M. E. Church, South.

The resolutions registered "unqualified condemnation of lynching under whatever circumstances, specifically deploring lynchings during the last two months near Vienna and Moultrie.

"We urge upon officers and courts their sacred obligation to uphold the constitute processes of law, and upon all religious, educational and civic agencies the imperative duty to building a public opinion which will no longer tolerate mob violence," the resolutions said, in part.

TYLER, TEX.
COURIER TIMES
NOV 15 1935

Lynching Of Two Negroes Argued By Women's Club

AUSTIN, Nov. 14. (U.P.)—Official inquiry into the lynching of two Negro youths at Columbus, Texas, after the killing a white girl, was asked Thursday in an address before the Texas Federation of Women's Clubs by Mrs. Kessie Danie Ames, Atlanta, Ga.

Mrs. Ames, formerly of Georgetown, Texas, is executive director of the Association of Southern Women for the Prevention of Lynching. She condemned County Attorney O. P. Moore's reported statement that the lynchings were "the will of the people." She had not learned that Moore denied the statement.

After Mrs. Ames' talk, Mrs. J. R. White, Coleman, stood up and cried: "Nothing in the world will protect womanhood from these brutes except lynchings."

The anti-lynching association director has based her argument on three points:

That by lynchings international influence is turned against the United States. That America is in no position to criticize brutalities in other countries when lynchings occur in this country. That American missionaries are handicapped in their attempts to teach Christianity.

Concerning Mrs. White's statement, Mrs. Ames said that white women are not involved in more than one out of 20 lynchings.

The federation's convention will end Friday.

Clifton Forge, Va., Review
November 18, 1935

THAT TEXAS LYNCHING.

There is little likelihood of any prosecution of the five hundred or more people who took part in the lynching of two colored boys in Texas last week, as we notice that the prosecuting attorney in the county where the tragedy was enacted made this statement: 'I do not call the citizens who executed these boys a mob. I consider their action an expression of the will of the people." Prior to making use of the language quoted above, this official stated that he would vigorously prosecute those who participated, but just how he could get the consent of his mind to do this when he regarded the lynching the will of the people is beyond our comprehension. The two youths who were put to death were allegedly guilty of murdering a young white woman of high standing and it was said that if they were permitted to be tried in a court of jurisdiction that the only punishment that could be inflicted would be a term in a reformatory until they became of age, which would have meant a prison term of about four years.

The people who took the law in their own hands no doubt concluded that this penalty would not be severe enough, hence the decision to execute the colored boys without the ceremony of a court martial. Of course, they did wrong in committing murder, as charged, but as two wrongs do not make one right, we question the wisdom of lynching them without hearing any evidence as to their guilt. Every citizen is guaranteed the right of trial and it is safe to say that those who were members of the lynching party would have demanded this protection had they been charged with an offense. Based on what the prosecuting attorney said, this affair can now be regarded as a closed incident. Candidly, we hardly expect to seen any reference to it by either the newspapers or the men in authority where the lynching took place.

Lynchings - 1935
Discussions.

White Press, Southern.

4923

CHARLOTTE, N. C.
OBSERVER
NOV 18 1935

STRANGE SELF-DEFENSE.

The defense of those five men in Tennessee who took a negro prisoner from two officers and carried him away to his death is on a par with the testimony of the North Carolina sheriff and his deputies, who swore they could not identify a single man of the 20 or 25 who took a prisoner from them in broad daylight and lynched him, nor get the number of any of the several cars they used.

The Tennessee alleged lynchers on trial testified they shot and killed the unarmed prisoner in self defense when he started to pick up a rock, and that they had not intended to kill him but only to whip him when they took him from the officers.

If it were not so disgusting and irritating it would be amusing what yarns some people do tell when they get into a tight place in court.

Killing an unarmed negro prisoner in the hands of five armed white men in self defense! Can you beat it?

But the tale is no more absurd than many lynchers have told before and will tell in the future.

BEAUMONT, TEX.
JOURNAL
NOV 15 1935

Condoning A Lynching

THE county attorney at Columbus, Texas, where two negro boys were lynched this week following an attack on a white girl, has encountered some sharp disagreements with his opinion of the lynching. He is reported to have declared, "I do not call the citizens who executed the negroes a mob. I consider their action an expression of the will of the people." His statement that he is willing to prosecute any of the mob is considerably weakened by such an assertion.

The head of the state department of public safety remarked that "I don't believe lynchings are the will of the people, and if they are they certainly ought not to be." Public officials, particularly those charged with upholding law and prosecuting violations of law, are rashly derelict in their duty and are setting an extremely bad example when they extenuate mob violence in any manner. Pursued to its logical conclusion the statement attributed to the county attorney at Columbus is nothing less than that the public is hostile to law and in favor of anarchy. That, of course, is not true.

When Governor Rolph of California publicly commended the lynching of two white men at San Diego in 1933 he was roundly criticized throughout the country as an encourager of violence. That ought always to be the public reaction in such instances. Public officials are under the necessity of subordinating at all times their personal feelings to what they know to be the requirements of office.

ABILENE, TEX.
REPORTER
News
NOV 15 1935

An Affront to Law and Order.

The lynching of two negroes at Columbus this week was not "the will of the people," as the county attorney of that place is reported to have said.

Whether he said it or not, the will of the people is expressed in laws enacted by duly elected representatives of the people, placed on the statute books, and administered by the courts. Lynch law is an expression of the mob, not the people.

The negroes committed a heinous crime and deserved to be punished to the limit, but it was the prerogative and duty of the law to mete out that punishment. The life of the accused was forfeit anyhow; it was only the dignity of the law that was outraged by the lynchers.

As long as the law is functioning—as it inevitably would have in this particular case—lynching is unjustified in any case because it is an affront to law and order. The law cannot be upheld when it is given to the mob to administer.

[redacted]
NEWS TRIBUNE
NOV 28 1935

BORAH ON "ANTI-LYNCH" BILL

THE ill-advised agitation of the Costigan-Wagner anti-lynching bill by the National Association for the Advancement of the Colored People has encountered a stiff jolt at the hands of Senator Borah in spite of the fact that he is a tentative candidate for the Republican presidential nomination and, therefore, might be expected to indulge in some pussyfooting if he is to live up to the traditions in such cases.

But Borah doesn't pussyfoot. He states flat-footedly and without reserve that were he to become President and were this so-called anti-lynch bill to come before him, he would veto it without hesitation. He insists, as so many others have done, that it is unconstitutional and the argument that "the negro voters hold the balance of power in some states," does not alter his position.

This is a courageous yet highly proper stand and will enhance the reputation of Borah for candor, regardless of any effect it may have upon the colored vote. The Costigan-Wagner bill is not only unconstitutional but it is unwise, unfair and merits the condemnation of all unprejudiced persons who believe in fair play.

The bill would permit the federal government to enter the states and take charge where lynching occurs and would serve as an indictment of all responsible officials in the territory involved. It would constitute one of the most flagrant violations of state rights on record and serve to revive all the bitterness of the reconstruction period. It would incite lawlessness rather than minimize it and produce no constructive result whatever.

The view of Borah is the correct view and it should obtain in this case.

[redacted]
BANNER HERALD
NOV 26 1935

WOMEN DEPLORE LYNCHINGS

The women of the Missionary Society of the Atlanta district of the Methodist Episcopal church last week adopted resolutions condemning two lynchings which occurred recently in this state, one at Vienna and one at Moultrie. These lynchings were not occasioned by the committal of the usual crime that invariably brings on lynchings, not only in this state, but in other states, but they were both alleged to be for minor infractions of the law.

We bow our heads in shame and contrition that such things can happen among us.

"Lynching in our opinion is never excusable, but in these two cases there was not even the pretense of an excuse."

However, the action of these good ladies was unusual, especially the ordering of the resolution adopted condemning the action of the mob in both instances. The resolution, in part, reads:

"We, the Woman's Missionary Society of the Atlanta district, M. E. church, South, in quarterly session, note with deep humiliation that two lynchings have disgraced our state in the last two months; one near Vienna, another near Moultrie. Mobs have defied our laws, discredited our civilization, and mocked our religion. Continuing, these most vehement condemnation of those citizens who committed the violation of the law in lynching two negroes. The negroes may not have been guilty, but their crimes did not warrant justification of their acts. Lynchings are of a diabolical character, with the possible exception of the crime of rape. Usually, in such cases, the unwritten law is applied and the guilty party or parties are made to pay the price of their crime

by giving their lives as a toll for committing the unspeakable crime which is committed upon women.

Reviewing the Vienna and Moultrie cases, the resolution continued:

"Therefore, we register our unqualified condemnation of lynching under whatever circumstances, our protest to officers and courts that tamely bow to the mob, and our shame for a Christian civilization so superficial as still to tolerate such savagery.

"We urge upon officers and courts their sacred obligation to uphold the constituted processes of law, and upon all religious, educational and civic agencies the imperative duty of building a public opinion which will no longer tolerate mob violence."

As women are the principals in rape cases, the extracts reproduced in the foregoing teems with condemnation of lynchings irrespective of sex. While no one can condone mob violence, yet when rape is committed, the enforcement of the unwritten law may be justified, certainly, lynchings should not be resorted to for other crimes, but court procedure should be taken and such cases tried in a sane and orderly manner.

Elkin, N. C. Tribune
November 21, 1935

Nothing Will Be Done About It

Two negro boys who had confessed to criminal assault upon a high school girl in Columbus, Texas, were snatched from officers and hanged to a tree near the victim's farm home. Seven hundred persons are said to have participated in the lynching.

The lynching was termed "an expression of the will of the people," by the county attorney who said that he did not consider the citizens who executed the negroes a "mob," yet he said that he would "vigorously prosecute" any of the seven hundred who participated in the affair. But will he? With that sort of attitude it is not reasonable to expect that anything will be done about this Texas lynching. Not so you can tell it.

These negroes were in the hands of the law and headed toward a quick retribution, and as provoking as this crime was, "the will of the people" could have awaited the outcome which was as certain as death itself.

Evidently to this prosecuting attorney, sworn obligation does not count when it is obvious that it opposes any considerable number of voters. He is of that type of official to whom nothing is criminal if enough people are concerned in it. He could just as well have saved his breath in declaring that he would "prosecute," because the word has an empty and hollow meaning in his case.

CORPUS CHRISTI, TEX.
TIMES
NOV 17 1935

AN AFFRONT TO LAW AND ORDER

The lynching of two negroes at Columbus last week was not "the will of the people," as the county attorney of that place is reported to have said.

Whether he said it or not, the will of the people is expressed in laws enacted by duly elected representatives of the people, placed on the statute books, and administered by the courts. Lynch law is an expression of the mob, not the people.

The negroes committed a heinous crime and deserved to be punished to the limit, but it was the prerogative and duty of the law to mete out that punishment. The life of the accused was forfeited anyhow; it was only the dignity of the law that was outraged by the lynchers.

As long as the law is functioning—as it inevitably would have in this particular case—lynching is unjustified in any case because it is an affront to law and order. The law cannot be upheld when it is given to the mob to administer.

WILMINGTON, N. C.
NEWS
DEC 8 1935

Lynching Study Group Named By State Bar

It Will Study Methods of Preventing Lynching During Year

RALEIGH, Dec. 7.—(AP)—Roy L. Deal of Winston-Salem, a former superior court judge, will head a special committee of the North Carolina Bar association to study the subject of prevention of lynching during the next year and offer recommendation to the next bar convention.

The lynching study committee was named today by J. M. Broughton of Raleigh, president of the bar association, along with other regular and special committees, completing the set-up of the organization.

Prof. James H. Chadbourn, Jr., of Chapel Hill, who has made a particular study of lynchings and who has done extensive magazine writing on the subject, will serve as secretary of this committee. Other members will be: J. Wilson of Elizabeth City, George C. Green of Weldon, Robert M. Gantt of Durham and Walter H. Woodson of Salisbury.

C. R. Whrton of Greensboro was named by Broughton as chairman of a special committee to study and make recommendations concerning summary judgment law with a view of proposing legislation to shorten civil litigation and avoid frequent delays that result from frivolous or dilatory pleading. A resolution calling for the study was passed at the last association convention.

Albert Coates of Chapel Hill will head a committee on criminal law and its enforcement, a comparison group to that headed by Whraton.

The committee on revision of the corporation law of North Carolina will be composed of Prof. M. S. Breckenridge of Chapel Hill, chairman; John H. Anderson, Jr., of Raleigh; Ozmer L. Henry of Lumberton, Kempt B. Battle of Rocky Mount, and Charles A. Hines of Greensboro.

William B. McGuire of Charlotte will head the special committee on the junior bar, the first in the history of the association. Other members will be: Edward L. Cannon of Durham, M. A. James of Asheville, W. J. Hooks of Kenly, E. D. Kuykendall, Jr., of Greensboro, W. J. Adams, Jr., of Rocky Mount, and R. S. Averitt of Winston-Salem.

Junior Bar associations already have been organized in a number of cities of the state, including Durham, Winston-Salem, Asheville Charlotte, Smithfield and Raleigh.

The special committee on American citizenship will be: Oscar Leach of Raleigh, chairman; T. L. Johnston, of Asheville, Charles P. Green of Louisburg, Judge Marshall T. Spears of Durham John W. Aiken of Raleigh, R. S. Pruette of Wadesboro, and D. C. Barnes of Murfreesboro.

J. Y. Jordan, Jr., of Asheville will head the committee on unauthorized practice of law, which has the following other members: Joseph L. Carlton of Raleigh, Fred P. Parker, Jr., of Goldsboro, Roy L. Deal of Winston-Salem, and Carroll W. Weathers of Raleigh.

Jordan's committee will study the proposed passage of legislation designed to prevent individuals who have not been licensed and corporations who cannot be licensed from engaging in law practice.

Chairman of other special committees named by Broughton are: James G. W. MacLamroch of Greensboro, justices of the peace, S. Bradway of Durham, legal aid; H. C. Horack of Durham, cooperation with the American Law Institute; R. H. Sykes of Durham, selection of judgts; Edward L. Cannon of Durham, cooperation between attorneys and banks.

Chairmen of general or standing committees for the year will be: W. F. Taylor of Goldsboro, admission to membership; L. R. Varner of Lumberton, judiciary; Will S. Smith of Raleigh, legislation and law reform; Justin Miller of Durham, uniform state laws; Ben F. Parham of Oxford, legal education and admission to the bar; Justice Michael Schenck of Raleigh, courts and court procedure; Andrew Joyner, Jr., of Greensboro, memorials; Joseph B. Cheshire, Jr., of Raleigh, grievances; G. H. Hastings of Winston-Salem, legal ethics and professional conduct.

The executive committee of the association is composed of President Broughton, Henry M. London, secretary of the association, ex officio; E. Earle Rives of Greensboro, chairman; Fred I. Sutton of Winston, B. M. Covington of Wakesboro, Nat S. Crews of Winston-Salem, F. E. Winslow of Rocky Mount, and Allston Stubbs of Durham.

Lynchings-1935

Discussions.

White Press, Southern.

4924

TARBORO, N. C.
SOUTHERNER

NOV 14 1935

Will of the People

As far as newspapers are concerned, the average Southern lynching follows a well-defined pattern. The Negro of the case assaults a white woman. A group of people customarily referred to as a "mob" swings the culprit to a tree. The sheriff says he is unable to identify any of the members of the "mob". The editor plays up stories about the affair on the front page and rehashes the same old stuff about the disintegration of the American people as reflected in their disrespect for lawful processes on the editorial page. The spirit of the "mob" is decried, the inability of the authorities to bring the lynchers to justice is lambasted and anyone who happens to voice the view that the lynchers were, after all, meting out justice has a journalistic bomb planted under him.

There is perhaps but one other occurrence which is treated by newspapers with more rigid adherence to a pattern, and that is the death of a citizen. So-and-so died of such-and-such at a certain time and funeral services will be held from his home or his church with burial following at this or that cemetery with Rev So-and-So in charge. Then his career, the his survivors and finally the pall bearers. It is all just so.

In the case of the death notices such treatment is desirable. Originality is not needed or expected. But why lynchings should stick to a cut-and-dried formula is a journalistic enigma. Therefore this newspaper aborts to follow it and to express its real views, unhampered by custom, upon the country's latest lynching, which occurred in Texas when two young Negroes were hanged by a "mob" for the brutal murder of Miss Geraldine Kollmann, high school valedictorian, whom they confessed they criminally attacked and drowned.

Let it be admitted, to begin with, that it would have been better had the lynching not occurred and the law taken its course. That point settled, let it also be admitted that in some respects the mob served the ends of justice better than the law could have and that therefore the lynching is not wholly to be decried. A so-called lynching mob, be reminded, may not and frequently is not a bunch of wild emotional, unreasoning hoodlums; it may be and often is a group of resolute, calm but determined citizens who refuse to tolerate the cruel murder of their women and the possible delay and laxity in administering punishment by lawful processes. As the county attorney said of the Texas affair, the lynching was the "will of the people." The law also, in a democracy, is the will of the people. Under this definition then, the lynching method and the statutory method become synonymous, with the former possessing the undisputable advantage of quickness, impressiveness and completeness without expense to the state.

This is not to be interpreted as a condonement of lynching. There are many factors which make it contain more of the wrong than of the right. But it is an attempt to show that there is something, even though not much, to be said on the side of the lynchers. This newspaper does not approve lynching; at the same time, it refuses to follow a pattern which requires that it believe lynching contains no points in its favor whatever. There is, in fact, considerable to be said for it, even if not enough to justify it.

SAN ANTONIO, TEX.
EXPRESS

NOV 16 1935

LYNCHING PREVENTED—THE NEW ORDER IN GEORGIA

Presenting a sharp, significant contrast to the recent mob violence in Colorado County, (Texas), Georgia authorities have just demonstrated how a lynching threat should be handled.

After a negro, charged with murdering a white man, had been arrested in Florida, and while angry groups bent upon lynching were seeking him, the officers lodged the prisoner in a county jail "somewhere in South Georgia." Then as the trial-date approached, the sheriff called for and obtained a National Guard escort to bring the accused from Albany to Moultrie. The one-day trial was held under State troops' protection; the negro was convicted and sentenced to the electric chair and December 10 was fixed as the execution-date.

Not satisfied with even that demonstration of speedy justice, however, the mob attempted to wrest the prisoner from the troops as they took him from the courthouse to State's prison. The soldiers beat the attackers back with rifle-butts and finally were compelled to use tear-gas; but they took the prisoner safely to his cell, for legal execution.

The improvement in the country-wide lynching record in recent years must be credited largely to courageous, resourceful thwarting of the mob by sheriff or Governor, sometimes with State troops to aid. For several years past, the Commission on Interracial Co-operation — with headquarters in Atlanta, Georgia—has bestowed gold medals upon sheriffs and other officers for extraordinary courage and resourcefulness in resisting mob violence.

Several Texas officers have earned that honor. One example is Sheriff Harrington's action in averting a lynching in Grimes County last year.

The State Department of Public Safety should investigate the Texas lynching and bring the perpetrators to bar. Should the State officials do nothing about it—the usual course in such circumstances—as Mrs. Jessie Daniel Ames of Atlanta (a native Texan) lately told them, it would appear that they are "either helpless or don't care."

MIAMI, FLA.
HERALD

NOV 29 1935

BORAH AND LYNCHING

MORAL courage is transcendent bravery. In a politician it is a most striking and rare exhibition of civic virtue. When a political candidate for the presidency takes a stand under threat of political reprisal on the part of a minority, he merits the highest commendation of every citizen who admires courage of conviction in those honored with the power of office.

It is quite generally conceded that Senator Borah will be an aspirant for nomination at the hands of his party. Convinced of the probability of his leading the Republican party in the coming elections, the National Association for the Advancement of Colored People attempted to put the Idaho senator "on the spot" by rather impertinently sounding his views on the Costigan-Wagner anti-lynching bill.

With accustomed frankness, Borah informed the colored association he had opposed the anti-lynching bill as an invasion of state rights and unconstitutional, adding, if honored with the presidency he would veto such legislation.

The colored association, after pointing out to the senator that he had the dubious honor of having been "twice the executioner" of the bill, rather arrogantly demanded of him whether he were proud of his handiwork.

Then, to force home its point, the association threatened political reprisal by reminding the senator of the negro voting strength in certain border and Northern states. It is not astonishing Borah's reply dubbed the query of the colored association as a "corrupt and shameless question."

The South joins with Senator Borah in his expression of horror of lynching. It knows, too, that race riots recently have occurred

more frequently north than south of the line. It deplores both as contrary to proper procedure. The South cares no more for mob violence than any other section of the nation.

But it understands its problems and demands its police powers remain intact from federal interference under provisions of the constitution. It understands fully the type of mentality which dictated the character of the letter received from the colored association by Senator Borah.

The bluntness of Borah's answer will be admired by citizens generally who have long deplored the weakness of political office-holders when faced by threats of organized minorities.

As a presidential possibility, Borah looms larger for his outspoken statement of position to the impertinence of the National Association for Advancement of Colored Peonle.

GREENWOOD, S. C.
INDEX JOURNAL

NOV 27 1935

ENDORSED

This statement from The New nd Courier is endorsed:

Senator Borah's answer to Walter White, negro leader and author of the Costigan-Wagner bill, that the bill is unconstitutional and that if President he would veto it, places him as the foremost man, Democrat or Republican, in any party, outside of the South, defending the State right, the Southern right, of each State to manage its own affairs.

While Mr. Borah does not say in this answer (it was not necessary) that he would oppose a constitutional amendment his record as a State rights man is enough. He voted against the Costigan-Wagner bill. A few years ago, when he was in Augusta, Ga., he made a statement that was the clearest and plainest that any man in the front political rank has made in de-

fense of the position upon which government by Southern white people rests.

This statement of facts is also important and should be pondered:

The President, Mr. Roosevelt, could have stopped the bill by a word—which he did not utter. Newspaper correspondents, Pearson and Allen, published that he favored it. That has been privately denied. They published that Mrs. Roosevelt strongly favored the bill and was active for it. That has not been denied.

Anyway we all know that the Democratic senators from Northern States supported the bill, that all or nearly all of them from the border States supported.

There stood the South deserted by all save Southern senators —and Borah.

Get this straight: Lynching is without excuse. The South knows lynching is without excuse. The South does not undertake to defend lynching. The South wants law and order and protection for the humblest citizen regardless of his color.

But when the State is asked to give up its authority over its citizens to the Federal government in all cases where so many as three men make an attack on another then the South or any other section as for that matter would better call a halt,

If the Wagner-Costigan bill becomes law, States might as well give up their Statehood. Their end has come.

GREEN BAY, WIS.
PRESS GAZETTE

NOV 27 1935

BORAH LOOKS UP.

Walter White, Secretary of the National Association for the Advancement of Colored People, aimed an arrow at Senator Borah last week but advanced the senator's candidacy for the presidency by demonstrating that he is a man of character and not a weakling.

Mr. White, with his Association, alarmed at the increase in lynchings in this country, sought through congress a law to lay liability in heavy damages upon the people of every state where mob violence terminated in death. It seemed to Mr. White, and to many others, the only practical way of compelling the South to furnish protection to black men accused of crime. It would be a mighty effective way of stopping lynchings, possibly the only practical plan that could be devised. But Mr. White and his Association were not using the correct procedure to obtain the desired end.

Senator Borah, when the matter came before the senate, declared that it was in violation of the constitution. There appears to be no shadow of doubt but what the senator is right. The congress of the United States is invested nowhere with authority to create a liability for damages for a wrong committed within a state, much less to create a liability upon the part of that state. So majestic were considered the rights of the states when the Union was formed that no privilege was granted to an individual to sue a state although one state may sue another.

The Association for the Advancement of Colored Men would have advanced much further had it accepted Senator Borah's advice that no right such as it wished could be created without an amendment to the constitution.

But now, blindly and recklessly, it is trying to arouse "the 12 million American negroes," whom it assumes to represent, against a man whose only offense was that he was honest. The Association appears to think that every candidate for president must needs be a weakling, someone who will cajole and palaver it, and then lead it into and lose it in a swamp.

Senator Borah's reply was significant:

"I shall vote against such measures as long as I am a member of the senate, and should the unexpected and great honor come to me of being president of the United States and such a bill should reach me, under my oath and in the light of my convictions, I would unhesitatingly veto it."

Senator Borah apparently is reviving the oldfashioned notion that those who swore to support the constitution should support the constitution.

WINSTON SALEM, N.C.
JOURNAL

DEC 6 1935

The South and Lynching

The interracial problems of the Southern states must be solved by Southerners if they are to be solved properly or at all. The white man and the Negro—working hand in hand with each other in the same locality and environment and dealing one with the other in understanding, justice, and equity—can extirpate the evils of lynching, race prejudice, and other malevolent influencs which hinder the progress of the South.

This thought is inspired by an open letter which James E. Shephard, president of the North Carolina College for Negroes, at Durham, has written to the several governors of the Southern states.

In this epistle, remarkable for its temperate tone, its candor and appreciation of of the realities embraced in the Southern lynching drama, Dr. Shephard declares that no Negro born and reared in the South relishes the idea of running to Washington for remedies that lie at home. No federal anti-lynching legislation is necessary if the governors of the Southern states will take a firm, resolute stand against this atrocity. Sufficient laws already exist by which lynching can be driven out of the country, provided they are properly enforced.

He proposes that this question be discussed at a conference of governors such as is held every year, with the thought of having these state executives devise ways of bringing home to their constituents the essential treason which lies in every act of surrender to the mob.

At the same time, Dr. Shephard intimates, the white man of the South can do much to eradicate the cause of lynching by investing more equitable sums in Negro education. As the colored man becomes better educated, as also in the case of whites, he moves farther and farther away from crime.

In the last paragraph of his letter, Dr. Shephard draws a conclusion which must appeal to the sound sense of the thinking Southern mind in referring to the attitude of the intelligent Negro of the South toward the racial problem:

"We desire that our own neighbors and We must work out our destiny and salvafriends enforce the law and if our South- tion in the South by mutual confidence and ern governors will take a stand against respect each for the rights of the others." lynching, and protect prisoners at any cost—this dreadful evil will soon be eradicated from American life and there will be no need of a federal anti-lynching law on the statute books—to needlessly add to unnecessary statutes and legislation which even the federal government is powerless to enforce, nor even has the desire to do so. It is in this spirit I appeal to you.

Lynchings-1935
Discussions.

White Press, Southern.

4925

Foley, Ala., Onlooker
January 31, 1935

CRIME OF LYNCHING

An Alabama negro, elected to Congress from Illinois on the Democratic ticket, whose recent visit to this state was featured with front page write-ups in Birmingham daily newspapers has introduced a bill in the House to "assure to persons within the jurisdiction of every state the equal protection of the laws," and especially to "punish" the crime of lynching.

Lynching may be a crime. But we believe the people of the South, and the North as well, would give more hearty support to anti-lynching laws introduced by white men instead of black ones. Not that the color has anything to do with the bill introduced, but if it is intended to receive support necessary it should have originated from another section. Most especially in view of the recent outrageous autrocities committed which have preceeded lynch acts.

Lake Charles, La. Press
January 25, 1935

Prevented Lynching

For some years Tuskegee Institute has kept an accurate record of lynchings in the United States. Knowledge of the facts surrounding lynching is considered an important part of any intelligent effort to check this lawless American custom.

The record for 1934 has one particularly encouraging feature, in addition to the fact that there were only 15 lynchings as compared with 28 in 1933. The cheering fact is that so many lynchings were prevented. On 74 different occasions angry mobs gathered for the purpose of lynching somebody. And each time force or strategy on the part of public officials dispersed or held the mob in check until the danger was past. It has been the lack of a determined stand on the part of officers of the law which permitted lynching to become so common.

Madisonville, Ky. Messenger
February 1, 1935

THERE WAS NO LYNCHING

At Bradford, Ala., a Negro accused of an attack on a miner's wife was surrounded by 200 armed miners and a lynching seemed certain. But, relates an Associated Press dispatch: "W. C. Chase, mine superintendent, and C. E. Patterson, commissary cashier, persuaded the crowd to surrender the Negro to officers."

Chase and Patterson were only two and apparently the mob had a majority of 198. But the two had great allies, to wit, courage and common sense, and these qualities held the balance of power. The incident at Bradford is merely a new illustration of a truth long known to observers of such things—the truth that two brave and intelligent men are usually enough to prevent a lynching.

Which leads to the inevitable deduction that when lynchings do occur it is because of the lack, on the spot, of even two bold men with brains.

ANNISTON, ALA.
STAR

FEB 2 1935

On Preventing Lynchings

Two Southern newspapers recently have given timely and thoughtful discussions of the lynching problem and of possible measures to prevent mob violence. The Birmingham Age-Herald emphasizes the need of some action by the Southern states to curb lynchings and forestall legislation by Congress that might be prejudicial to the South, and The Louisville Courier-Journal likewise comments on the responsibility resting upon state authorities after describing an incident that took place in Alabama in which a lynching was narrowly averted.

The Age-Herald says:

"Last Monday Senator Costigan directed attention to the bill which he and Senator Wagner are sponsoring, and had read into the record the contents of the measure which he said is substantially the same that received the approval of the judiciary committee at the last session of Congress. That proposal did not come up for action in the Senate, largely because Southern Senators were opposed to its consideration. It is highly questionable that they will be able to make themselves equally felt this time. The Claude Neal lynching has given a special momentum to sentiment for federal legislation in the premises. That means that the affair is most likely to be fought out on the floor of the Senate.

"Southern Senators can be relied upon to leave nothing undone to prevent enactment. But as matters stand, they are up against an ominous situation. The tide is running against them, and will continue to do so to an overwhelming extent, unless the Legislatures of this section take steps to strengthen their own laws on the score of lynching. A very clear obligation rests on our General Assembly to scrutinize the Alabama statutes for the purpose of implementing them as much as possible. We have anti-lynching laws, which in the hands of an aggressive Governor, or under the pressure of a determined public opinion, can serve as a deterent. The trouble is that we cannot usually be sure of having either force at work

"Governor Graves has shown his courage in this respect, during his first administration. He can be expected to toe the mark again, whenever the occasion arises. But that assurance does not make less desirable such additions or amendments to existing statutes as shall operate to drive home to all concerned the serious consequences of a lynching bee. There are too many loopholes in the arrangement we have. There is lacking that immediacy between a mob's action and the penalties therefor which ought to exist as a warning to would-be lynchers and the communities in which lynchings take place. We ought to have, as a state law, pretty much what the Costigan-Wagner bill provides, by way of establishing accountability and meting out punishment.

"How much better off would our representatives and Senators be, if they could cite this step in the direction of state and local responsibility! At this hour, when so much is being done or planned at Montgomery to advance the social well-being of the state and to make government an effective agency, a modern anti-lynching statute would be thoroughly in order. It would be the best answer we can contrive to the criticisms hurled at Alabama on the score of race relations. It would help us to gain that position in the eyes of the country which for one reason or another we have lost—to our very painful disadvantage."

The Courier-Journal editorial follows:

"In Alabama the other day a frenzied mob clamored for the lives of three men, believed to be guilty of a robbery and murder at a filling station in the little Florida town of Laurel Hill. Members of the mob were convinced that they had sufficient evidence against the men to make no mistake in requiring their lives in return for those they were supposed to have taken. The law was too slow for these aroused citizens. They wanted to take justice and vengeance in their own hands.

"By a combination of good luck and the integrity of certain peace officers the men were spirited away from the place where the mob milled about, crying for blood. Once safe in Montgom-

ery the suspects were able to establish their absolute innocence and lack of connection with the Laurel Hill crime. Two ex-convicts, out on parole confessed soon after the robbery and murder, and the case was cleared up. The men and women of the Alabama community had barely missed putting three innocent human beings to death in the most hideous and degrading fashion.

"Such outbursts of lynch fever can be curbed if the responsible authorities want to curb them. Senator Costigan of Colorado recently pointed out that the threat of a punitive federal law on lynching during the last session of Congress had a marked effect on the lynch record of the nation. 'For the five and one-half months in which the Congress was in session,' he declares, 'lynchings virtually ceased in this country. Then promptly following the adjournment of Congress which did not enact the considered legislation, the stream of lawlessness again began to flow at the rate of approximately one lynching a week, until the whole country was saturated with its revolting recitals.'

"So much for the argument of the 'inevitability' of lynching in some American communities. And so much, in the case of the men sought by the frantic Alabama mob, for the argument that lynching of suspects is ever justified."

Lynching Exhibit Will Be Opened

NEW YORK, Feb. 12.—(AP)—The National Association for the Advancement of Colored People announced tonight the art exhibit on lynching will be held after all.

The exhibit, called "An Art Commentary on Lynching," was first scheduled for the Jacque Seligmann Galleries. The galleries later cancelled it.

It will be held beginning Feb. 16, at the Arthur U. Newton Galleries, the Association announced.

The Seligmann Galleries, the Association said, authorized the statement that "political, economic and social pressure had been brought to bear" in causing the cancellation.

Walter White, secretary of the Association, said numerous firms offered their galleries after the announcement yesterday of the cancellation.

The exhibit is sponsored by a committee of persons prominent socially, industrially and in arts and letters.

MIAMI, FLA.
NEWS
FEB 13 1935

To Stop Lynchings

Since 1882 there have been 5,068 lynchings in the United States. The crime is no longer committed as frequently as it was a decade or two ago, but as long as it is permitted at all we do not escape the shameful blot. There were 28 lynchings in 1933; last year the number dropped to 16. There is more than a suspicion that the drop was occasioned by the threat of the anti-lynching bill then before congress, for it would hold counties financially liable for mob violence within their own boundaries. While that measure was pending there were no lynchings. When it was evident that congress was not inclined to act they began again.

A courageous Tennessee sheriff showed recently how lynchings could be stopped without the necessity of such a law. He held his prisoners even at the cost of the lives of several members of the mob who were shot down when they attempted to storm the jail. But such instances are rare. Usually the mob encounters little resistance to its lawless purpose. Nine of the victims last year were taken from peace officers. Once a lynching has been accomplished, rarely, if ever, are the perpetrators brought to judgment, let alone punished.

A federal measure ending this virtual immunity to justice would put a powerful check on the mob spirit. Sociological studies have established a definite relation between ignorance and poverty and lynchings. The evil should be attacked at this source. Meanwhile, the anti-lynching bill, once more before congress, should be enacted without further delay.

EDUCATION CITED AS LYNCHING CURE

Telegraph

Dr. Overton Blames Pro-Lynching for Failure to Enforce Laws

3-1-35
Macon Ga.

The cure for lynching, in final analysis, lies in sociological and psychological education rather than in legislation, Dr. Elvin Overton of the Mercer university law faculty declared last night in an address before the Macon Lawyers' club in Christ church parish house.

Dr. Overton quoted papers and statistics on the lynching problem to show that a pro-lynching sentiment in the public and frequently in law-enforcement officers, including the judiciary, is largely responsible for failure of present anti-lynching laws and blocking the enactment of more stringent ones.

He asserted that probably the most effective punitive measure against lynching occurs is fined heavily. This measure is proving succesful in South Carolina, he said. Among prevention masures, he said, probably the most effective would be a combination of mandatory change change of venue with a special term of court for trial in certain types of cases in which the lynching possibility is involved.

Definitions Vary

Dr. Overton outlined numerous legal definitions of "lynching," which vary in certain states to such an extent that restraining legislation is hindered, if not practically blocked. All legislation aimed at reducing lynchings should be designed to 'take the human element out of the trial," Dr. Overton said.

While he asserted that legislation 'may help," he declared that education sociologically and psychologically toward elimination of pro-lynching sentiment will do more to solve the problem.

Lanier Anderson, president of the Lawyers' club, and Furman Smith discussed the problem with Dr. Overton informally. Mr. Smith took issue with the idea that public sentiment is generally pro-lynching and that this sentiment is the cause for difficulty in convicting lynchers.

W. A. Bootle, dean of the Mercer law school, introduced Dr. Overton.

NASHVILLE, TENN.
EVE. TENNESSEAN
FEB 19 1935

The Law Enthroned.

After the tragic events in Shelbyville last December, Tennessee has reason to be proud of the manner in which the law was substituted for the mob in Nashville yesterday.

No disorder of any kind marred the trial of the negro boy charged with a grave offense. Under such conditions the full testimony was revealed before the jury, which required only eight minutes to return a verdict imposing the supreme penalty of death in the electric chair.

Represented by competent counsel, the negro was granted his legal rights to be heard. There was no gathering of inflamed citizens, no lives lost in seeking to enthrone Judge Lynch instead of the established law, and no burning of the courthouse.

Nashville and Davidson County waste no sympathy on this brutal attacker, but they should be proud to have set an example for proper law enforcement. Presence of the state guard was a mere precaution against violence, and there is not one scintilla of evidence that the negro failed to get a fair trial. There can be no doubt that the state will exact the penalty for his crime.

From the first Governor McAlister has taken a firm stand to uphold the law, and of all his official actions there is none that has demonstrated finer courage or a better understanding of duty. When states like Tennessee and Mississippi, which has also employed its state guard to protect the law, take their stand against mob violence, there is reason to hope that the fight to abolish this long-standing evil is being won.

Clarksdale, Miss. Register
February 14, 1935

A CONTRAST

We again yield to temptation to contrast conditions in Mississippi with those in Louisiana.

Troops were called out in Mississippi for one day to protect the Coyner negro during his trial at Cleveland. Martial law, however, was not declared in that county, nor was it thought necessary. The troops did not supersede the local civil authorities, but merely aided them.

Baton Rouge, Louisiana's capital, has been under martial law two weeks and nobody knows when civil law will be reinstated. Dictator Long hasn't decided, that parish still being somewhat rebellious.

Very few Mississippians even know what martial law means, what constitutional rights it suspends, or the extent to which it abolishes local government and authority.

We hope that few Mississippians ever will know, at least from personal experience. There's no visible prospect that they will.

Mississippi is still Mississippi and the people thereof, thank God, are still their own rulers, through their own elected judges and officials.—Jackson Clarion-Ledger.

VALDOSTA, GA
TIMES
NOV 7 1935

Wonder what's wrong in Tennessee? Five white men took a negro charged with assaulting another white man, from the officers and lynched him. That is perfectly in order, but the strange thing is that the lynchers surrendered themselves to the officers before the coroner's jury could return the usual verdict that the negro came to his death "at the hands of parties unknown."

Lynchings - 1935
Discussions

White Press, Southern

4926

Athens, Ga., Banner-Herald
August 6, 1935

LYNCHINGS ON THE INCREASE

Only five lynchings occurred in the United States during the first six months of 1935. However, there seems to be an outbreak of the lynching spirit prevailing all over the country since the month of July was ushered in. Several lynchings occurred in that month, but they were not all in the south. Other sections of the country were represented in this criminal outbreak.

The press of the country was congratulating the people on the disappearance of the crime, but the recent outbreaks has placed the percentage of lynchings in the higher bracket of former years. There may be a reason for it—the heat has been unbearable, but in our belief the wave of lynchings was prompted from the character of crimes committed.

While not all of the lynchings were prompted from the crime of rape, yet in a majority of the cases, it was rape that brought on the lynchings.

It is seldom that a lynching occurs, except for this crime. It is true that in California last week, a lynching was held on account of the murder of a policeman, but in the south, lynchings seldom occur unless someone commits the dastardly crime of rape.

CHARLOTTE, N. C.
NEWS

JUL 24 1935

Next to Prevention Is Cure

Florida's state attorney pledges that there will be no whitewashing in the investigation ordered by the governor into the lynching of a Negro at Fort Lauderdale last week. He is, he says, "going to the bottom" of it.

Well, if he does he will have rendered his state a great and lasting service, something like that rendered at Shelbyville, Tennessee, last year, when national guardsmen stood off first with bayonets and then with guns a mob bent on lynching a prisoner.

We recall no lynching, even no attempted lynching, in Tennessee since the state showed that it meant business.

Concord, N. C., Observer & Star
August 4, 1935

ACT OF BARBARITY

The lynching of a negro by a mob in Franklin county last Tuesday was a revolting act of barbarity and causes the law-abiding citizenry of the State to hang their heads in shame.

Every member of that cannibalistic mob should be brought to trial, for each is guilty, under the law, of murder.

But will this be the case? We commend the Governor of the State for his decision to "do all possible to bring to trial the responsible parties" but he is more or less helpless. It is a situation that develops upon the shoulders of Franklin county's law enforcement officers and law-abiding citizens. They can, if they will, bring to justice the guilty.

The atrocious incident is a blow of the worst kind to the State at large, for it is the State who receives credit for the shameful act. It smacks of cannibalism in a commonwealth that we take pride in believing enlightened and civilized.

Lynch law can never be condoned. And it is up to the people of North Carolina and the rest of the South where lynchings are known to occur to bring pressure to bear and stop such savagery. And there is only one way to do it—enforce the law to the letter in every case. Such action would put an end to these murderous acts.

Does this speak well of our state: The body of the murdered negro was left hanging for more than two hours, while a large crowd gathered, women and children among them. "Young girls were present in numbers," says a Raleigh newspaper account, "some bringing knitting and proceeding with their stitches as they discussed the crime." And it is also related that the crowd expressed itself as approving the act.

The killing of a prominent white man by the negro is shocking. But wouldn't it have been far better for the law to have dealt with this killer than for the mob? The situation is made all the more reprehensible by the fact that the negro was declared mentally unbalanced.

Franklin county, all North Carolina looks to you to bring to justice those who had a part in the shameful lynching and thus repair the great damage which has been done to our administration of justice.

High Point, N. C. Enterprise
August 4, 1935

(By W. A. BIVINS)

ARE WE FAIR TO THE NEGRO?

The status of the Negro race in the South has improved considerably. Due to the work of such leaders of the race as Booker T. Washington, Moton, and others, the Negro has been taught self-respect, and to be more worthy of respect by the whites. His education is not being neglected and he is being given a chance to show his worth in useful trades and professions. Where his record is not a catalogue of crimes and misdemeanors he stands a fair chance before the courts — that is, if he ever gets before the courts.

After all this is said we may still wonder if we are being altogether fair to the Negro. A Negro professional man recently told me that he regarded that trial of certain whites at Charlotte for alleged cruelty and criminal neglect of convicts of his race as a miscarriage of justice; and he looked upon the lynching of that crazed Negro near Louisburg last week as an unspeakable horror. In that many whites thought as he did he felt that there should be some one bold enough to speaks out in public and create such a sentiment that race discrimination should no longer exist. He felt that justice under the American constitution was supposed to be meted out to all men, regardless of race, color, condition or creed, and that it did not presuppose social equality.

We have considered the Negro in two days: First, as a joke; second, as the white man's burden. On the jocular side we have said that God must have laughed when he made the Negro, knowing as He did the colored man's propensity for fun, minstrelsy, and extreme emotionalism. And a certain preacher has said that probably a few negroes would get to Heaven, since he thought that the Lord would need certain janitors, cooks, and washer-women, of course, to look after the white robes. On the "burden" side we have recignized that the Negro since slavery has imitated our own weaknesses. But rarely for nameless crimes committed by whites among whites is mob violence resorted to; when a Negro works his fiendish purpose upon a member of the Caucasian race lynching too often follows, and investigations usually prove to be a farce. Social sins committed by whites among the negroes seldom find their way to the courts, for the Negro, both for economic and social reasons, feels that he can find no justice where the whites are so largely in the majority. But still we can say that the picture is not entirely dark. Lynching is on the wane, and becoming more sporadic. The Negro is making for himself a place in the sun. Negro spirituals, and addresses by sane members of the race are heard by people of all races from public platforms and over the radio. Tuskeegee Institute, down in Alabama, is sending forth graduates able to work with brain and brawn, and to add to our store of both literary and scientific knowledge. Such improvement invites both fairness and justice from the whites. When once we reach the point that the color line is no longer considered a joke nor a burden we shall indeed have arrived somewhere.

RICHMOND, VA.
TIMES DISPATCH
AUG 1 1935

Like African Cannibals

THE outbreak of savagery in North Carolina, one of the few lynchings to occur in that State in the past decade, gives the Nazis another opportunity to advise this country to mind its own business, and to cleanse its own doorstep. Certainly it was a revolting piece of barbarity, and there can be no possible extenuation of it.

Whereas dispatches sent out by the Associated Press late Tuesday night from Louisburg, N. C., quoted SHERIFF MOORE, in whose custody the prisoner was when he was seized, as saying that there were Negroes in the mob, it is curious that the sheriff failed to mention this important matter during the first few hours that he was being questioned concerning the lynching.

The Raleigh *News and Observer* rushed a staff man to the scene, and published an exhaustive account. SHERIFF MOORE apparently forgot all about the Negro participants when CHARLES J. PARKER of the *News and Observer* asked him if he recognized any who took part. Although the mob was unmasked, and although it took the prisoner away from MOORE at noon on the main highway, the sheriff simply said he didn't know any of those in the crowd. Similarly, when the Associated Press sent its first dispatch to morning papers many hours after the crime, it had not been informed by SHERIFF MOORE that there were Negroes in the mob, for its dispatch in the early edition of the Greensboro *Daily News* contains no hint from him that such was the case. But sometime later he "remembered," and the country has now been advised that the mob was composed of both whites and Negroes.

The body of the murdered man was left hanging for more than two hours, while a large crowd gathered, women and girls among them. "Young girls were present in numbers," says the Raleigh paper's account, "some bringing knitting and proceeding with their stitches as they discussed the crime." It is related that the crowd "expressed itself freely in approbation of the act, at least one woman approaching close to the bleeding body and observing, 'They done exactly right.'" One of the man's toes was cut off by a souvenir hunter

All this sounds as if it might have happened in the Borneo jungle, instead of in the supposedly enlightened United States of America. How much longer is this country to undergo the disgrace of being the only "civilized" country where such things occur?

True, a formal inquiry into the lynching will be conducted in the Franklin County Courthouse, beginning today. Since a coroner's jury, impaneled at the scene, returned a verdict, after five minutes' deliberation behind a tree, that the Negro came to his death at the hands of persons unknown, we are not especially optimistic as to probable results of this investigation. The sheriff and his deputies didn't even bother to take down the license numbers of the cars which carried the mob, such an expenditure of effort having apparently been quite beyond their powers.

All we can say is, if this sort of thing continues, it is apt to mean the ultimate enactment of a Federal antilynching bill. The rest of the country will be unwilling to sit quiet indefinitely and allow the entire United States to be brought into disrepute by gangs of Southern whites whose orgies are as shocking and barbarous as those of African cannibals.

Raleigh, N. C. Observer
August 6, 1935

Law Or Anarchy

Franklin County started a gruesome procession last week. Since Govan Ward was strung up last Tuesday, in two other states three other men have been lynched by angry mobs. In every case those mobs struck at the system of justice which is the only security of us all. And yet though they may represent only mid-Summer madness of mobs, the sober thoughtful citizen may wonder from their actions if something more than brutality may not lie behind these lynchings.

For the sake of the security of our justice those guilty of lynching should be identified and punished. But there should be effort also to impress the people with confidence that if they leave the punishment of the criminal where it belongs, in the hands of the officers of the law, the criminal will be caught and promptly and properly punished. In a letter last week to *The News and Observer*, R. P. Knox, of Louisburg, stated that the crime of Ward which preceded the lynching was the fourth brutal crime committed in Franklin within the past year, and the three earlier crimes, in which two women were attacked and a child killed, remain unavenged by the law and "the fiends who perpetrated these dastardly crimes are still free fiends in our midst." Commenting on Mr. Knox's letter a gentleman from Halifax County reports the escape from punishment there of two killers on the ground that they were insane.

Officers who without resistance let mobs take their prisoners away from them are entitled to condemnation. But the duty of officers, from deputies to judges, to prevent lynching does not begin when the mob starts clamoring at the door of the jail. In North Carolina and in the United States we need not only officers brave enough to defend justice from mobs but also officers energetic and intelligent and incorruptible enough to so enforce the law that every citizen will be confident that the law will punish justly and swiftly all crime that occurs. There is need, too, for insistence upon the strictest proof in every case where there is plea of insanity and for law that will make it possible to shut up forever, if they cannot be destroyed as mad dogs are destroyed, those insane or idiotic killers who do succeed in evading punishment by plea of lack of mental responsibility.

There is never any excuse for lynching. But where officers fail to sternly enforce the law and swiftly punish crime, there should be no surprise if such failure grows to the shaming failure of mob law violation. When men take the law into their own hands because they think the law has failed, they merely complete that failure. They add new crime to old crime, and others too often join them after lynchings in a conspiracy of silence to prevent punishment which adds a new failure of the law to old ones.

We must have a government of law or a government of anarchy, and those who now assist the failure of law by their silence in the apprehension of lynchers will also, by demonstrating the futility of law enforcement in such a case, assist in the future failure of the law in

GREENSBORO, N. C.
RECORD

JUL 19 1935

People In Glass Houses.

Mississippi had two more lynchings the other day, thus gaining the distinction of having had two-thirds of all the lynchings which have occurred so far this year in the United States. Of the total, six, two occurred in Louisiana and Mississippi was the scene of the remaining four.

How easy it would be, and what a temptation it is, to point the finger of scorn, to unloose maledictions upon, and to hurl stones at, our sister states. Yet, in the act of doing so, we are restrained by the thought of an ancient adage: "People who live in glass houses must not throw stones."

A picture which has been much in the news of late, and much in the minds of many North Carolinians, restrains, and reminds of the old axiom. The picture is as horrible as it is revolting. It is that of two young Mecklenburg county, North Carolina, negroes, Woodrow Wilson (Willie) Shropshire and Robert Barnes, footless ex-convicts being wheeled into the Superior courtroom at Charlotte as "Exhibit A" in the trial of Mecklenburg chain gang officials who, the state charges, tortured and neglected these two negroes while they were in solitary confinement.

"Willie" and Robert, the state contends, had to have their feet amputated because of the cruel and inhuman treatment accorded them while they were chained, standing, to cell bars in a hell hole at the Mecklenburg camp.

"Willie" Shropshire, testifying at the trial of Prison Camp "Boss" Little, Guard Rape and the prison doctor, McLaughlin, swore, in part:

> We were stood up in front of the bars. Our arms were stuck through the bars and our hands were handcuffed on the outside. We could not pull our hands back through the bars to untie our shoes or do anything.
>
> When we were put up each morning, they took a biscuit, cut it half-in-two, gave me one-half and Robert the other half. They gave us about a half an inch of water out of a tin pint cup. They gave us another half a biscuit apiece at night and a small drink of water. That's all we got.
>
> We screamed and cried all day for something to eat, for some fire and some water and for them to take us down. We told them our feet were freezing, but they never done anything about it.
>
> I told Captain Little about it and begged him to get a doctor. He told me my feet would be all right and the doctor would be out in a few days. He said to me, "Why did you come up here anyhow to drink up all our good water? I didn't send for you. Why didn't you stay at home?"

Do you believe that?

The defendants under oath absolutely deny it.

It is for a jury to say whether the chain gang boss, guard and doctor are guilty or innocent.

Irrespective of what the verdict may be, it will be difficult to banish the picture of those footless negroes. And the thought will remain, or at least it will remain with the Record, that the state, admittedly, has in the name of prison punishment indulged in acts that were patently wrongful, cruel and inhumane.

We shall hurl no stones at Mississippi and Louisiana today. There mobsters ran amuck. Here, it appears, the state itself is on trial.

GREENSBORO, N. C.
NEWS
NOV 18 1935

The Self-Defense of Five Against One.

The strange lynching over in Tennessee last week which was followed by the stranger surrender of the five participants and their immediate trial has produced still one more strange feature. It is a plea of self-defense. These five men had taken a negro away from two officers of the law and had driven him out into the country intending, they said, to whip him but not to kill him. The car was stopped about five miles from town.

"Get out," said Luther Dotson, "we are going to give you a whipping."

"You ain't going to whip me," the negro is sworn to have replied and to have reached for a rock that lay on the roadside. Dotson fired, killing the negro.

If white supremacy has reached such a state that five white men, of daring and strength proven by their having wrested a prisoner from two white officers, cannot defend themselves against one unarmed black man without having to shoot him, then white supremacy is hardly worth maintaining. Let the jury take that into consideration.—Charlotte News.

Lynchings-1935
Discussion.

White Press, Southern.

4927

Ft. Payne, Ala., Journal
May 22, 1935

LYNCHING DECREASE

The south has cause to rejoice hat their senators were successful n filibustering the Sostigan-Wagner anti-lynching out of considera-ion for this session at least.

All right-thinking individuals op-ose mob violence in any form. Lynching is murder. It violates the aw of God and man.

We agree with Senator Byrnes who declared on the senate floor hat he believed the enactment of he anti-lynching bill would in-rease rather than decrease lynch-ngs.

Lynchings have declined from 231 n 1892 to a total of only 15 in 1934 while that is 15 lynchings too many yet the trend is definitely away rom them and officers of the law re doing more effective work than ver in preventing mob action. This means that the viewpoint of he people on lynchings is chang-ng and that the day will come when lynching will be as dead as dueling, which at one time had such a hold upon the people.

The passage of an anti-lynching bill would undoubtedly delay the fine progress being made toward wiping out entirely the evil of lynching.— Vicksburg Post-Herald

Jacksonville, Fla. Journal
May 18, 1935

Democratic Women To Discuss Lynching

What Southern women will do to prevent lynchings will be discussed before members of the Duval County Democratic Women's organization at 10:30 a. m. Thursday at the Mayflower hotel, Mrs. H. Willis McFadden, director, said today.

The Aim and Program of the Association of Southern Women for the Prevention of Lynching will be the topic of Mrs. W. P. Cornell, chairman of the association's Florida council.

Jean Henderson, state governor of the Pilot's club, business and professional women's organization, will make a report on crime.

She is chairman of a committee of the Democratic women for investigation of crime conditions.

The meeting will be the last one to be held by the organization until the early fall, Mrs. McFadden said today.

Richmond, Va., Times-Dispatch
May 20, 1935

Virginia Lynching Ban Held Effective Bar to 'Barbarism'

Virginia is through with lynching "unless some officer goes to sleep at his post," according to L. R. Reynolds, director of the Virginia Commission on Interracial Co-operation, which will hold its sixteenth annual Statewide conference at St. Paul's Church tomorrow.

The State has the legal machinery and is developing a public sentiment which can outlaw lynching as a "relic of barbarism," Mr. Reynolds said yesterday after issuing an invitation to the public to attend morning, afternoon and evening sessions of the conference.

"Virginia is making encouraging progress in recognizing and discharging her obligation to her Negro people," he continued. "It would be a disservice for one who is supposed to know the facts to give the impression that Virginia, or any other section of the country, has met this obligation in full."

Dr. M. Ashby Jones, widely known Baptist minister of Atlanta, will be the principal speaker at the meeting in the church tomorrow night at 8 o'clock. On the same program will be Dr. Isaac Fisher, editor of "The Southern Workman," a Hampton Institute publication. Lieutenant-Governor James H. Price will preside in the absence from town of Governor Peery, and the Hampton quartet and the Sabbath Glee Club of Richmond will sing.

The conference will open with a morning session at 70 o'clock, to be followed by an afternoon session at 3 o'clock, both in the parish house of the church and both to be devoted chiefly to round table discussions of various interracial problems.

Dr. R. E. Blackwell, president of Randolph-Macon College, will preside during the day sessions. In the morning, William Shands Meacham will speak on "Making the Press a Constructive Force in Race Relations," and there will be round tables on rural rehabilitation, home subsistence prospects, tenancy and related topics. Howard Harlan, Dean R. B. Pinchbeck of the University of Richmond, and H. M. McMannaway of Staunton are scheduled to speak briefly. There will be an art exhibit by Dr. W. A. Cooper of Charlotte, N. C.

To Consider Adult Education

W. D. Gresham of the State Department of Education and J. A. Oliver of the Negro Organization Society will speak on "Progres in Transportation of Negro School Children" in the afternoon, while the round-table discussions will deal with adult educational programs and nursery schools. Reports of special inter-racial projects conducted through the churches, young people's forums, schools and colleges will be made.

Dr. Jones, former pastor of Leigh Street Baptist Church and well known here, is a son of the late Dr. J. William Jones, chaplain on "Stonewall" Jackson's staff. He was one of the founders of the inter-racial movement in the South 16 years ago and now is honorary president of the commission.

Dr. Fisher, a disciple of the late Booker T. Washington, also was one of the founders. For two years he was a traveling fellow in research in race relations for the Guggenheim Foundation of New York, and for nine years was principal of the State College for Negroes in Arkansas. He is an essayist of distinction and has won more than forty national contests.

Tallahassee, Fla. Democrat
June 17, 1935

Women Are Wrong About Lynching Law.

Members of the federation of women's clubs, returning from the Detroit convention revealed that the entire delegation from Florida supported birth control and anti-lynching resolutions.

We cheerfully concede that the first proposition is peculiarly within the woman's field and we have no comment to make on the stand taken by federation members.

But we regret the necessity of disagreeing with the federation on the anti-lynching bill.

The Daily Democrat has maintained a firm position for law and order and against extra legal methods of inflicting punishment upon those who offend society.

Our stand against lynching is no less firm than that of the federation of women's clubs.

But we are in sharp disagreement on the remedy suggested in a bill pending before congress and which was endorsed by the federation. This bill would penalize the taxpayers of the county where each lynching took place.

It requires but a little thought to realize that such a penalty would be unfair and would fail to serve the purpose.

In the first place the membership of mobs is seldom drawn heavily from property taxpayers. Those who pay no property taxes would not be hindered by the penalty. In the second place, it is seldom possible to determine who took part in a lynching or where it was held. An example is the recent unfortunate incident in Marianna. The victim was taken from an Alabama jail and left in the Marianna court yard. Where was the victim lynched and by whom? Does anyone know?

Should the taxpayers of Jackson county be penalized for an act which may have been committed in Alabama? Or should the taxpayers of some Alabama county be penalized for an act in which their own residents had no part?

LYNCHBURG, VA.
NEWS
NOV 15 1935

THE BLACKEST OF THEM ALL

Two Negroes are lynched in Texas by a mob of seven hundred persons including several women.

Usually when that happens the authorities express strong disapproval sometimes indignation, and promise to do everything in their power to bring the culprits to justice. They seldom do, but that's another story On this case, however, the authorities, at least one of them, condone the lynching. It was not a mob, but the people, says the county attorney It was not a lynching, but an execution. The lynching was "an expression of the will of the people," and that being the case he is not going to do anything about it.

What he means is that he is not going to place his job in jeopardy by discharging his duty. Public officials have proved themselves cheap politicians before but there has never been one as cheap as this man, He is false to his oath, false to manhood. The lynchers are murderers, but he is worse. He is a hypocritical defender of murderers, an apologist for their crime, and a party to it.

Columbia, S. C. Record
June 17, 1935

LYNCHING AND INNOCENCE.

It is no province of laymen to sit in judgment on the decisions of the supreme court as they relate to the law, the law being what the supreme court says it is. And, in the light of the heretofore declared law on the subject, the justness of the decision, overturning the directed verdict in the case of Mary Green v. Greenville couty and requiring a new trial at which the issue may be submitted to a jury, is not to be questioned; it is not the important issue, except perhaps to Mary Green, herself, widow of George Green, unoffending negro who was killed in his house by a Greenville mob on the night of November 16, 1933.

But it is important that no narrow definition of what constitutes a lynching within the meaning of the state statute penalizing a county for the breakdown of orderly legal processes shall be permanently adopted. The purpose of the statute, allowing the estate of a mob victim to recover $2,000 damages from the county, is to bring home to the law-abiding citizens of the county their responsibility for the maintenance of law and order in all cases of mob violence, thereby tending to discourage any resort to mob law, not merely in certain cases.

In the instance of the slaying of George Green there is some doubt under the definitions of lynching adopted whether Green was accused of crime and whether therefore he was "lynched" or merely murdered by the robed and hooded mob. The testimony was, as the supreme court points out, susceptible of two inferences, "(1) was George Green killed by a mob by reason of his having been charged with or suspected of some crime?, (2) was he killed (by a mob) on account of the bitter feeling aroused against him growing out of his refusal to vacate the premises occupied by him." If there was any accusation of crime then it was a lynching, but if not then simply murder and no penalty upon the county.

The distinction is of course a distinction without a difference to the mob victim; in either case he is dead and if the statute is to serve its purpose of discouraging resort to mob violence no distinction should be made. It is ironic if nothing worse to penalize a county for the lynching of a person accused of murder, for example,—as Green, the victim in Greenville, was not—and to refuse damages for the lynching of a labor organizer—which Green was not—accused of nothing more heinous than a belief in the federal and state constitutions. And there is always county responsibility in any case of mob violence, whether there be some supposed law violation involved or not. The victim may be innocent, the county or state never. The slaying of Green was not the first instance of resort to mob law in Greenville county, not the first instance of the attempt by mobs to make their own law and punish for it in Greenville. And Green it seems likely, would never have been slain—whether it be lynching or murder—if Greenville county had not acquiesced in these preceding demonstrations of the mob spirit—aimed at hotel bell boys accused of selling liquor and at labor organizers accused of being communists.

But as the law now stands it isn't a lynching unless some crime is charged against the victim, lynching being, as the court declared in the case of Kirkland v. Allendale county, "merely a descriptive phrase which 'is universally understood to signify the illegal infliction of punishment by a combination of persons for an alleged crime.'"

And this definition, which is neither new, nor even a South Carolina invention, though adequate enough for some purposes falls short of essential justice if the intent and purpose of the state constitution, Article VI, Section 6, are to be carried out, the important thing being not the $2,000 in exemplary damages but the maintenance of law and order. For it ignores what every student of mobs and their ways knows—mobs are none too careful in their selection of victims and are as likely as not to pick a perfectly innocent person, accused of no crime greater than having some idea or belief differing from the ideas or beliefs of the mob. It penalizes a good reputation.

Perhaps the trouble is with the constitution which itself limits the recovery of damages merely to those cases "of lynching where death ensues" when it should have made provision for the penalty in all cases of mob violence. If so the constitution should be amended to remedy the oversight. There is, incidentally, another curious result of phraseology in that Article VI, Section 6; it provides for the ouster of officers who through "negligence, permission or connivance" permit the lynching of "any prisoner lawfully in the charge, custody or control of any officer," which seems to indicate that an officer would not be liable to lose his office for conniving even at the lynching of a person illegally or unlawfully taken into charge, custody or control.

There can be no temporizing with mobs if the states are to maintain jurisdiction. Either South Carolina will, without drawing its definitions too finely, do what it may to prevent mob violence and to punish mob members or it will eventually see the federal government step in to attempt to do what South Carolina ought to have been able to do better.

TAMPA, FLA.
TRIBUNE

JUL 24 1935

As TRIBUNE READERS See It.

TAMPAN'S PREDICTION VERIFIED IN FORT LAUDERDALE LYNCHING

L. L. White, of Tampa, offers one reason for the Fort Lauderdale lynching:

"Three years ago, I was working in Pompano, Fla., when an aged, palsied, practically helpless merchant was waylaid on his way home at night and clubbed to death for a few dollars.

"Four negroes, each about 20, confessed the crime and proved their confession by telling where the money and the bloody clubs used in the killing were hidden. This confession was made to a mob who promptly turned the killers over to Broward county authorities.

"They were convicted with no more than the usual delay—then came the usual appeals, writs of error, and bunk, and finally, I believe, the International Labor Defense League butted in. I do not know if these vicious beasts are still enjoying country life at Raiford or if they have ever paid the penalty. If so, it was more than two years before justice caught up with her job.

"I predicted then that if there should be another serious crime in Broward county within five years it would be settled without benefit of law or lawyers. And so, a lynching at Fort Lauderdale.

"An honest investigation must go back to the Pompano murder and the delays, reprieves, pardons and general failure of the law to mete out punishment promptly. I would suggest to the Governor's investigators that they find out why the mob refrained from stringing up a shyster lawyer or two. It will happen sometime."

ORLANDO, FLA.
SENTINEL
JUL 21 1935

The Lauderdale Lynching

THOSE OFFICERS WHO surrendered the Ft. Lauderdale negro to a crowd of lynchers Friday evidently did not have the courage to defend their prisoner.

Criminal assault has been considered an offense punishable by lynching in the south, but an attack with only penknife wounds, hardly calls for such drastic action.

When an officer takes charge of a prisoner, he is in duty bound to give him protection, be he guilty or innocent. The law says he is to have a fair and impartial trial.

If a mob knows an officer means to hold his prisoner, it will seldom go to the extreme of having men killed, that a prisoner may be lynched.

Attorneys are partly responsible for mobs taking the law into their own hands. Delays of court trials and tricks pulled by smart lawyers, in all too many cases permit guilty persons to escape punishment.

If the courts would speed up justice, permitting no loop holes thru which culprits might slip, lynchings would diminish.

The affair at Ft. Lauderdale will remain a blot against the good name of Florida. For the investigation, if there is one, will, as they always have been, be a mere sham.

Lynchings—1935
Discussions.

White Press, Southern.

4928

BIRMINGHAM, ALA.
POST

MAR 14 1935

Boorish Humor

The prosecuting attorney of Marshall County, Mississippi, refuses to call a special session of the Grand Jury to investigate the hanging of a Negro prisoner because "authorities are not sure whether it was a lynching or a suicide."

Officers were notified two hours before the man was killed that a lynching party was on its way to the jail.

Mississippi white men who listen, tongue in cheek, to a burlesque appeal for law and order may have little concern for the life of a humble Negro.

But aside from the moral and legal aspects of a condoned lynching, it is dangerous to allow public officers to mock the law.

If public officials are allowed to wink at lawlessness in the form of mob violence, they will wink at it when it is of more direct danger to all classes of the population.

Officials who made the suicide quip thought they were getting off a fine piece of wit. As a matter of fact they were making themselves stupidly offensive to all thoughtful citizens.

This was the third lynching since Jan 1, the other two being in Louisiana. It is the second interstate lynching within a year, the first being the unspeakably savage killing of Claude Neal in Florida last October. It is the ninety-sixth lynching in the past five years.

* * *

The lynch evil is a cankerous social disease, but Congress has a remedy, if not a cure. It is the anti-lynching bill which would make such mob murders Federal offenses and hold counties financially liable for them.

On Tuesday the Senate judiciary committee put this measure squarely up to the Senate membership by voting unanimously to report it. Its authors, Senators Costigan of Colorado and Wagner of New York, are determined to reach a vote early in the sessions to prevent a filibuster. Obstructive tactics by Southern senators last session killed this same measure. By the same method the Dyer anti-lynching bill was killed in the Senate in 1920, after it had passed the House by a two-to-one vote.

The Costigan-Wagner bill is backed by organizations with membership of more than 40,000,000 persons, many of whom are citizens of Alabama and other states in the deepest South. President Roosevelt supported it by inference when he said in his message to Congress: "Crimes of organized banditry, cold-blooded shooting, lynching and kidnaping have threatened our security."

The graves of more than 5000 mob victims, killed in the past 50 years, testify that local communities are not coping with this evil. A Federal law will not cure the disease outright, but it will remedy it. Southern senators will have much to answer for if they kill this measure again. The attitude of the thinking Southerner was not reflected yesterday in the Mississippi prosecutor's silly "suicide" statement.

Birmingham, Ala., Labor Advocate
May 4, 1935

LYNCHING IS MURDER

When the people of the U. S. A. come to the conclusion that **lynching is murder** and cannot be justified on any grounds, there will be fewer instances of this atrocious form of mob violence.

If there be one thing more than another which is distinctly a blot upon our American civilization it is the unspeakable crime of lynching.

When a number of irresponsible persons are allowed to band themselves together to usurp the functions of our courts of justice and temporarily supercede the officers of the courts by presuming to punish individuals supposedly or actually guilty of crimes without first submitting the case to judge or jury as guaranteed by the constitution of the United States, then they are striking a solar plexus blow at the very foundation of law and order. They are guilty of anarchy.

Every outburst of lynch-mob violence is a blow at right and justice and an outrageous defiance of all regularly constituted government. To allow Judge Lynch and his highbinders to continue their shameful and shocking outrages is to endanger the whole fabric of our government and our civilization.

If the victims of the mob are guilty of crimes, great or small, the courts are there, ready, willing and equipped to mete out due punishment for their crimes according to law.

The mob spirit is contrary to good government and a menace to the security of every man, woman, and child in the country. Lynching is murder, "there you have it plump and plain," **and should be punished accordingly.** No decent, right-thinking, fair-minded man or woman can excuse or condone murder. Everybody think it over!

LYNCHING OPPOSED BY DIXIE BAPTISTS

MEMPHIS, Tenn., May 17.—(AP)—Unalterable opposition to lynchings was expressed by the Southern Baptist convention here today in the adoption of the annual report of the social service commission.

The report, offered by Chairman A. J. Barton, of Wilmington, N. C., also condemned moving pictures depicting crime or vice in an "alluring manner," war, and liquor traffic in all forms and reaffirmed "our devotion to the fundamental New Testament doctrine and fundamental principle of the American government—the separation of church and state."

The convention will late today to hold its 1936 meeting at St. Louis, opening on May 20.

Dr. John A. Huff, of New Orleans, was chosen to deliver the annual convention sermon.

The plea of a 42-year-old North Carolina preacher and author, for an investigation of the alleged "abrogation of elemental human rights" among industrial and rural laborers created a sensation at the convention here today.

Action on the recommendation of Dr. E. M. Poteat Jr., of Raleigh, for 13 years a missionary in China and former teacher of ethics and philosophy in the University of Shanghai, for a bureau of social research to gather unbiased information concerning alleged violence in the east Arkansas share cropper country and in other labor disputes, was postponed until next year.

"Human rights have been distorted," Dr. Poteat said. "A man told me that there are in Memphis 20 families—exiles from across the river in Arkansas, as a result of violence and abuse because they—as share croppers—sought to organize to protect their rights."

Rules Against Agency.

Dr. M. E. Dodd, of Shreveport, La., retiring president, ruled that under the laws of the convention, such an agency could not be authorized at this year's session, since it would require the raising and spending of additional funds, and did not carry with it a recommendation from any board authorized to perform such financial functions.

The committee, headed by Dr. Poteat, was enlarged to include a member from each state in the convention territory. It will continue its study and report again next year with recommendations upon which the next convention will have to act.

Nothing To Be Done.

Many delegates, including Dr. A. J. Barton, of Wilmington, N. C., head of the convention's social service commission, pointed out that while they were in sympathy with much of Dr. Poteat's recommendations, because of the rules of the church and the question of funds, nothing could be done at this time.

Other members, however, openly attacked the objectives of the bureau and discussion at times grew spirited.

Later in the day, the convention adopted the report of Dr. Barton's social service commission, expressing unalterable opposition to lynching, motion pictures which depict crime or vice in an alluring manner, opposition to war and reaffirmed "our unhesitating condemnation and our determined opposition to the beverage-liquor traffic in all forms."

Impassiond Plea.

Dr. Poteat, in an impassioned plea for the adoption of his report, said that if the reports are true "two-thirds of the abused probably are Baptists. If they are Baptists, I am interested in knowing whether these things are true. A research agency should find out."

He pointed to reports that workers in textile mills have been fired upon, and that union laborers have been molested and mistreated.

"The bureau could learn these things and report to the bureau, information untainted by propaganda. There have been complaints of the railroading of suspects, complaints of the Scottsboro, Ala., case, complaints of every conceivable injustice done in the name of profit. These complaints touch every point of our Baptist belief—the question of personal and religious freedom—and every human right."

Speech Praised.

Dr. John Jeter Hurt, president of Union University, Jackson, Tenn., complimented Dr. Poteat's "brilliant mind," and the delivery of his speech but raised the point of order that action could not be taken.

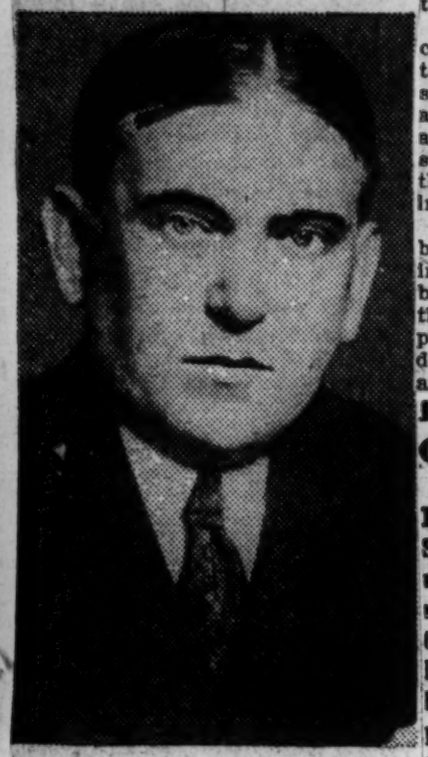
Dr. J. J. Wicker, of Fork Union, Va., got to his feet to say:

"It looks like there's a grudge in this country against any man who's got 50 cents. Millions of dollars worth of property has been destroyed by people who won't work and won't let others work."

He added that such a bureau "ought not to be made up of a personnel of

"It was stated at the time I was appointed to the NRA job that it was for the transition period of NRA

Mencken Assails Mob Atrocities; U. S. Law Asked



HENRY L. MENCKEN

WASHINGTON, Feb. 14. (AP)—An excoriation of lynching in the pungent phrases of H. L. Mencken and other witnesses today caused a federal measure against the crime to gather momentum which promised the approval of a senate judiciary sub-committee.

Chairman Van Nuys (D., Ind.) predicted his group would report the Wagner Costigan bill after Mencken, Baltimore writer, said no civilized government could "condone such atrocities." Senator Wagner (D., N. Y.) asserted that lynchings constitute "almost every type of infamy that blot the record of civilization."

Wagner and Senator Costigan (D., Colo.) are co-authors of the bill.

Rewritten from the form proposed last year, the measure prescribes severe penalties for lynchers, officers who conspire with mobs or fail to protect prisoners from riotous assemblages, and counties where such lawlessness occurs.

No Opposition Heard

No opposition witnesses appeared at the one-day hearing and Van Nuys said the measure probably would be recommended to the full committee soon with possibly some slight changes in phraseology.

Senator Dieterich (D., Ills.) criticized the county-liability clause as making it possible to subject Chicago to damages "to indemnify gangland" when a gangster was taken for a ride. Costigan then suggested a modification to make counties liable only where they did not exercise "due diligence" to protect a mob victim.

"Lynching is a flagrant violation not of one but of many constitutional rights," Costigan said. "It is open anarchy."

Mrs. O'Day Is Heard

Wagner said the "record of the past five years is stained with the life blood of 95 unjudged victims largely because local authority failed to prevent and failed to punish."

With a small group of Negro educators and spectators in the committee room nodding approval, Representative Caroline O'Day (D., N. Y.), a native of Savannah, Ga., told of a visit to South Africa, where she said the impression prevailed that the United States "condoned lynching."

She said a Hindu had written a book on lynching and racketeering in the United States which was a best seller in India. Mencken said the government must make every possible effort to put lynchings down, or "it must suffer the scorn and contempt of christendom."

H. L. Mencken's Comment On The Anti-Lynching Bill

The other day Henry L. Mencken, the Baltimore critic of life in these United States, was asked to give his views on the anti-lynching bill which is now under consideration in Washington. The subcommittee of the Senate did well to call Mr. Mencken to the stand, for the state of Maryland last Fall gave a startling exhibit of the political effects of lynching. It has been said by competent observers that the defeat of Albert Ritchie, in his race for the governorship, was attributable, to a definite extent, to the votes which were massed against him as a result of his vigorous denunciation of the mob violence which had taken place in the Eastern Shore section of Maryland.

The Baltimore Sun, a paper with which Mr. Mencken has been associated in various capacities for many years, exerted every ounce of its force in an effort to have the mob leaders punished in the Maryland affair. Gov. Ritchie, it will be recalled, did everything in his power to uphold the dignity of the law in the difficult case. The Baltimore newspaper, apparently sensing the real state of affairs on the Eastern Shore, conducted a strenuous campaign calculated to save Mr. Ritchie from the political revenge of those whom he had "outraged" by insisting that they have respect for the constituted government. But the only reward which Mr. Ritchie received for his courageous stand was the realization that votes from the Eastern Shore precincts had proved sufficient to swing the balance against him at the election.

Before the subcommittee of the Senate Mr. Mencken declared that the United States either must "make every possible effort" to stop lynchings "or suffer the scorn and contempt of Christendom." That is a good reason, all right. It deserves the attention of the country. But, after all, there are things worse than "the scorn and contempt of Christendom." One of these things is the willingness of a large number of voters to remove from office a man who has shown a determination to uphold the integrity of the laws and the rules of civilization. It is true, as Senator Costigan has said, that lynching constitutes "open anarchy." And it is undeniable that political reprisals upon officials who attempt to do their duty represent an affront which is serious in the extreme.

Atlanta, Ga. Constitution
June 2, 1935

General Federation Holds 45th Conclave In Detroit, Michigan

General federation's forty-fifth convention will be held in Detroit on June 4-12, inclusive, and controversial subjects to be discussed include birth control, lynching, dictatorships, universal fingerprinting, fascism and communism. It is believed that eight resolutions will be presented for action. One will reiterate the federation's indorsement of America's entrance into the World Court.

The birth control resolution asks indorsement of "the principal of federal legislation for the dissemination of scientifically regulated birth control information."

An anti-lynching resolution that the federations of Virginia and Louisiana will present asserts opposition to lynching. Another indorsement to be asked is "for a nation-wide campaign for universal fingerprinting as a protective measure for every citizen of the United States."

Some 5,000 delegates and alternates are expected to attend the conclave, and Mrs. Grace Morrison Poole, at the helm of the organization for three years, completes her term in June. The contest for the presidency is being waged between Dr. Peirce and her opponent, Mrs. Roberta Campbell Lawson, of Tulsa, Okla.

Georgia clubwomen attending the convention will be Mrs. H. B. Ritchie, state president; Mrs. J. W. Gholston, director; Mrs. A. B. Conger, second vice president; Mrs. Lena Felker Lewis, Monroe, and Mrs. R. H. Waugh, of Albany, delegates from state at large; Mrs. Harry Brown and Miss Caryl Brown, of Athens.

A Michigan products dinner will be tendered the members of the board Monday evening, June 3. On Tuesday evening the convention will open. This first session will be marked by addresses of welcome from the governor of the state, the mayor of the city of Detroit and women's club leaders, with a response by Mrs. Poole. Later there will be presented a pageant featuring foreign women's groups of Detroit with choruses and dances.

The daily sessions will be interspersed with numerous luncheons, teas and dinners. A pilgrimage to historic Greenfield is announced for one day and on Saturday, June 8, there will be an all-day boat trip. On Sunday memorial services will be held to honor the memory Mrs. John Dickinson Sherman, a past president of the general federation; Mrs. Joshua Hodgins, a past trustee; Mrs. L. V. Hubbard, past secretary for foreign and territorial clubs, and others who have passed away during the past year.

A farewell dinner to Mrs. Poole is scheduled for the evening before the closing day of the convention. A colorful feature of the gathering will be a pageant, "The Frontiers of These United States," which will be presented the evening of June 10. This will introduce groups of various sections of the country portraying the early days of their localities.

CHARLESTON, S. C.
NEWS AND COURIER
AUG 2 1935

Communists and Lynchers Allies

The taunt of Mussolini's newspaper that the American negroes had better concern themselves with the American lynchers before championing the cause of the Ethiopians has point.

There is no answer to it, and especially it shames the white South. Three negroes have been lynched, in Mississippi and North Carolina, in the last two weeks. That the Italians, with their "Camorra," "Mafia" and other secret societies, long ago made lynching a fine art has nothing to do with the case—lynching is a disgrace to the white South.

Why do our people confess that they are incapable of governing by law? Why do any of them say that they cannot "protect womanhood" without saying, "To hell with the Constitution"?

The truth is that lynching endangers womanhood, manhood, children. It is defiance and destruction of law, and, when life is taken by the mob for one cause, it will be taken for other causes. Property will be taken and destroyed too.

The Communists proclaim that Communism is spreading among American negroes (the spreading is confined to Northern cities for the most part), and in no possible way can Communism be encouraged so effectively as by lynching.

The Communists work to destroy the law to undermine and blow it up, to prove that the existing system of law is a failure. That is the aim of the lynchers.

The white lynchers and the black Communists are comrades and allies, fighting on the same front whether they know it or not

NASHVILLE, TENN.
BANNER
NOV 12 1935

Negro Church Group To See Governor On Lynch Action

Members of the Nashville Negro Inter-Church Alliance meeting in special session at the Negro Y. M. C. A. Monday morning appointed a committee of seven to call on Gov. Hill McAlister this week voicing the organization's disapproval of the lynching of Baxter Bell, White Bluff, Tenn., Negro, and asking the Governor to lend his support in its investigation.

The alliance also adopted a resolution condemning the opening of theaters and dance halls on Sunday night and appointed a committee to investigate the matter.

Lynchings - 1935
6

White Press, Southern.

4929

Discussions.

Nashville, Tenn.
Morning Tennessean

NOV 20 1935

Triumph For Law.

The cause of law and order in Cheatham County was greatly strengthened by the action of Circuit Judge Wirt Courtney in issuing bench warrants for the five men who took Baxter Bell, a negro prisoner from officers at White Bluff two weeks ago and killed him.

After the murder trial jury, which had deliberated over the week-end and reported Monday it was unable to agree on a verdict, Judge Courtney ordered the defendants held for a grand jury investigation on a charge of conspiracy to inflict punishment, and the five men, who had escaped punishment on a limsy plea of self-defense, were held without bond. The case is to be laid before the grand jury at the February term, and in the meanwhile the men face charges in Dickson County of carrying a pistol, rescuing a prisoner from officers and highway robbery or seizing a pistol and blackjack from the officers.

Judge Courtney's refusal to let these men go free will support those citizens of Cheatham County who do not want the Bell lynching, the first in that county's history, to be a precedent.

The negro was accused of insulting and slapping Mrs. Luther Dotson, wife of one of the defendants, while she was drinking beer in a negro store, and testimony was given at the trial that Dotson had manufactured liquor and that negroes had bought it from him and his wife.

There are laws to cover the offense Baxter Bell is alleged to have committed against Mrs. Dotson, and but for the intervention of her husband and his four kinsmen the courts would, no doubt, have dealt to him the punishment which he deserved under the law.

Judge Courtney was, of course, surprised that a Cheatham County jury would fail to find a verdict of guilty in a case where guilt was so apparent, but he met the situation with courage and a sense of social responsibility, preventing a miscarriage of justice which, if permitted to occur, might have had far more serious consequences in the future.

WILMINGTON, N. C.
STAR

NOV 26 1935

THE FRANKNESS OF BORAH

With characteristic frankness, Senator William E. Borah has informed a national negro organization that "Should I have the unexpected honor of being elected President" he will promptly veto any such legislation as the Costigan-Wagner anti-lynching bill. He declares such legislation would be contrary to the Constitution.

For once we are in agreement with Mr. Borah. The proposed law is of course aimed at the preventing of lynchings where the racial element is involved, but overlooks the fact that if applied in constitutional manner to the entire country, as would be necessary if passed by Congress, it would include a dozen varieties of crimes not usually considered as lynchings but which fall into that category nonetheless.

We do not imagine Mr. Borah entertains any serious idea of receiving the "unexpected honor" he mentions, but his definite stand on the question is refreshing.

Left to their own devices and ungoaded by such crusades as have attended the anti-lynch drive, the various states will work out the lynching problem to the general satisfaction of the world. Already there is reason to be encouraged at the vigorous stands taken by numerous Southern States, particularly North Carolina.

CHARLOTTE, N. C.
OBSERVER

DEC 1 1935

SAVE STATES' RIGHTS BY EXERCISING THEM.

The acquittal of the five white men in Tennessee charged with murder in connection with the lynching of a negro, who was not even accused of the "usual crime," was another in a long series of invitations to Congress to enact a Federal anti-lynching law.

The five men admitted at the trial that they overpowered two officers and took their prisoner from them by force, hauled him away to a thicket several miles distant and shot him to death. Their defense was that they had not intended to lynch him but that one of them shot the negro to death in self defense when he started to pick up a rock. Also they pleaded as an extenuating circumstance that the negro had made an insulting remark to the wife of one of the five men and when she resented it he slapped her. He was arrested and charged with assault and battery.

After hearing all the evidence, including the testimony of the officers, the jury "deliberated" for two nights and a day and brought in a verdict of not guilty. The judge expressed himself as "astounded," but he had no reason to be, if he had been keeping posted on the record of such cases. As a rule the evidence and the law do not count with juries in lynching cases any more than they count with a mob bent on committing a lynching.

For some months now North Carolina has maintained a standing invitation to Congress to enact an anti-lynching law by its failure to punish or even to arrest any member of the mob of 20 or 25 men who in mid-day light took a negro prisoner from the sheriff and his deputies in Franklin county and lynched him. At a brief formal hearing before Judge W. C. Harris, sitting as a committing magistrate, immediately after the lynching, the sheriff and the deputies swore they were unable to identify a single member of the mob or get the number of any one of the group of automobiles used by the lynching party. And that seems to have ended the State's interest in the case.

Of course the absurdity of the testimony of the sheriff and his deputies in a rural county like Franklin, with a population of barely 30,000—where everybody knows the sheriff and the sheriff knows everybody in the county—made no difference.

These two recent cases of lynching—one in North Carolina and one in Tennessee—widely different in their aspects—illustrate the manner in which States generally deal with lynchers, in South Carolina, Georgia, Mississippi, Louisiana and elsewhere.

And yet, when Congress convenes again and an anti-lynching bill is introduced to provide for more certain punishment of lynchers, the Senators and Representatives from all of these States will be expected to make a determined fight in opposition, with orations in defense of States' rights, maintaining that a Federal law is unnecessary because the several States "are amply able to deal with lynchers and are doing so."

Certainly the matter of dealing with lynchers should be one for the States and not for the Federal government, and should be left to the States—if they will deal with this crime of combined murder and anarchy.

But, sooner or later, if the States will not deal with it—if they will not punish or arrest lynchers, or if State court juries persist in acquitting lynchers regardless of the evidence and the law—then the arguments against a Federal anti-lynching law will become generally recognized as absurd and ridiculous and the matter of dealing with lynchers will be taken over by the Federal government.

The Nation as a whole has some rights as well as the individual States in the matter of the disgrace of continued and frequent instances of lynch law and sooner or later will insist that the Federal government take action to deal with lynchers if the States will not.

Frequent lynchings with virtual immunity for the mob are more dangerous to the constitutional rights of the people of the States than a Federal anti-lynchings law would be.

In the interest of States' rights the States should prove that they can deal effectively with lynchers.

Atlanta, Ga. Constitution
December 8, 1935

Holds Court Reforms Will End Lynching

Editor Constitution: There are unquestionably many fairminded justly disposed men in every class and profession and unfortunately some of the other kind also in every class and profession, but it is indeed encouraging when a convention of lawyers meet and the better element are men enough to condemn the evils of their own profession and are ready to ostracize those of their own profession who go into our courts (expected to render justice only) to win their cases regardless of justice.

We know that even a criminal has the right to be tried in a court of justice, but it does not seem to us that this means that a smart shyster lawyer should be allowed to go into court to try and sometimes succeed in turning loose a criminal client to further menace the public and encourge others in criminality.

We believe that if this evil practice now condemned by this convention of lawyers and by all other fairminded citizens can be stopped it will do more to stop lynch law than any possible effort to deal directly with the lynchers to punish them.

Judge Lynch has some excuse for his existence and actions, when told to leave these matters entirel to the courts and when he does he finds sometimes that between the delays and the perversions of justice by smart shyster lawyers, justice is not done.

We are not advocating lynch law—it is a dreadful thing—but condemning it will not get rid of it. Lynchings often would not occur, we believe, but for the fear that the courts will not bring the results deserved by criminals.

Lynching, as stated, is a dreadful thing, but all lynchers are not bad men, and we believe what this convention of lawyers are undertaking to do (stop the evils allowed in our courts) will go further toward stopping lynching than anything else that can be done and that it will also get the support of all good citizens who really desire to be law abiding in all their conduct, but heartily disapprove some things allowed in the courts.

E. A. BARNETT,
Washington, Ga.

Greensboro, N. C., News
December 5, 1935

Dr. Shepard Asks Governors To Fight Spread of Lynching

Durham Negro Educator Says If Southern Governors Will Take Stand to Protect Prisoners There Will Be No Need of Anti-Lynching Law.

In a letter sent Monday to the governor of each of the southern states Dr. James E. Shepard, president of North Carolina College for Negroes, Durham, summarizes the attitude of his race, as he sees it, in regard to the federal Anti-Lynching law, as follows:

"We desire that our own neighbors and friends enforce the law, and that our southern governors will take a stand against lynching and protect prisoners at any cost, this dreadful evil will soon be eradicated from American life and there will be no need of a federal anti-lynching law on the statute books to needlessly add to unnecessary statutes and legislation which even the federal government is powerless to enforce, nor even has the desire to do so. It is in this spirit I appeal to you. We must work out our destiny and salvation in the south by mutual confidence and respect each for the rights of the other."

Praises Bickett's Regime.

As an introduction to the letter President Shepard refers to the administration of the late Gov. Thomas Walter Bickett, of North Carolina, as a time of exceptionally good feeling between the races of the state and recalls that he once counselled a large group of negroes to carry their grievances to the white man. It is in the spirit of the utterance that the letter to the state executives is written, he states.

"I deplore crime," he says. "I stand fully for the majesty of the law. Crime should be punished to the fullest extent of the law whether committed by a negro or any other man. The courts should in every way be supreme. The courts are in every case dominated and controlled by the members of the white race. With this fact as a promise there can never be any excuse for a lynching," the college president asserts.

"No negro born and reared in the south as I was relishes this running to Washington for remedies that lie at home. It is in the nature of a confession, if indeed not a proclamation of no faith in the local government under which he lives," he continues.

Stating that a high official a few days ago unblushingly proclaimed that public sentiment supported a lynching which had occurred in his state and, feeling that way about it, did not so much as make a gesture of protest or of enforcement of the law against lynching, President Shepard charges that within a few days negroes were lynched in Tennessee, not for any capital offense or felony of any kind committed by them, but because they refused to submit to beatings. "Thus we observe that insubordination of negroes about to be beaten by brutes, without any pretext of law, is to be added to the causes for lynchings in our southern states," he declares.

Denounces Violations.

Denouncing public officers who violate their public trust by countenancing crimes because they believe that sentiment among their constituencies supports the violations, the letter appeals to each governor as the leader of public sentiment in his state to arouse the public to an understanding of the peril to society in the increasing of such crimes. The negro college president expresses the belief that a conference of governors, such as held every year, could do an immense amount of good, especially if these executives dedicated themselves to the task of teaching their constituents the essential treason that lies in every act of surrender to a mob. These governors would erect for themselves monuments in the hearts and memories of an oppressed people, more enduring than stone or bronze, he declares.

Pointing out that negro population in state prisons has decreased as educational opportunities for negroes increased, he states that more investment of state funds in negro education would be putting first things first.

Suffolk, Va., News-Herald
December 4, 1935

URGE AGGRESSIVE ANTI-LYNCH STAND

Negro Educator Calls On Governor For Support

RICHMOND, Va., Dec. 4.—(AP)—In a letter which was sent to Governor Peery and other southern governors, Dr. James E. Shepard, president of North Carolina College for Negroes, today asked that they take an aggressive stand against lynching and for the protection of prisoners from mobs.

"I appeal to you as the leader of public sentiment in your state to arouse the public to an understanding of the peril to society in the increasing of these crimes against mob rule have been written by white men and they have sworn to uphold them."

SUFFOLK, VA.
NEWS HERALD
NOV 2 1935

GRETNA JAIL HOLDS MYSTERY

IT WAS reported in a news dispatch under a New Orleans date line that two Negroes, charged with attacking white women, had been shot to death in their cell by officers in the Gretna jail across the Mississippi river yesterday. The prisoners were purported to have shot and wounded the officers with a pistol that had been smuggled to them.

The bodies of the Negroes were said to have been riddled by bullets after a leaden missile had grazed the cheek of the sheriff and another had lodged in the arm of his deputy. It is rather difficult to figure out why prisoners locked in a cell should attack armed officers on the outside, knowing that to do so meant certain death.

Another element of mystery is added to the tragic event by a previous report to the effect that the prisoners already had been lynched. Because of contradictory reports and discrepancies there are sufficient grounds to doubt if the Negroes were shot in self-defense by the sheriff and his deputy. The incident should be made the subject of rigid investigation in the interest of common justice. No one not present knows what grim tragedy may have been enacted at Gretna.

Rocky Mount, N. C., Telegram
December 6, 1935

What Others Say

A SOUTHERN NEGRO'S VIEW OF ANTI-LYNCHING LEGISLATION

In the midst of the discussion of the Costigan-Wagner anti-lynching bill, which will come up in the next congress, the voice of the southern Negro has been strangely silent. Northern congressmen, urged on by such organizations as the National Association for the Advancement of Colored People, have as a rule espoused this bill, while southern members have opposed it with equal vigor on the grounds that it is an enroachment on states' rights.

Now, however, a southern Negro leader has ventured to speak. He is alarmed, of course, at the number of lynchings which take place, but he prefers that the evil be eradicated by the individual states, rather than by the federal government. He is Dr. James E. Ehepard, president of the North Carolina college for Negroes. In a letter addressed to the governor of each southern state, Dr. Shepard sets forth his views, and from this letter, we quote two significant paragraphs:

"I deplore crime. I stand fully for the majesty of the law. Crime should be punished to the fullest extent of the law, whether committed by a Negro or any other man. The courts should in every way be supreme. The courts are in every way dominated and controlled by members of the white race. With this fact as a premise, there can never be any excuse for lynching. . . .

"We desire that our own neighbors and friends enforce the law, and that our southern governors will take a stand against lynching, and protect prisoners at any cost, this dreadful evil will soon be eradicated from American life, and there will be no need of a federal anti-lynching law on the statute books—to needlessly add to unnecessary statutes and legislation which even the federal government is powerless to enforce, nor even has the desire to do so. It is in this spirit I appeal to you. We must work out our own destiny and salvation in the South by mutual confidence and respect each for the rights of the other."

These sentiments we believe, represent the feelings of the entire south.

A pertinent point that framers of anti-lynching legislation overlook is the fact that with a federal law on the statute books, many offenses not commonly associated with lynching, but which nevertheless come under the broader meaning of the word might be taken from the jurisdiction of the individual state and turned over to the federal government. In short, it would be a step toward converting the state courts, not only of the south, but of the north as well, into mere police tribunals—Wilmington Star.

Lynchings - 1935
& Discussions.

White Press, Southern.

4930

RALEIGH, N. C.
NEWS OBSERVER

NOV 15 1935

It Ought To Be True

"You can't trample the law underfoot and get away with it," Judge Clawson L. Williams told a Negro, guilty of a serious crime, in the New Hanover Superior Court. Everyone will applaud Judge Williams' statement and everyone would like to believe that it is true. But is it? In a county adjoining that in which Judge Williams spoke, two years have passed since a mob lynched a Negro without one of those guilty of the lynching having been punished for trampling the law. In a county adjoining the county in which the State Capital is located, the months go by without any suggestion that any member of a lynching mob there will ever be brought to trial for "trampling the law underfoot." And this week in Texas a county attorney, commenting on a lynching, declared: "I do not call the citizens who executed the Negroes a mob. I consider their action an expression of the will of the people."

Judge Williams ought to be right, but he will not be right so long as the law is trampled underfoot by mobs of men and the law shows itself helpless, sometimes even, as in the Texas case, shows itself amenable to the trampling of many bloody feet across the body of the law.

Statesville, N. C. Daily
November 20, 1935

AMUSING YET SERIOUS.

A Tennessee negro, alleged to have insulted a white woman, was taken from officers by the husband of the woman, and four relatives. Half an hour later he was found dead of a bullet-punctured lung.

Last week, only two weeks after the killing, the five men were brought to trial. They admitted the killing, but pleaded self-defense. The jury heard the evidence, pretended to believe their story and Monday brought in a verdict of not guilty. The presiding judge said he was "astounded" at their verdict, and immediately issued a bench warrant charging "conspiracy to inflict corporal punishment," which upon conviction carries a penalty of two to ten years.

These fellows told the court they had intended to whip the negro, but when he retch for a rock the husband shot him because of "fear" for his own life—and twelve supposedly intelligent men pretended to believe them.

It is a story that is quickly told, but it will take decades to live it down.

One unarmed negro, in the presence of five men, is a dangerous character when he reaches for a rock, therefore he ought to be exterminated pronto, and a handy blunderbus, previously provided, plus an itchy trigger-finger, did the work. But twelve good men and true said it was all o. k. with them and thus branded Cheatham county, Tennessee, "as a dumping ground for lawlessness," just as the judge said.

Maybe the officers were powerless to hold their prisoner in the "attack" of five men, and then again maybe not. Backed by the law and supposedly armed, if there were no collusion, they could have saved this blot on their community. From this distance it seems that the judge failed to shoot his whole wad, when he held only the five men on other charges.

Twelve men, selected in the usual way, bringing in such a verdict as that, reflects a sentiment that is all too prevalent in the South when a negro is involved. Those five men must have been sure of their ground when they advanced the silly plea of self-defense—but they overlooked the judge.

Brought to book on the lesser charge, in the same county, you don't even need to play a hunch to bet that they won't be convicted—and win without hedging.

Sarasota, Fla., Herald
November 17, 1935

RADICALS TO BLAME

The deplorable lynchings occurring in the south within the past month or two are not condoned by the people who have unalterable beliefs in law and order, and who believe in the perpetrator of a crime paying the penalty for his act through the properly constituted courts.

However, the people of the south are noting with no little amazement and alarm that radicals of other sections of the country are rushing to the defense of perpetrators of crimes in the south, and are employing every means, irrespective of the serious nature of the crime, to defend and free those charged with taking the life of a white man or woman or committing a serious crime upon a white woman.

The radicals had better let the people of the south handle their own crime problems, or the deplorable lynchings instead of decreasing, will be on the increase. Men of the black race charged with a crime in which capital punishment is the maximum are given proper defense, the courts appointing capable attorneys in the event the criminal is without the means to engage a lawyer. In such instances proper defense is presented the jury and the accused is given the benefit of every legal doubt. There are few, if any instances, where a man white or black paid the extreme penalty for a crime without having his conviction reviewed by the supreme court, at least that is the rule in Florida. There may have been one or two exceptions.

The radicals are going to find that their attempts are not going to meet with the approval of the southern people who are more capable of handling the negro problem than are the radicals. They may find their actions so reprehensible to the people of the south that lynchings abhorred by the majority of southerners will increase instead of diminish.

Charleston, S. C. News & Courier
November 17, 1935

Foolish Southerners

Public officers, who happen also to be public fools, have excused the lynching of two negro boys, sixteen and fifteen years old, who assaulted and murdered a white girl in Texas, on the ground that the laws of Texas provide no adequate punishment for their crime, which is to say that the Texans, having demonstrated incapacity to make laws adequate to prevent and punish crime, are compelled to reject law and become criminals themselves.

This miserable affair in Texas will supply the Northern Democrats and Republicans in the congress (under the prodding of the Northern negro organizations) with "reasons" to press for the passage of the Costigan-Wagner (Costigan and Wagner are Roosevelt Democrats and New Dealers) of anti-lynching bill.

Southern ruffians and dolts, lynchers, are constantly supplying "Democrats" like Wagner, spokesman for and ally of the Harlem negro vote, with argument for the bill, and it may be passed.

If it become a law it will not stop lynching. It will not check lynching in the South.

Trial in a federal court would not frighten the ruffian Texans who lynch and their imbecile office-holders who approve it. It would more likely cause more lynchings, arouse the ruffian elements of the South to greater brutality, hinder and halt the efforts of those Southerners who have striven seventy years to prevent lynching and have made great progress toward the suppression of the shameful and utterly useless practice.

The Costigan-Wagner bill is in fact a bill to kindle the lynching passions of Southern negro-haters.

Durham, N. C. Herald
November 20, 1935

SELF-DEFENSE (?)

It makes a ridiculous story of course, but when you get down to bedrock there is about as much substance to the self-defense plea five Ashland City, Tenn., lynchers successfully maintained before a jury as there is in any number of mob lynching stories that have never so much as reached a trial jury.

In the Ashland City instance, four brothers and one companion snatched a 45-year-old Negro from the hands of officers, carried him into the woods, filled his body with bullet holes and when caught answered a charge of murder with a plea of self-defense. They merely intended, they say, to give the Negro a flogging but when they started to carry out their intention he picked up a rock and to protect themselves they pulled triggers.

The story is absurd. But the jury accepted it and after all is it much out of line with the customary way of handling mob lynching cases? Right here in North Carolina, we practice pretty much the same thing. In Pender county a mob of several hundred took a wounded prisoner from the sheriff and two or three deputies, pumped his body full of bullets and wound up by tossing the lifeless form on the courthouse lawn. The sheriff had an attack of blindness, could not recognize a single member of the mob and the governor is yet waiting for the solicitor to file a report requested more than a year ago. In Franklin county, the Pender incident was re-enacted in broad open daylight. Again the sheriff was a victim of blindness and to this day nothing has come of the penetrating probe that started with such a show of outward determination.

Kinston, N. C., Free Press
November 14, 1935

The county judge at Columbus, Texas, where two Negro youths were killed by a mob because of their brutal crime of attack and murder of a white girl, is quoted in press dispatches as saying: "I am strongly opposed to mob violence and favor orderly process of the law. The fact that the Negroes who so brutally murdered Miss Kollman could not be adequately punished by law because of their ages, prevents me from condemning those citizens who meted justice to the ravishing murderers last night." The question is did the mob members take that into consideration? Would the lynching not have occurred had the victims been twice as old?

Charlotte, N. C., News
Novemebr 12, 1935

Novelty Compounded.

It was a strange kind of mob which lynched a Negro near White Bluff, Tennessee, last week. For one thing, there were only five members of the mob. For another, only one shot was fired to end the victim's life, nor was there any torturing of him before death or dismemberment afterward. No, this small mob quietly seized the Negro, killed him and then, to cap the climax, marched into town and surrendered to the sheriff.

The sheriff, so astonished was he, hardly knew under what charge to hold the men. He was not long in finding out, however, and neither was the county grand jury long in indicting the five for murder in the first degree. Even more strangely still, the trial will begin at once.

The one more amazing circumstance necessary to make this the strangest chapter of lynching in the South would be for the trial jury to bring in a verdict of guilty, making it necessary for the judge to sentence these men to die as other men have died for murder. Our guess ordinarily would be that the jury would do no such thing, but this whole affair has been so completely out of the ordinary that it is hard to tell what to expect next.

Greensboro, N. C., News
November 16, 1935

Shears and Paste

Novelty Compounded.

It was a strange kind of mob which lynched a negro near White Bluff, Tenn., last week. For one thing, there were only five members of the mob. For another, only one shot was fired to end the victim's lift, nor was there any torturing of him before death or dismemberment afterward. No, this small mob quietly seized the negro, killed him and then, to cap the climax, marched into town and surrendered to the sheriff.

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—Charlotte News.

GREENSBORO, N. C.
NEWS
NOV 18 1935

"You can't trample the law underfoot and get away with it," Judge Clawson L. Williams tells a New Hanover negro offender in sentencing him a score or so of years in prison. You're right, he can't; but if he had been a mob of white men over in the adjoining county of Pender with a negro to lynch, we'd say he could and did.

Kingsport, Tenn. Times
November 20, 1935

WEAK LAWS TO BLAME

Mob lynchings are deplorable at any and all times. Just as deplorable, however, are our weak and inadequate laws which are direct incentives to lynchings.

Illustrative of this is the recent sickening tragedy at Columbus, Texas. On October 19 two young negro fiends, Ernest Collins, 15, and Benny Mitchell, 16, criminally assaulted a beautiful 19-year-old white girl then brutally murdered her and threw her body into a creek. Later after being arrested and questioned they admitted the crime.

Now of course the lives of these fiends should have been forfeited. Nothing else would offer a sufficient warning to any others who might lead themselves to committing a similar crime. For the protection of society in general and in particular for the protection of women and girls nothing else but death could suffice.

Yet under the Texas law the maximum penalty which could have been meted out to these inhuman killers was confinement in a reformatory until they were 21 years old!

In brief they committed the most diabolical crime that it is possible for human beings to commit. They were and always would have been more dangerous to the community than mad dogs. While they were alive no woman could have been safe—no parent of a young girl could have been at ease. Yet the great Goddess of Justice decreed that their maximum sentence could be but a few not-unpleasant years in a reformatory where they would have been comfortably taken care of—then to be let loose again upon a trembling public.

Are we to be surprised that the the people of the community determined to take the matter into their own hands? Last week a mob of some 700 people calmly proceeded to take the killers away from the officers and hang them to a convenient tree.

Significant are the statements of the county attorney and county judge following the lynching. The county attorney stated that, "I do not call the citizens who executed the negroes a mob. I consider their action as expressive of the will of the people." The county judge remarked: "I am strongly opposed to mob violence and favor orderly process of the law. The fact that the negroes who so brutally murdered Miss (Geraldine) Kollman could not be adequately punished by law because of their ages prevents me from condemning those citizens who meted justice to the ravishing murderers last night."

We repeate that we, too, are unable to condone mob violence. But we would add that laws which are too pitifully weak and inadequate to protect our women from brutal fiends are an even greater danger to civilization than mob lynchings.

Orangeburg, S. C., Democrat
November 28, 1935

Borah Speaks Plainly.

Senator Borah, Progressive Republican of Idaho, is considered a consistent defender of the American Constitution. Recently, he has been mentioned as a possible presidential candidate of the Republican Party.

With this fact in mind Walter White, secretary of the National Association for the Advancement of Colored People, warned Senator Borah of the Negro voting power in light of my convictions, I would unhesitat-
some states and inquired about his views ingly veto it. . . .
on a Federal anti-lynching law. "I do not enter a d
The Idaho Senator, who had opposed the judgment is the utter
Wagener-Costigan anti-lynching bill in Con- ures aside from the
gress (a measure introduced by two Demo- Neither do I take
crats) replied without hesitation. Senator I have often expres
Borah justified his opposition because the my horror of lynch
proposed bill was unconstitutional and said: that if the federal
"That being my view then and now, I shall the subject it can
vote against such measures as long as I am ment to the constitu
a member of the senate, and should the unex-
pected and great honor come to me of being
president of the United States and such a bill
should reach me, under my oath and in the

Lynchings-1935
Discussions.

White Press, Southern.

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Windsor, N. C., Advance
November 22, 1935

"THE WILL OF THE PEOPLE"

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If these official comments expressed an isolated view they would be shocking enough; they represent an opinion widely held and not infrequently expressed in the United States. The substance of this opinion is that we will obey the law only so long as it coincides with our desires and interests. When we can't get what we want, or can't get it quickly enough, by legal means, we'll take it anyhow.

This view was expressed two years ago by the late James Rolph, Jr., as Governor of California, after two white men charged with kidnaping and slaying a San Jose man had been hanged by a mob. Referring to "those fine, patriotic San Jose citizens who knew how to handle such a situation," the Governor proclaimed that "if anyone is arrested for the good job I'll pardon them all."

It was really the same state of mind that actuated the violators of the prohibition law. It is the same state of mind that leads dictators of whatever color to kill their enemies in order to hold power. It is the same state of mind that causes some employers to hire private armies or incite vigilantes to crush their workers. Indeed it is the same state of mind that brings wars.

It is a state of mind which, if not controlled, will bring also an end of all orderly government.—Christian Science Monitor.

Rome, Ga. News-Tribune
November 22, 1935

LYNCHING IN SELF DEFENSE

WHEN a jury at Ashland City, Tenn., acquitted five men who had taken a negro from officers of the law and shot him to death, the presiding judge gave the members a tongue lashing and caused fresh charges to be made against the prisoners. The warrants issued upon their acquittal charge conspiracy to inflict corporal punishment, and the five were remanded to jail for trial.

Of interest is the fact that the defendants were acquitted upon a plea of self-defense, which appears to be something new in the court of Judge Lynch. The accused admitted taking the prisoner and killing him but maintained that he, the prisoner, "reached for a rock" after being made captive, and that the fatal shot was fired in defense of their lives. And the jury accepted it!

The negro who was lynched in this fashion and whose lynchers escaped in the first trial upon the amazing self-defense claim, was not charged with the offense that is usual in cases of lynching, but with striking a white woman, and there is no evidence whatever that he would not have been fully and promptly punished through due process of law. Yet he was taken from an officer and shot to death.

It is crimes like this and trials like this that tend to bring into contempt all the processes of law and the trial judge in this case acted with commendable promptness and firmness in insisting that some form of punishment be meted out.

Contempt for law is a cankerous growth that threatens all the machinery that mankind has erected for the protection of society and it must be suppressed with greater vigor if disastrous consequences are to be avoided.

Wartburg, Tenn., News
November 21, 1935

Negro lynching has become so popular that it is quite a sport. It originated in the southern states of Alabama and Georgia, but its popularity has now spread to Tennessee. It was formerly an evening sport and attracted a large number of participants and aspirants to the fray. Now the popular time for the sport is the early afternoon, and the rules have been so remodeled that four or five may play the game.

Dothan, Ala. Eagle
November 15, 1935

THE JOB HOLDER MENTALITY

Two Negro boys were lynched in Texas Tuesday night by a howling mob which included a number of women; the Negro boys offense was reprehensible; they had, so their reputed confessions ran, outraged and murdered a young white girl.

But hardly more reprehensible than either the original crime or the subsequent manifestation of the barbarism of the self-proclaimed "superior race" is the attitude of O. P. Moore, county attorney at Columbus, Texas.

"I do not call the citizens who executed the Negroes a mob. I consider their action an expression of the will of the people," said he.

The county attorney under our enlightened system of government depends on the votes of his neighbors for his job. Undoubtedly most of his voting strength of his county was in the mob. For no matter what Moore proclaims with one on election day, the fact remains it was a mob.

Scarcely less astounding is the attitude of the county judge, Judge H. P. Hahn, who said

"I am strongly opposed to mob violence and favor orderly process of the law.

"The fact that the Negroes who so brutally murdered Miss Kollman could not be adequately punished by law because of their ages prevents me from condemning those citizens who meted justice to the ravishing murderers last night."

The Birmingham Age-Herald asks the pointed question:

"Could this county attorney be correct?"

Says the Age-Herald:

"Could this county attorney of Columbus, Tex., be correct when he says that the lynching of two Negroes by a mob of 700 persons represents 'an expression of the will of the people. And yet that is the excuse he offers for the action of this crowd that took two Negro youths and hanged them to a tree.

"This county attorney should remember that the will of a people is not expressed in heat and passion. Mob rule is not to be confused with the deliberate judgment made possible by orderly court procedure. If 'the will of the people' is to prevail in times of emotional excitement, then we may as well submit to anarchy.

"It makes no difference what the offense of the Negroes was. There is never, in an organized society, any justification for condoning executions outside the law. These Negroes were denied a jury trial, as pledged by the Constitution of the United States and, it is a safe assumption, by the Constitution of Texas. The circumstances of the case cannot conceal the fact that the hanging was a violation of the law as clearly as the deed of which the Negroes were accused.

"As a public official, it is likely that this county attorney was sworn to uphold the law. But instead he says that the hasty, ill-considered act of an inflamed mob is superior to the law. To what depths the nation has fallen when men in office hold such views!

Election day must be close around for these two sworn upholders of law, justice and public order!

York, S. C. Enquirer
November 19, 1935

Altho he had been sentenced to die December 10, for the murder of a white man, a mob wanted to lynch John Henry Sloan, a negro, at Moultrie, Ga., anyway. So the mob went after John Henry at the Moultrie, Ga., jail last Thursday. Governor Talmadge sent national guardsmen to protect him. The guardsmen carried John Henry away to a safe place.

Tallapoosa, Ga., Journal
November 21, 1935

Lynching Held As People's Will By Prosecutor

Columbus, Texas—County Attorney O. P. Moore said he believed the lynching of two youthful negroes by a mob of 700 persons, including several women on a farm near here was an expression of the will of the people.

Moore's statement came soon after Justice of the Peace E. C. Thrower said he would conduct a court of inquiry into the lynchings.

The town was quiet. The mob seized Ernest Collins, 15 and Benny Mitchell 16, who assertedly had confessed the criminal attack and subsequent drowning of Biss Geraldine Kollmann, high school honor graduate, from officers and left them dangling from a live oak tree near the girl's home.

"I do not call the citizens who executed the negroes a mob" said Moore. I consider their action an expression of the will of the people."

Charlotte, N. C., News
November 19, 1935

Anticlimax.

The lynching and its aftermath over in Tennessee last week, which progressed from one strange circumstance to another, had for its ending a scene with not even novelty in its favor. Just the opposite, the climax of the piece was distressingly trite.

Act I, you will recall, was the lynching, which oddly enough was accomplished without torture or dismemberment and with only one shot. In Act II there was the surrender of five men who confessed to the deed. Act III brought forth the trial and the plea of the five to manslaughter in self-defense against one unarmed Negro.

Act IV saw the jury file in and report. Not Guilty, was the verdict.

There was a mild epilogue to this farce, delivered by the judge upon the bench. Said he to the jurors: "I am astounded at your verdict."

Weldon, N. C. News
November 21, 1935

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New Orleans, La., Times-Picayune
November 27, 1935

Borah Meets an Issue

SENATOR BORAH of Idaho is among those most "prominently mentioned" in connection with the Republican presidential nomination next year. Though he has not thrown his hat into the ring, his potential candidacy makes him the target of interrogatory from groups interested in specific measures or policies with which the next administration must deal. One of these, the "Society for the Advancement of Colored People," recalled that the Idaho senator has opposed its federal antilynching bill. So it "demanded to know" what he would do as president if the bill should pass Congress and be submitted for his approval. The society claimed to be speaking for the negro voters whose ballots might determine the election result "in a number of pivotal states."

Mr. Borah gave them their answer promptly, and in the open. He made it so plain and so strong that there can be no mistaking its meaning. "When this legislation came before Congress in 1922," he said, "as a member of the judiciary committee, I was appointed chairman of a subcommittee to pass upon the constitutionality and feasibility of the measure. I spent much time in considering it. I read the debates which had taken place in the House and many briefs. I finally spoke and voted against the measure because then I entertained, and now entertain, no doubt whatever that these measures both were in contravention to the plain terms of the federal constitution. That being my view then and now, I shall vote against such measures as long as I am a member of the Senate and should the unexpected and great honor come to me of being president of the United States and such a bill should reach me, under my oath and in the light of my convictions, I would unhesitatingly veto it. Whatever may happen in the future politics of this country, so far as my position on the question presented by these measures is concerned, it will not be changed or even modified."

This straightforward and unqualified answer may not please the society which asked for it, but its courage and candor will be applauded by Americans in vast majority whether their views of the raised issue agree with Senator Borah's or not. Fearlessness and honesty are not by any means extinct in American politics, but unhappily they are rarer than they should be and demonstrations like this win admiration and commendation the country over.

CHARLOTTE, N. C.
OBSERVER

NOV 30 1935

TALKS LIKE HE MIGHT BE A DEMOCRAT.

MR. BORAH is behaving mightily like a Democrat. And talking that way.

He told WALTER WHITE, the negro who is supposed to have authored the WAGNER-COSTIGAN anti-lynching bill which Southern Senators talked to death in the last Congress, that the measure is unconstitutional and that if Congress should pass it, and he were President, he would veto it.

That's the position taken by Southern Senators in their fight against it—they hung on like grim death to the principle of States' Rights in this matter, even though, perhaps, some of them were not quite so stubborn for the principle in other equations.

It is gratifying to hear the Senator talk so emphatically in this tone.

We had about concluded that the venerable doctrine of the right of a State to regulate its own affairs, as the Constitution definitely and specifically provided, had no defenders outside of the South, and none too many even in this area.

But Senator BORAH raises his voice when he states his position on this principle and he is from away out yonder in Idaho.

What a support such a declaration should be for the States' Rights party, the Democratic in these days when Federalism is running wild!

The Federalism of ALEXANDER HAMILTON crushing and putting to rout the democracy of JEFFERSON!

Heartening, indeed, this emphatic assertion from a Senator who is neither a Jeffersonian nor a Southerner, but who believes that the structure of the Constitution on this point is to be reverenced instead of prostituted.

Let us hope that Senators WAGNER and COSTIGAN who put their heads together and introduced this bill, *both of them Democrats* and, therefore, bound as such by the principle of States' Rights, hear this fellow-Senator of the Republican party, the party that traditionally has stood for the abrogation of such rights and the enthronement of strong, centralized Federal government.

Lynchings-1935
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White Press, Southern.

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CHARLOTTE, N. C.
NEWS
DEC 22 1935

THE SOUTH TODAY

By John Temple Graves, II

The Lynch Mind: A Snapshot.

(Copyright, 1935, for The News.)

Editor's Note: John Temple Graves, II, conducts a widely read daily column in the Birmingham (Ala.) Age-Herald. He has been editor of two southern papers, author of numerous books, contributor to many magazines, and this year was awarded a doctor's degree by the University of the South for "distinguished contributions to the field of journalism." He saw service in France in 1918, served on the American peace commission in Paris in 1919, was economist for the federal trade commission in Washington, and was admitted to the bar of the District of Columbia. Dr. Graves is the son of a distinguished southern journalist and the great-grandson of the eldest brother of John C. Calhoun. By way of versatility he holds the Middle Atlantic States tennis championship for 1934.

During the war of the American Revolution a Virginia justice of the peace developed a nice technique with the Tories. He would suspend them by their thumbs until they were persuaded to shout "Liberty forever!" The gentleman's name was Charles Lynch, and even though his patients all survived this extra-legal treatment, the name was given thereafter to a practice by which nearly 5,000 Americans, most of them Southern Negroes, have been put to death without benefit of law in the last fifty years. The simpler and better name for these premeditated killings, of course, is murder. The term "lynching," although undoubtedly less offensive to practitioners, is an understatement—and an injustice to the memory of Charles Lynch.

Wide Range of Letters.

With all that is being said and done, or at least, attempted, against lynch law, it seems strange that there should be so few studies of the lynch mind—photographs taken from life. Almost any Southern editorial writer who has taken a stand against mob murder is likely to have a drawerful of more or less revealing letters from people who believe in lynching, letters of abuse, epithet, protest, argument, philosophy. In the course of ten years as an editorialist in Florida and Alabama, conducting a daily editorial column on the first page under his own name, this writer has had his share of such letters; and because they have come to him as to an individual they have been, perhaps, more intimate and enlightening than letters addressed formally to a newspaper's editorial page. Their contents may offer little of argumentative worth, but they have a certain news value and an indisputable clinical interest.

Some people will tell you that the lyncher has no mind, that he is a moron. But it can be stated on the best of evidence that thousands of very good readers and writers in the South today believe in lynching as a stern necessity under certain circumstances, even though they may be unwilling to take part in an actual lynching themselves. Without them and the prestige which their comparatively "educated" support gives the institution, actual lynchers might be much more careful. For one letter from the moron who scrawls on coarse ruled paper that you are a "low down yellow-livered nigger-lover" and calls you unprintable names in a spelling all his own, there are dozens of letters from perfectly intelligent people who write to debate the thing with you, sometimes sorrowfully, sometimes angrily, sometimes with complete dispassion.

Never to be forgotten, for example, is the obviously genuine regret with which a certain graduate of the University of Virginia offered his conclusion that the white and Negro races will never be able to live successfully side by side in the South—or the perfect calm with which he suggested by way of solution "a general massacre." Comparable in philosophical ferocity is the rule laid down by a Birmingham physician in a letter insisting that a certain Negro defendant should be hanged whether he was guilty or not. "The important thing," he wrote, "is that whenever a white woman is raped by a Negro there should be an example and a spectacle of punishment. If possible, get the right Negro and string him up. String up one or two of his nearest relatives at the same time. And if the right one can't be found, take some other Negro."

A major point with lynch sympathizers is that those who are not in favor of lynching have never been faced personally with the situation which incites it. "If we had sat quietly (sic) on our royal," asserts one correspondent "while the niggers were killing our white women and alibing and getting by, we would never had been recognized." He wrote: "If those women who were attacked were some of your own friends or relatives, I wonder if you would be for handling them so nice and gentle?"

Communist Influence.

Interference of the Communist International Labor Defense is mentioned in many letters as a cause of lynchings. A Georgia author wrote that the only way to end present-day lynchings and racial disorders in the South was to "discover the agitators—they happen to be Communists and labor organizations—punish them; their action is treasonable." But that the Communists themselves feel that their coming, far from aggravating the lynch impulse, has cowed it, is suggested in a letter from the secretary of an international labor defense district organization:

"The ILD has forced the Southern lynchers to now assume the defensive. They are no more the arrogant fellows they were in 1931. In 1931 a Scottsboro paper openly made lynch threats against any Negro who aspired to jury service in the South. The Jackson County Sentinel editorially stated: 'A Negro juror in Jackson County would be a curiosity, and sometimes curiosities are embalmed, you know. Today we witness Tom Knight (attorney general of Alabama) telling the Supreme Court of the United States that Negroes are not systematically excluded from Alabama juries because of their race."

The conviction that lynching parties are composed of men grimly and calmly performing a social duty in the spirit of early American vigilantes is common to many of the correspondents. "I do not think the mob is composed of the blood-thirsty anarchists which you intimate," wrote a Florida school teacher, "any more than our Confederate grandfathers were such, because they united secretly to free this fair land from the dominion of the carpet-baggers and scalawags. Rather are they composed of men who have lost confidence in the agencies that have been duly constituted to effect justice. And with no small reason."

Defenders of Lynch Law.

A superior knowledge of the Negro race is the claim with which a number of letter-writers set themselves up as defenders of lynch law. "How much do you know of Negro psychology?" scoffed a Tennessee merchant. "Do you know anything of the Negro you are thrown with but what he wants you to think? Do you appreciate that the vindication of the 'majesty of the law' is Greek or Hebrew to him? The law is something to be used in his favor by his friends and against him by his enemies. He will put you and your newspaper among those that think 'them boys didn't do nothing wrong' and he will not admit it to you but you could never make him believe that they (the Scottsboro defendants) rode in a car at night with any strange women without having intercourse with them, and range you with those who think opportunity justification."

But the most frequently employed and impressive point made in defense (or explanation) of lynching is the ineffectualness of the law, the technicalities employed to delay and often to defeat the doing of justice. "Those (Scottsboro) Negro boys were convicted and sentenced by an Alabama judge and jury and should have been dead and forgotten long ago," writes a Georgia merchant. "That they are still living is the fault of our laws. If you are crusading for law and order, then for God's sake start with the law.—Get the laws fixed so that when a man is fairly convicted by a jury of his peers let him suffer the penalty imposed without further bother and expense. How in the name of decency is Alabama to keep her women from being raped by black devils when they have such examples of the inadequacy of our existing laws?" In this writer's mind, obviously, there is no question of the fairness of the Scottsboro trials, nor any concern for it.

Organizations Active.

It is only within recent years, of course, that organizations like the International Labor Defense and the National Association for the Advancement of Colored People have interfered to offer to Negro defendants in certain cases in the South the services of resourceful attorneys, and thus to protract trials and legal processes. Whether this "interference" tends to defeat justice or to procure it, the fact that it is a comparatively recent development means that the lynch argument based upon it is also recent.

These selected letters are typical of the variations in intelligence, education and point of view of those who write to Southern newspapers in defense of lynch law. There are many, if not more, letters expressing uncompromising hostility to mob murder and the lynch philosophy. The number of Southerners who believe that lynching is a disgraceful, corruptive and wholly unnecessary practice rivals today the number of those who do not. The expressions of their belief have neither news value nor clinical interest, as they are identical with those of civilized people the world over, but the picture attempted here would be incomplete without a reference to them. In Birmingham last year, for example, when a third-rate politician called facetiously for "bigger and better lynchings" and suggested that "rope is too high and one bullet placed in the correct position will do the work at much less cost," he found himself sixteenth in a field of sixteen in a race for the state legislature. It is symptoms of this sort that give hope to Southerners who are earnestly striving to do away with the crime of lynching.

NORFOLK, VA.
LEDGER DISPATCH

DEC 20 1935

John Temple Graves Writes On Lynching

"It can be stated on the best o evidence that thousands of very good readers and writers in the South believe in lynching as a stern necessity under certain circumstances," advises John Temple Graves, II, in his survey of lynching which will appear in Saturday's Ledger-Dispatch. Without the prestige which the comparatively educated support of these people gives the institution, Dr. Graves thinks the actual lynchers might be much more careful.

These and other conclusions on lynching, one of the South's greatest problems, are reached by Graves in his inspiring contribution to "The South Today," regular Saturday feature in the Ledger-Dispatch. They are the result of years of contact with the problem during which Dr. Graves has conducted, under his own name, a column on the front page of a great southern newspaper. In this capacity he has had his share of letters from every type of newspaper reader, and because they have come to him as an individual, they have been more intimate and enlightening than letters addressed formally to a newspaper's editorial page.

Out of this wealth of correspondence, from doctors, lawyers, businessmen, housewives, teachers, and people in every walk of life, Dr. Graves has constructed a clinical survey of the lynch mind, which is highly enlightening and tremendously interesting and readable.

"The Lynch Mind: A Snapshot," by John Temple Graves II, will be the title of the second article of "The South Today," and will be found in the Ledger-Dispatch next Saturday.

Lynchings - 1935

White Press, Southern.

4933

Discussions.

Concord, N. C. Tribune
November 23, 1935

WHY LYNCHINGS AREN'T HALTED.

The news dispatches tell that seven hundred people joined in the lynching of two negro boys who confessed to criminal assault upon a high school girl in Columbus, Texas, and drowning her. The boys were snatched from officers at a river crossing and hanged to a tree near the farm home of the victim.

The county attorney termed the lynching "an expression of the will of the people" and said he did not consider the citizens who executed the negroes a mob.

Naturally under such circumstances it is not reasonable to presume that the enforcement officer was sincere in his threat to "vigorously" prosecute any of the seven hundred persons including women, who participated in the deplorable affair.

The negroes were in the hands of the law when the mob seized them and there's little doubt as to what their fate would have been in any court, yet it was, "the will of the people" to execute them, so another blot is recorded against Texas and against the South.

In this particular instance the county attorney admitted what usually is camouflaged That the mob represents the sentiment of the community.

That's the chief reason no mob members are ever convicted. And lack of conviction gives sustained life to mob rule.

It all goes back to "the will of the people," not only in this admitted case but in all other where officers claim they can't find mob members or evidence upon which to prepare warrants.

Seneca, S. C., Journal
November 28, 1935

BORAH SPEAKS BLUNTLY

Asked by the Association for the Advancement of Colored People what he would do about the federal anti-lynching law if he were president, Senator William E. Borah replied that if it were laid on his desk he would veto it because he believed such a law would be illegal.

Kingsland, Ga., S. E. Georgian
November 23, 1935

Lynchings In Georgia Deplored By Women

Atlanta, Ga., Nov. 26—The Woman's Missionary Society of the Atlanta District of the M. E. Church, South, made public resolutions deeply deploring the two recent lynchings in Georgia and asserting that in neither of these cases was there even the pretense of excuse for mob violence. One of the mob's victims, they asserted, was not accused of any offense whatever and the other was accused only of drunkenness and of effecting his escape from an officer by seizing the latter's pistol. Registering "unqualified condemnation of lynching under whatever circumstances," the Society voiced its protest against "officers and courts that tamely bow to the mob," and urged "upon all religious, educational, and civic agencies the imperative duty of building a public opinion which will no longer tolerate mob violence." The Society commended county and state officials who in other recent cases have averted threatened lynchings by calling out the troops. The resolutions follow:

"We, the Woman's Missionary Society of the Atlanta District, M. E. Church, South, in quarterly session, note with deep humiliation that two lynchings have disgraced our state in the last two months; one near Vienna, another near Moultrie. Mobs have defied our laws, discredited our civilization, and mocked our religion. We bow our heads in shame and contrition that such things can happen among us.

"Lynching in our opinion is never excusable, but in these two cases there was not even the pretense of an excuse. Lewis Harris, lynched on September 27 near Vienna, was accused only of drunkenness and of escaping from an officer by seizing the latter's pistol. When he was rearrested, the same officer, apparently without resistance, handed him over to a mob to be shot to death. Bo Brinson, lynched near Moultrie on October 16th, was not accused of any offense whatever. Searching for another Negro, a mob entered Brinson's house. When he objected, they shot him to death in his own home. So far none of the participants in either lynching has been apprehended.

"Therefore, we register our unqualified condemnation of lynching under whatever circumstances, our protest to officers and courts that tamely bow to the mob, and our shame for a Christian civilization so superficial as still to tolerate such savagery.

"We urge upon officers and courts their sacred obligation to uphold the constituted processes of law, and upon all religious, educational, and civic agencies the imperative duty of building a public opinion which will no longer tolerate mob violence.

"We are glad to commend the county and state officials who in recent cases have called out the organized power of the state to protect persons in the custody of the law and to vindicate the authority of the courts."

GREENVILLE, S. C.
NEWS

NOV 21 1935

"SELF-DEFENSE"

Five white men at Ashland, Tennessee were acquitted by a jury on a charge of murder for the shooting of a negro who had insulted the wife of one of the defendants.

The negro youth, it appears, had slapped the woman and had thereafter been shortly taken into costudy for trial and punishment. But the husband and kinsmen successfully intimidated officers and got possession of the negro, whom they subsequently shot to death.

Their story was that they only intended to take the negro out and administer a whipping, but that he did not fall in with that idea and picked up some rocks to defend himself. And therefore the defendants claim that they shot him to death in self-defense. It is rather strange that five white men, fully armed, would be in such fear of an unarmed negro youth in their custody as to have to kill him in self-defense because of such threatening gestures as he might make. But that was their story and the jury accepted it.

However the presiding judge had a different idea. He excoriated the jury for returning such an "astounding verdict" and immediately issued bench warrants charging the same defendants with conspiracy to inflict corporal punishment. It may be that a subsequent jury will likewise free these defendants, but at any rate the action is gratifying indication of a judge's determination to censure a verdict which very evidently impressed him as calling for some strong remarks from the bench.

GREENSBORO, N. C.
NEWS

NOV 19 1935

THEY COME CLEAR.

The five Tennessee white men who laughingly surrendered to the sheriff after they had lynched a negro alleged to have slapped the wife of one of their number are, it is true, being put to the inconvenience of a court trial; but they had scant cause for worry.

The explanation one of them thought up was just the sort of funny story calculated to appeal to a jury composed of their peers. They took the negro out with no idea of killing him, they say; but just wanted to whip him. When he said he would not be whipped, and stooped down to pick up a rock, why of course they shot him—in self-defense.

The only thing that prevents our chuckling some over the joke on the colored boy is that we've heard even funnier stories along the same line.

There was that one, if you remember, about Dock Rogers, the Pender negro, who tripped in a plowline on the courthouse lawn and strangled himself to death while trying to bum a ride with some white folks who were out frolicking with a truck.

Or was that the explanation former Solicitor Woodus Kellum accepted for the report he was ordered to make but seems not to have made as yet to Governor Ehringhaus?

SAN ANGELO, TEX.
STANDARD

NOV 4 1935

THE LAW'S COURSE

The lynch toll of this year stands at 19 today.

Sordid picture in this latest wave of human beings give vent to their else they may regret, may deplore with sober words, but it appears there's little if not by deed. Mob action ought may do about it so long as this occurs. The picture is never to be the public will so long as there is a better and a legal way throughout the years. Good citizens to mob murder, who desecrates their oath of office by word of mouth assaulted her was as sordid. The picture has not changed much joins the mob, who gives state sanction to mob murder, who desecrates t, may deplore with sober his oath of office by word of mouth e it appears there's little if not by deed. Mob action ought may do about it so long as this occurs. The picture is never to be the public will so long beings give vent to their as there is a better and a legal way reasonably where crimes to express it. his occur. The picture is tened any by the state the county attorney that reted this as the will of two negro boys slew a white girl and he interpreted a mob of 700 sullen Texans who feelings unreasoned jeered an Episcopal rector as he such as this occurred pleaded to let the law take its not brightened course. The original crime wherement of the c

CISCO, TEX.
NEWS

NOV 18 1935

Is Mob Violence 'Will of the People?'

Two negro boys charged with foul crimes were lynched by a mob at Columbus. They were taken from armed officials and hanged to a live oak tree not far from the home of their victim of a double outrage. O. P. Moore, county attorney, said he would vigorously prosecute "any of the 700 persons, including women, who participated," but added, "I do not consider the persons who executed the negroes a mob. I consider their action an expression of the will of the people." This expression of the prosecutor is said to have drawn protest the state over "as official action lagged." Gov. James V. Allred said, "Lynching is deplorable at any time," and L. G. Phares, head of the department of public safety and Texas rangers added, "I don't believe lynchings are the will of the people and if they are, they certainly ought not to be."

Mob law is said to be the law of the jungle. It overrides the law of organized society. There isn't a chance on earth for a negro charged with the double crime of murder and rape to win a verdict of not guilty in a court of justice in the commonwealth of Texas. Mob law, racial prejudices are as dangerous as a dynamite bomb or as a lighted torch in a powder magazine. The mob who lynched the two negroes near Columbus may be prosecuted but it is safe to predict the leaders will never be convicted of mob violence in the county or adjoining counties which was the scene of the ghastly horror and which called for the condemnation of those who participated in the live oak tree hanging.

Every alleged criminal, regardless of age, color or condition in life is entitled to a fair trial in open court. Then if convicted by a jury of his peers, the punishment should fit the crime.

DENTON, TEX.
RECORD CHRONICLE

NOV 15 1935

"THE PEOPLE'S WILL"

Two negro boys, 15 and 16 years old, were lynched this week in East Texas as they were being brought to trial for the brutal assault and murder of a young white girl. The mob wasn't masked and the leaders were well known.

The Sheriff said he was sorry the mob took the law into its own hands, and the District Attorney planned no action, saying that he considered the lynching to be "an expression of the will of the people." The general attitude of those charged with enforcing the law was that the lynching was too bad but that it was necessary under the conditions and the people who took part in their mob crime couldn't be blamed.

"The will of the people" is a new name for mob-bing. The prospect that the two negro youths could not receive more than a few years in the reformatory for their crime due to their age apparently caused many otherwise law-abiding citizens to take justice into their own hands.

The law has wisely set age limits to protect impetuous youths from the full consequences of their crimes, placing the age of discretion at 16, but occasionally it happens, as in this case, that the nature of a crime requires a man's punishment. When the law fails to provide adequate punishment, it is not surprising, however regretted it may be, that citizens take the law into their own hands and deal out summary justice.

Greenville, S. C. News
November 27, 1935

ENDORSED

This statement from The News and Courier is endorsed:

Senator Borah's answer to Walter White, negro leader and author of the Costigan-Wagner bill, that the bill is unconstitutional and that if President he would veto it, places him as the foremost man, Democrat or Republican, in any party, outside of the South, defending the State right, the Southern right of each State to manage its own affairs.

While Mr. Borah does not say in this answer (it was not necessary) that he would oppose a constitutional amendment his record as a State rights man is enough. He voted against the Costigan-Wagner bill. A few years ago, when he was in Augusta, Ga., he made a statement that was the clearest and plainest that any man in the front political rank has made in defense of the position upon which government by Southern white people rests.

This statement of facts is also important and should be pondered:

The President, Mr. Roosevelt, could have stopped the bill by a word—which he did not utter. Newspaper correspondents, Pearson and Allen, published that he favored it. That has been privately denied. They published that Mrs. Roosevelt strongly favored the bill and was active for it. That has not been denied.

Anyway we all know that the Democratic senators from Northern States supported the bill, that all or nearly all of them from the border States supported.

There stood the South deserted by all save Southern senators—and Borah.

Get this straight: Lynching is without excuse. The South knows lynching is without excuse. The South does not undertake to defend lynching. The South wants law and order and protection for the humblest citizen regardless of his color.

But when the State is asked to give up its authority over its citizens to the Federal government in all cases where so many as three men make an attack on another then the South or any other section as for that matter would better call a halt.

If the Wagner-Costigan bill becomes law, States might as well give up their Statehood. Their end has come.

[illegible], N. C. Citizen
November 25, 1935

BORAH'S STRAIGHT TALK

Senator Borah has dealt with what he describes as the "corrupt and shameless" attack upon him by Walter White's Society for the Advancement of Colored People in the manner it deserved.

White, assuming that Mr. Borah wants to be the Republican candidate for President next year, sought to bully him into changing his position on the anti-Lynchings measures, notably the Dyer bill and the Costigan-Wagner bill, by threatening him with the opposition of 12,000,000 "negro voters," according to the United Press report.

There are not, of course, 12,000,000 negro voters. There are only about that many negroes in the United States. White, however, in his letter to Senator Borah, seems to have claimed that the negro voters hold the balance of power in a number of States—Missouri, Illinois, Indiana, Kentucky, Pennsylvania and Ohio being named. He may be right as to that. We do not know.

Senator Borah does not trifle with such questions. He answers White bluntly that he opposed the anti-lynching bills because he was convinced, after the fullest study, that they were unconstitutional. He does not deny that his opposition had much to do with blocking the passage of these bills. It did have much to do with blocking them. He says unequivocally that if he were President and such a bill should reach him, under his oath and in the light of his convictions, he would unhesitatingly veto it.

That is straight talk. It is the kind of talk for which Senator Borah is famous. It is the kind of talk which has put him on the front pages of the newspapers of America oftener probably than any other public man of this generation who was outside the White House. It is the kind of talk which accounts for the hold he has on the imagination of the American people regardless of whether they agree or disagree with the views which he expresses.

OSKALOOSA, IA.
HERALD

DEC 5 1935

LYNCHING ALWAYS WRONG.

A public official who openly condones mob violence is in effect becoming a party to defiance of the law he is sworn to uphold. Few have been so irresponsible as to assume that attitude or display any such serious disregard of official duty. There is recalled the instance of Governor Rolph of California, who sought to defend a lynching in that state about two years ago, and of Cole Blease of South Carolina, who repeatedly sanctioned mob action.

Along with these worthies must now be placed County Attorney O. P. Moore of Columbus, Tex., who asserts that the lynching of two Negro youths near that place was "an expression of the will of the people." In that the county attorney becomes the spokesman for himself and the mob. Despite the heinous crime for which the boys were lawlessly put to death, the mob action could not have been the expression of even a sizable minority of Texas people. The real sentiment of the state is reflected in the declaration of Governor Allred that, regardless of the facts in this case, lynching is "deplorable at any time."—Kansas City Star.

Lynchings-1935
Discussions.

White Press, Southern.

4934

TEMPLE, TEX.
TELEGRAM
NOV 16 1935

Is Lynching The Way?

THE COUNTY attorney at Columbus, Texas, where two negroes were taken and lynched this week, called the act "the will of the people" and official action lagged as bitter protests poured in to his office.

The negroes were taken from officers and strung up to trees near the scene where they admitted an attack on and murder of a white girl.

Their crime was heinous, savage, brutal. They deserved no better than they received. But is lynching the means for meting out justice?

A mob is inhuman. It is an entity bent on destruction. Nothing can hold it in leash. It does not think. It DOES. It is ruled by passion. It is uncontrollable.

And, although its ends are well meant, and probably right, we, as a civilized nation should frown on the rashness of mob action.

True, sometimes the courts grind slowly and fail to mete out the punishment the culprit deserves. But should we take up the torch of justice ourselves.

The matter of mob action has ever been the topic of serious and heated controversy. Its defenders claim the right to take up where the courts fail.

But the very UNTHINKING of a mob condemns its motives. A mob could easily make a mistake, unknowingly and innocently. Perhaps the courts make mistakes, but at least their procedure is calm, unprejudiced.

Even a criminal has a right in court to a chance. He is given that right in law to plead his own cause. Even though the courts fail, sometimes, it is not for mobs to take the matter in hand. That sort of thing hearkens back to the darker ages of man.

GREENVILLE, TEX.
HERALD
NOV 15 1935

THIS OFFICIAL SHOULD RESIGN

Two Negroes were lynched by infuriated citizens at Columbus, Texas, the other night. They were taken away from the sheriff and his deputies, who were en route from Houston to Columbus. The Negroes were to be tried for a revolting crime, the commission of which they are alleged to have confessed. But that did not justify a group of citizens in taking the law into their own hands.

And in the wake of the affair the County Attorney, whose sworn duty it is to enforce the law and see that justice is meted out in the courtroom and not in the woods in the dark of night, is quoted as saying that the lynchings represented "an expression of the will of the people." He ought either to resign or be removed from office. There were enough people in the Columbus community to organize a mob, but it is incredible to think that the mob's action reflects the opinion of a majority of the citizens of that community. The Herald believes there is not a county in Texas, the majority of the citizens of which do not believe in permitting every criminal, no matter how dastardly his crime, the right of a trial by jury.

We had one lynching in Greenville. The Herald doesn't believe there will ever be another — for the very simple reason that the lynching constituted one of the most shameful chapters of Greenville history. The officials who are lagging in their investigation of the Columbus mob should be removed from office. The time will come when they will be in dispute with their fellow citizens.

Athens, Ga., Banner-Herald
November 26, 1935

WOMEN DEPLORE LYNCHINGS

The women of the Missionary Society of the Atlanta district of the Methodist Episcopal church last week adopted resolutions condemning two lynchings which occurred recently in this state, one at Vienna and one at Moultrie. These lynchings were not occasioned by the committal of the usual crime that invariably brings on lynchings, not only in this state, but in other states, but they were both alleged to be for minor infractions of the law.

However, the action of these good ladies was unusual, especially the ordering of the resolution adopted condemning the action of the mob in both instances. The resolution, in part, reads:

"We, the Woman's Missionary Society of the Atlanta district, M. E. church, South, in quarterly session, note with deep humiliation that two lynchings have disgraced our state in the last two months; one near Vienna, another near Moultrie. Mobs have defied our laws, discredited our civilization, and mocked our religion. We bow our heads in shame and contrition that such things can happen among us.

"Lynching in our opinion is never excusable, but in these two cases there was not even the pretense of an excuse."

Continuing, these ladies registered a most vehement condemnation of the action of those citizens who committed the violation of the law in lynching two negroes. The negroes may not have been guilty, but the enormity of their crimes did not warrant justification of their acts. Lynchings are of a diabolical character, with the possible exception of the crime of rape. Usually, in such cases, the unwritten law is applied and the guilty party or parties are made to pay the price of their crime by giving their lives as a toll for committing the unspeakable crime which is committed upon women.

Reviewing the Vienna and Moultrie cases, the resolution continued:

"Therefore, we register our unqualified condemnation of lynching under whatever circumstances, our protest to officers and courts that tamely bow to the mob, and our shame for a Christian civilization so superficial as still to tolerate such savagery.

"We urge upon officers and courts their sacred obligation to uphold the constituted processes of law, and upon all religious, educational and civic agencies the imperative duty of building a public opinion which will no longer tolerate mob violence."

As women are the principals in rape cases, the extracts reproduced in the foregoing teems with condemnation of lynchings irrespective of sex. While no one can

condone mob violence, yet when rape is committed, the enforcement of the unwritten law may be justified, certainly, lynchings should not be resorted to for other crimes, but court procedure should be taken and such cases tried in a sane and orderly manner.

Tuscaloosa, Ala., News
November 28, 1935

BORAH ON THE ANTI-LYNCHING BILL

THE ill-advised agitation of the Costigan-Wagner anti-lynching bill by the National Association for the Advancement of the Colored People has encountered a stiff jolt at the hands of Senator Borah in spite of the fact that he is a tentative candidate for the Republican presidential nomination and, therefore, might be expected to indulge in some pussyfooting if he is to live up to the traditions in such cases.

But Borah doesn't pussyfoot. He states flat-footedly and without reserve that were he to become President and were this so-called anti-lynch bill to come before him, he would veto it without hesitation. He insists, as so many others have done, that it is unconstitutional and the argument that "the negro voters hold the balance of power in some states," does not alter his position.

This is a courageous yet highly proper stand and will enhance the reputation of Borah for candor, regardless of any effect it may have upon the colored vote. The Costigan-Wagner bill is not only unconstitutional but it is unwise, unfair and merits the condemnation of all unprejudiced persons who believe in fair play.

The bill would permit the federal government to enter the states and take charge where lynchings occur and would serve as an incident of all responsible officials in the territory involved. It would constitute one of the most flagrant violations of state rights on record and serve to revive all the bitterness of the reconstruction period. It would incite lawlessness rather than minimize it and produce no constructive result whatever.

The view of Borah is the correct view and it should obtain in this case.

Rome, Ga. News-Tribune
November 28, 1935

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KNOXVILLE, TENN.
NEWS SENTINEL
NOV 19 1935

Blow At Lawlessness

THERE'S a Circuit Judge in Cheatham County who has furnished an example others on the bench would do well to follow. He has struck a telling blow at lawlessness.

After conducting the trial of five men held in the recent lynching of a Negro at Ashland City, Tenn., and after hearing the jury's verdict of acquittal, Circuit Judge Wirt Courtney said to the jurors:

"I am astounded at your verdict. By your action you will make Cheatham County the dumping ground for lawlessness in the future."

Judge Courtney has tried to prevent that very thing by having the five men re-arrested on charges of conspiracy to inflict corporal punishment.

It is because local authorities are usually impotent to punish lynchers that a national anti-lynching law is necessary.

Each such act of lawlessness brings that much closer the enactment of the Wagner-Costigan anti-lynching bill by Congress.

GREENSBORO, N. C.
RECORD
NOV 19 1935

PRESS COMMENT
Opinions of other Editors

The Self-Defense of Five Against One.

The strange lynching over in Tennessee last week which was followed by the stranger surrender of the five participants and their immediate trial has produced still one more strange feature. It is a plea of self-defense. These five men had taken a negro away from two officers of the law and had driven him out into the country intending, they said, to whip him but not to kill him. The car was stopped about five miles from town.

"Get out," said Luther Dotson, "we are going to give you a whipping."

"You ain't going to whip me," the negro is sworn to have replied and to have reached for a rock that lay on the roadside. Dotson fired, killing the negro.

If white supremacy has reached such a state that five white men, of daring and strength proven by their having wrested a prisoner from two white officers, cannot defend themselves against one unarmed black man without having to shoot him, then white supremacy is hardly worth maintaining. Let the jury take that into consideration.—Charlotte News

GREENSBORO, N. C.
NEWS
NOV 21 1935

ONLY ECHO ANSWERS.

Southern lynching has worked out a new, but surely not unexpected, pattern in Tennessee. Five mobsters, after seizing a negro prisoner from officers and doing him to death, surrendered, submitted that their act was in self-defense, as their victim said he wouldn't take the whipping which they proposed to give him and stooped to pick up a rock as a combative weapon, and were accordingly awarded freedom by a jury of what was obviously their mob-minded peers.

How the situation will eventually work out, reflecting most seriously as it does upon southern justice, remains to be seen. With all due credit, let it be recorded that the court denounced the verdict and remanded the acquitted mobsters to jail on bench warrants which charged conspiracy to inflict corporal punishment. Conspiracy is recognized as one of the most difficult charges to prove; and there is little prospect that a jury, reflecting popular sentiment in its original verdict, can be found, especially in the same county, to bring in a conviction on this second count.

In event of another acquittal, which must be anticipated, the sheriff from whom the hapless victim was taken announces that the quintet will not be liberated but that he will file charges based "on the seizure of the negro from officers by armed force".

As justice, unable to mete out retribution, moves from one lesser charge to another, the Daily News finds itself again asking what constitutes kidnaping under the Lindbergh act or any other act, in Tennessee or any other state? Before the charge retrogresses to the simple misdemeanor of discharging firearms within the city—or was it the county?—limits, when and where do the urge and the authority for federal intervention in such cases have to come?

LOS ANGELES, CAL.
RECORD
NOV 28 1935

NO MORE LYNCHING!

Authorities of the State and of Fresno county should take note in time of the threats now reported to be current in Fresno of mob action against the slayer of Mary Stammer. California has been disgraced by three lynchings in two years—at San Jose in November, 1933, when the kidnapers of Brooke Hart were victims of mob vengeance, and at Yreka in August, last, when the reputed killer of a police officer was hanged without a trial. Before that the State's record was clear for thirteen years, the last previous California lynching having taken place in 1920.

It should be kept clear from now on. The penalties of California law, when they are applied, are severe enough to deal with any crime, and police and courts are generally up to their job of marshaling evidence and obtaining conviction where its justified. There is no reason to suppose that justice will slip up in the Fresno case, or that a deserved penalty will not be inflicted.

Every arrested person has a right to a fair trial and the opportunity to prove his innocence if he can. The more horrible the crime, the better right an accused has to demonstrate that he is not guilty, if he is not. Mob rule in no case provides such an opportunity.

Fresno has been warned by the mutterings of the mob. It must protect its good name.

Lynchings-1935
Discussions.

White Press, Southern.

4935

Louisburg, N. C. Times
August 23, 1935

THE FRANKLIN COUNTY MOB

No action has been taken against the Franklin County mob which lynched a crazy negro three weeks ago.

And this despite the fact that hundreds of people in Franklin County undoubtedly know the identity of many members of the mob. They probably consider themselves honor bound not to give any information to the officers.

All of which helps to make the case against Franklin County more damaging. As matters now stand, Franklin has the unenviable distinction of being at the bottom of the entire list of one hundred counties so far as the quality of its citizenship is concerned. And it will maintain that distinction until something is done to punish the men who were guilty of that horrible crime.—The State.

The bottom in all constructive things is usually a very necessary and useful position, without which nothing is very safe. It is that element which is seriously lacking in the criticisms of sensationalists and others who evidently think it perfectly all right to juggle the laws and governmental functions about at will and the public should dance with delight. All citizens regret a lynching. They regret more the conditions that cause lynchings. And they regret a great more the brutal action of some fiend who attempts to ruin life and break up homes in a peaceful, god fearing community of good citizens. Upon the same theory that the critics condemn Franklin County for the commission of an act, that evidently is given no notice of in other sections, the people so criticised feel justified in condemning them as encouraging and abetting with their acts, the crimes which caused the lynchings.

Franklin County has no reason to be ashamed of its past. Its history has proven its patriotism, its loyalty, generosity and cooperation with and to government and party and its willingness to be law abiding, when the law will serve. Franklin County has not been extended the same patriotism, loyalty, generosity, and cooperation from outside its borders.

To be at the bottom isn't quite the disgrace Editor Goersch would have all believe, especially when it involves the defense of the homes and lives of a community against fiends whom the law can hardly reach.

Man Claims Part In Mob Violence Of 35 Years Ago

8-19-35

Beaufort, Aug. 17.—(AP)—Carteret county officers today disclosed receipt of a letter from Cortez, Fla., signed "A. F. Taylor" in which the writer said he participated in a lynching here 35 years ago.

Asserting that he had become religious and was being troubled by his conscience, the writer said he was willing to return here if officers wanted him. However, they decided it was useless to accept his offer.

The lynching referred to was the only one in the history of this county. A negro, Louis Patrick, was shot and hanged after the slaying of Elijah Weeks, a merchant.

The Florida letter writer said he was a lookout for the mob but did not witness the lynching.

Birmingham, Ala., Labor Advocate
August 17, 1935

THE LYNCHING EVIL

Evidently, the lynching evil cannot be successfully controlled by the states. Within the last few weeks North Carolina, California and Mississippi went into the spotlight—each of those states had a lynching to its credit.

Possibly, the California mob still remembers the lavish praise heaped on the San Jose mob for its double murder by the late Governor Rolph—who knows? This California mob the other week—a mob of well-dressed citizens—hanged to a pine tree near Yreka a young white man suspected of murder. The victim of this well dressed band of murderers was only "suspected" of murder. Yet they took him and hanged him to a tree.

This deplorable outrage was a deliberate insult to the courts and a wanton defiance of all orderly and lawfully constituted government.

The Federal anti-lynching law as proposed in the Costigan-Wagner bill should be passed without any further delay.

No one can defend the crime of lynching—it is murder—and all those guilty of this abominable crime should be punished according to law, whether they are members of a well dressed mob or just plain hoodlums.

Senator Costigan in discussing his bill said "The lynch evil is national, not local. It is not being controlled by the states and demands national legislation as was the case with kidnaping."

There should be no place for Judge Lynch and his outlaws in this country. Lynching is murder.

Waycross, Ga., Journal-Herald
September 9, 1935

Lynchings

During the first six months of 1935 there were four lynchings, two in Louisiana and two in Mississippi.

This compared with six lynchings for the first half of 1934 and eight lynchings for the first half of 1933.

NEW ORLEANS, LA.
TRIBUNE
SEP 3 1935

Rain-Routed

A DRENCHING rain routs a mob howling about a Jersey jail for a Negro accused of murder. Perhaps New Jersey doesn't breed mobs that "can take it." But it's more likely that an earnest soul-searching rain would be too much for the average mob in any section of the Country. The mob-spirit is unstable stuff. The slightest jolt is likely to disintegrate it into harmless vaporings of prejudice and into commonsense. The wet Jerseyites still mumbled vindictive nonsense, but commonsense dictated their action—they scampered off to shelter.

The incident proves again—and needlessly—that intelligent, honest, and resourceful, peace officers are by no means powerless to frustrate lynching. We remarked some time ago that tear-gas would set most mobsters to thinking of less ghastly personal concerns than murder. A short section of fire-hose, with an artist at the nozzle, probably would be just as effective as rain from Heaven to preserve a community's self-respect.

COLUMBIA, S. C.
RECORD

SEP 26 1935

Demonstration in Murder.

At Oxford, Miss., while a Mississippi jury was con sidering the evidence against him, Ellwood Higgin botham, negro accused of killing a white farmer was taken from the jail and lynched by a mob.

If Higginbotham was guilty why couldn't 12 Mis sissippi white men be trusted to find him guilty

And if he wasn't guilty then of course he shoul not have been hanged.

The lynching therefore, contrary to precedent serves a useful purpose. It makes clear, even to those who have a way of dodging this issue, that lynching is not a device for enforcing the law. Oxford's lynchers took Higginbotham from the jail and the court because they did not want the law enforced.

Mendenhall, Miss. News
September 19, 1935

LYNCHING

In our own State of Mississippi, up at the little city of Oxford, while a jury debated the fate of a negro named Higgenbotham, confessed slayer of a white planter, an irate mob formed Monday night and after overpowering the jailer and securing the keys to the negro's cell, carried the killer to a nearby wood and put to practice a method which although illegal, has been carried on many times in this state, by stretching that negro's neck one notch further than it was supposed to go.

The crime for which the negro was on trial, was heinous in every detail, just cold-blood murder, so to speak, and there are not twelve men out of ten thousand who would have prescribed any save the death penalty as his just dues, however, there are lots of people so confirmed in their belief that lynching is the best means to curb crime that nothing else will satisfy their passion for speedy justice. A mob of this kind has never been known to be convicted for their offense; rarely are they ever brought to court, but since our land is provided with courts held for the purpose of determining the fate even to the guiltiest criminal, it seems that it would be a better procedure to let the law have its way.

By all means, a confessed murder deserves capital punishment, and if it were possible for a person to die two deaths instead of one, the Higgenbotham negro should have had the third degree, but a dead negro dangling from the end of a rope at the wee hours of the morning would certainly produce a ghastly spectacle—and we might add that the persons participating in the killing could sleep a little more soundly if they did not have the weight of the crime upon their conscience.

NEWS
Mendenhall, Miss.
SEP 19 1935

LYNCHING

In our own State of Mississippi, up at the little city of Oxford, while a jury debated the fate of a negro named Higgenbotham, confessed slayer of a white planter, an irate mob formed Monday night and after overpowering the jailer and securing the keys to the negro's cell, carried the killer to a nearby wood and put to practice a method which although illegal, has been carried on many times in this state, by stretching that negro's neck one notch further than it was supposed to go.

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NORFOLK, VA.
VIRGINIAN PILOT

NOV 6 1935

The Jungle Code In Tennessee

If what happened in Tennessee, in the killing of a Negro man named Baxter Bell, had happened in the Congo, or in inner Arabia, or of certain parts of, say, Albania, or virtually anywhere on earth 500 years ago, it would have seemed entirely normal. Private vengeance must be as old as the human race. You kill one of my family, and my family thereupon assumes that it must kill you, or at least one of your family. That concept of behavior existed for centuries. It comes to life again in Tennessee.

There are two differences. In Tennessee the Negro man was charged not with murder but with slapping a white woman as she alighted from a bus. A deputy sheriff says the prisoner admitted doing so, and offered no other explanation except that "I don't know why I done it—I was just drunk." He was locked up, charged with assault and battery.

The other difference is that Tennessee long ago formally set aside the theory of private vengeance and established a system of law. The punishment of the guilty was taken out of private hands and made the duty of the State—and of nobody else. Everybody knows that, including Luther Dotson, Jimmie Dotson, Clyde Dotson, Jesse Dotson and Allie Brown. They were the five who took the prisoner from officers and came back a short while later—"laughing"—to report that they had killed him and were now giving themselves up.

We said everybody knows that the State has ruled out private vegeance. But whether that knowledge means anything in this instance, remains to be seen. The four Dotsons and Allie Brown were, at last accounts, still in jail. But they did not seem to be worrying. And so far as the dispatches indicate, nobody else is worrying. For the Dotsons also probably know, as most other people have learned, that a Southern State can revert to the barbarism of the Congo, or of inner Arabia, or of certain parts of, say, Albania, or of virtually the entire human race 500 years ago, and think none the less of itself for doing so.

Lynchings—1935
Discussions.

White Press, Southern.

4936

Term 'Lynching' Was Derived From Virginia Justice's Method Of Handling Tories, Says Editor

Letters to Newspapers, Pro and Con on Subject, Not All From Illiterate Individuals, He Says.

By John Temple Graves II.

Editor's Note: John Temple Graves II conducts a widely read daily column in the Birmingahm (Ala.) Age-Herald. He has been editor of two southern papers, author of numerous papers, author of numerous books, contributor to many magazines, and this year was awarded a doctor's degree by the University of the South for "distinguished contributions to the field of journalism." He saw service in France in 1918, served on the American peace commission in Paris in 1919, was economist for the Federal Trade Commission in Washington, and was admitted to the bar of the District of Columbia. Dr. Graves is the son of a distinguished southern journalist and the great-grandson of the eldest brother of John C. Calhoun. By way of versatility, he holds the middle Atlantic states tennis championship for 1934.

This is the second of a series of articles by southern writers on "The South Today." These articles will not necessarily reflect the position of The Constitution on the problems discussed.

During the war of the American Revolution a Virginia justice of the peace developed a nice technique with the Tories. He would suspend them by their thumbs until they were persuaded to shout "liberty forever!" The gentleman's name was Charles Lynch, and even though his patients all survived this extra-legal treatment, the name was given thereafter to a practice by which nearly 5,000 Americans, most of them southern negroes, have been put to death without benefit of law in the last 50 years. The simpler and better name for these premeditated killings, of course, is murder. The term "lynching," although undoubtedly less offensive to practitioners, is an understatement—and an injustice to the memory of Charles Lynch.

Wide Range of Letters.

With all that is being said and done, or at least, attempted, against lynch law, it seems strange that there should be so few studies of the lynch mind—photographs taken from life. Almost any southern editorial writer who has taken a stand against mob murder is likely to have a drawerful of more or less revealing letters from people who believe in lynching; letters of abuse, epithet, protest, argument, philosophy.

In the course of ten years as an editorialist in Florida and Alabama, conducting a daily editorial column on the first page under his own name, this writer has had his share of such letters; and because they have come to him as to an individual they have been, perhaps, more intimate and enlightening than letters addressed formally to a newspaper's editorial page. Their contents may offer little of argumentative worth, but they have a certain news value and as indisputable clinical interest.

Some people will tell you that the lyncher has no mind, that he is a moron. But it can be stated on the best of evidence that thousands of very good readers and writers in the south today believe in lynching as a stern necessity under certain circumstances, even though they may be unwilling to take part in an actual lynching themselves.

Without them and the prestige which their comparatively "educated" supporte gives the institution, actual lynchers might be much more careful. For one letter from the moron who scrawls on coarse ruled paper that you are a "low down yellow-livered nigger-lover" and calls you unprintable names in a spelling all his own, there are dozens of letters from perfectly intelligent people who write to debate the thing with you, sometimes sorrowfully, sometimes angrily, sometimes with complete dispassion.

Lynch Psychology.

Never to be forgotten, for example, is the obviously genuine regret with which a certain graduate of the University of Virginia offered his conclusion that the white and negro races will never be able to live successfully side by side in the south—or the perfect calm with which he suggested as way of solution "a general massacre." Comparable in philosophical ferocity is the rule laid down by a Birmingham physician in a letter insisting that a certain negro defendant should be hanged whether he was guilty or not. "The important thing," he wrote, "is that whenever a white woman is raped by a negro there should be an example and a spectacle of punisument. If possible, get the right negro and string him up. String up one or two of his nearest relatives at the same time. And if the right one can't be found take some other negro."

A major point with lynch sympathizers is that those who are not in favor of lynching have never been faced personally with the situation which incites it. "If we had sat quietly (sic) on our royal," asserts one correspondent, "while the niggers were killing our white women and alibing and getting by, we would never had been recognized." He wrote: "If those women who were attacked were some of your own friends or relatives, I wonder if you would be for handling them so nice and gentle?"

Communist Influence.

Interference of the communist international labor defense is mentioned in many letters as a cause of lynchings. A Georgia author wrote that the only way to end present-day lynchings and racial disorders in the south was to "discover the agitators—they happen to be communists and labor organizations—punish them; their action is treasonable." But that the communists themselves feel that their coming, far from aggravating the lynch impulse, has cowed it, is suggested in a letter from the secretary of an international labor defense district organization:

"The I. L. D. has forced the southern lynchers to now assume the defensive. They are no more the arrogant fellows they were in 1931. In 1931 a Scottsboro paper openly made lynch threats against any negro who aspired to jury service in the south. The Jackson County Sentinal editorially stated: 'A negro juror in Jackson county would be a curiosity, and sometimes curiosities are embalmed. you know.' Today we witness Tom Knight (attorney-general of Alabama) telling the supreme court of the United States that negroes are not systematically excluded from Alabama juries because of their race."

The conviction that lynching parties are composed of men grimly and calmly performing a social duty in the spirit of early American vigilantes is common to many of the correspondents. "I do not think the mob is composed of the blood-thirsty anarchists which you intimate," wrote a Florida school teacher, "any more than our Confederate grandfathers were such, because they united secretly to free this fair land from the dominion of the carpet-baggers and scalawags. Rather are they composed of men who have lost confidence in the agencies that have been duly constituted to effect justice. And with no small reason."

Defenders of Lynch Law.

A superior knowledge of the negro race is the claim with which a number of letter-writers set themselves up as defenders of lynch law. "How much do you know of negro psychology?" scoffed a Tennessee merchant. "Do you know anything of the negro you are thrown with but what he wants you to think? Do you appreciate that the vindication of the 'majesty of the law' is Greek or Hebrew to him? The law is something to be used in his favor by his friends and against him by his enemies. He will put you and your newspaper among those that think 'them boys didn't do nothing wrong' and he will not admit it to you but you could never make him believe that they (the Scottsboro defendants) rode in a car at night with any strange women without having intercourse with them, and range you with those who think opportunity justification."

But the most frequently employed and impressive point made in defense (or explanation) of lynching is the ineffectualness of the law, the technicalities employed to delay and often to defeat the doing of justice. "Those (Scottsboro) negro boys were convicted and sentenced by an Alabama judge and jury and should have been dead and forgotten long ago," writes a Georgia merchant. "That they are still living is the fault of our laws. If you are crusading for law and order, then for God's sake start with the law. Get the laws fixed so that when a man is fairly convicted by a jury of his peers let him suffer the penalty imposed without further bother and expense. How in the name of decency is Alabama to keep her women from being raped by black devils when they have such examples of the inadequacy of our existing laws?" In this writer's mind, obviously, there is no question of the fairness of the Scottsboro trials, nor any concern for it.

Organizations Active.

It is only within recent years, of course, that organizations like the International Labor Defense and the National Association for the Advancement of Colored People have interfered to offer to negro defendants in certain cases in the south the services of resourceful attorneys, and thus to protract trials and legal processes. Whether this "interference" tends to defeat justice or to procure it, the fact that it is a comparaive recent development means that the lynch argument based upon it is also recent.

These selected letters are typical of the variations in intelligence, education and point of view of those who write to southern newspapers in defense of lynch law. There are many, if not more, letters expressing uncompromising hostility to mob murder and the lynch philosophy. The number of southerners who believe that lynching is a disgraceful, corruptive and wholly unnecessary practice rivals today the number of those who do not. The expressions of their belief have neither news value nor clinical interest, as they are identical with those of civilized people the world over, but the picture attempted here would be incomplete without a reference to them. In Birmingham last year, for example, when a third-rate politician called facetiously for "bigger and better lynchings" and suggested that "rope is too high and one bullet placed in the correct position will do the work at much less cost," he found himself sixteenth in a field of 16 in a race for the state legislature. It is symptoms of this sort that give hope to southerners who are earnestly striving to do away with the crime of lynching.

RICHMOND, VA.
TIMES DISPATCH
DEC 9 1935

New Light on Lynching

WE should like to direct attention to the striking article which appears on this page from the pen of JOHN TEMPLE GRAVES 2d, one of the series which THE TIMES-DISPATCH is publishing every Sunday on "The South Today."

MR. GRAVES explodes the widely cherished delusion that lynching is condoned only by semi-illiterate and moronic Southerners. He shows by quoting letters which have come to him over a period of years that a large percentage of "upper-class" Southerners also approve of lynching.

We confess that this comes as a shock to us. We had not imagined that literate and otherwise well-disposed persons could countenance such barbarities.

It is no longer possible to say, then, that the stigma of being the only "civilized" region in the world where such things occur, has been affixed to the South by its uneducated and economically underprivileged whites. But discouraging as is the evidence which MR. GRAVES presents, it at least enables those of us who are determined to wipe out this manifestation of savagery to know just what are the obstacles to the achievement of that desideratum.

JOURNAL
Wilmington
NOV 23 1935

As Other Editors See It

A TENNESSEE LYNCHING

(Dayton Ohio News, Nov. 7, 1935)

There have been more brutally executed lynching than that which occured this week at White Bluff, Tenn., but rarely if ever one as brazen. The victim, a Negro accused of slapping a white woman, was taken from a deputy sheriff and another official who were en route with their prisoner to the county jail.

The "mob" consisted of five armed men. They took the deputy's pistol but assured him that they would "be back in a few minutes and bring your gun." The promise was kept. In less than half an hour they returned and surrendered to the official. "They were all just laughing and seemed like they enjoyed what they had done," he says. "They told me they shot the Negro with my gun." the sheriff placed no charge but said that they would be taken to the country sent for arraingement.

Only less shocking than the crime itself is the cheerful confidence of this quintet that the law which they boast of flouting will not punish them for it. In the history of lynching, to be sure, they have ample assurance for such a belief. Officials in most cases offer little resistance to a lynching mob. Seldom is there even an effort afterward to identify its members, although in the case of the ringleaders at least that should be comparatively simple. Instances in which they have been brought to trial are still more infrequent. A conviction is almost unknown.

But no mob has had the audacity to do its barbarous, bloody deed and then deliver itself to the law in the attitude of "What are you going to do about it?" The country waits to see how Tennessee will meet an unprecedented challenge.

COLUMBIA, S. C.
RECORD
DEC 31 1935

If the States Do Not.

The word from Washington is that the proponents of the Costigan-Wagner anti-lynching bill are planning a new drive for the measure's enactment, the impetus for which they expect to get from a senate investigation of the 14 or 19 lynchings—the number is disputed—since last May.

For some years now The Record has been pointing out to those advocates of state rights that every unpunished lynching is an argument for the enactment of some kind of a federal anti-lynching law. No unbiased student of law enforcement methods and systems believes, of course, that the mere enactment of a federal law against lynching will prohibit lynching, but some such law will be tried if the states, which might have made lynching unsafe long since, do not do something about it.

Lynchings - 1935

Discussions.

White Press, Southern.

4937

Birmingham, Ala., Labor Advocate
November 16, 1935

LYNCHING IS MURDER

Judge Lynch is still with us, and in the last few days very much with us. A double lynching in Texas and one in West Virginia and an attempted lynching in Georgia all within the last few days is proof that the enemies of law and order are ever on the alert to flout the courts of justice and defy the lawfully constituted authorities of the country by taking the law into their own hands. Until those "members of the mob" whose favorite pastime is lynching are **sternly dealt with as murderers**—lynching will never cease in the South.

But when public officials sworn to uphold the law look upon lynch-murder as something to be condoned or even in some cases commended, as "an expression of the will of the people," then things are indeed in a bad way.

No matter what offense the victims of the lynchers may have committed it is never any excuse especially in an organized society to allow the "hoodlums" to take the law into their own hand and usurp the functions of the officers of the law and nullify the constitution and stultify the courts.

There is only one way to deal effectively with the lawless mobsters. They must be relentlessly hunted down, captured and punished according to law, just the same as the common murderers are. No decent man or woman could ever condone murder or be on friendly terms with those who band themselves together to commit murder.

Lynching is plain murder—premeditated and planned, and all **those who assist at a lynching are equally guilty.**

cky Mount, N. C., Telegram
November 14, 1935

MOB VIOLENCE CONTINUES

Mob violence apparently is enjoying a banner year in the United States, especially in the South, this year as every month brings news of fresh disorders where alleged criminals have been lynched as the citizens took the law in their own hands. Texas is the latest state to join the parade with the lynching of two youthful Negroes for the slaying of a young white woman. Jeering a minister who attempted to reason with them, the members of the mob hanged the hapless Negroes to an oak without benefit of trial and heedless of the clergy. Mississippi, we believe is leading in this rather bizarre distinction, while North Carolina must confess that she also is in the ranks.

Always there is almost the identical angle of where the mob caught up with the sheriff, removed the prisoner from him, and committed the dastardly deed. Then, the officer suddenly disappears from the picture. What becomes of him is seldom mentioned. We believe that some ambitious student anxious to earn a master's or a doctor's degree might write a thesis after he had made a thorough investigation upon the subject, "The Forgotten Sheriff at a Lynching," or some other suitable title. It is a pretty well known fact that the sheriff seldom is made to feel ashamed of his part in the grim drama. He usually is the silent, shall we say, partner, who merely delivers his prisoner to the mob then vanishes into thin air. Seldom do we hear of a sheriff who rushed away to appeal to the attorney general or the governor or any other officials, and the case is rare indeed where a sheriff has boldly challenged the right of the mob to relieve him of his prisoner.

Originally, every time a black was lynched it always was for committing or attempting to commit assault upon the white man's woman, but figures now will show that most lynchings committed in recent years have been for other reasons. Lack of confidence in the courts, together with a show of uncivilized emotions in the individual are the only reasons we see for explaining this abuse of law and order on the part of the citizenry. We believe an educational program portraying intensively the wrong involved in the taking of a person's life without first awaiting the court's decision is necessary to lift this country from the depths to which it has fallen.

Brunswick, Ga., News
November 29, 1935

[illegible] DEPLORE LYNCHINGS

T 88

The women of the Missionary Society of the Atlanta district of the Methodist Episcopal church last week adopted resolutions condemning two lynchings which occurred recently in this state, one at Vienna and one at Moultrie. These lynchings were not occasioned by the committal of the usual crime that invariably brings on lynchings, not only in this state, but in other states, but they were both alleged to be for minor infractions of the law.

However, the action of these good ladies was unusual especially the ordering of the resolution adopted condemning the action of the mob in both instances. The resolution, in part, reads:

"We, the Woman's Missionary Society of the Atlanta district, M. E. church, south, in quarterly session, note with deep humiliation that two lynchings have disgraced our state in the last two months; one near Vienna, another near Moultrie. Mobs have defied our laws, discredited our civilization, and mocked our religion. We bow our heads in shame and contrition that such things can happen among us.

"Lynching in our opinion is never excusable, but in these two cases there was not even the pretense of an excuse."

Continuing, these ladies registered a most vehement condemnation of the action of those citizens who committed the violation of the law in lynching two negroes. The negroes may not have been guilty, but the enormity of their crimes did not warrant justification of their acts. Lynchings are of a diabolical character, with the possible exception of the crime of rape. Usually, in such cases, the unwritten law is applied and the guilty party or parties are made to pay the price of their crime by giving their lives as a toll for committing the unseakable crime which is committed upon women.

Reviewing the Vienna and Moultrie cases, the resolution continued:

"Therefore, we register our unqualified condemnation of lynching under whatever circumstances, our protest to officers and courts that tamely bow to the mob, and our shame for a Christian civilization so superficial as still to tolerate such savagery.

"We urge upon officers and courts their sacred obligation to uphold the constituted processes of law, and upon all religious, educational and civic agencies the imperative duty of building a public opinion which will no longer tolerate mob violence."

Atlanta, Ga. Constitution
November 23, 1935

MISSIONARY SOCIETY DEPLORES LYNCHINGS

Resolutions deploring the two recent lynchings in Georgia, stating that in neither case "was there even the pretense of an excuse," were adopted by the Woman's Missionary Society of the Atlanta district, Methodist Episcopal Church, South, in quarterly session here.

The session was held Wednesday but not made public until yesterday.

One of the mob victims, the resolution said, was not accused of any offense whatever and the other was accused only of drunkenness and of effecting his escape from an officer by seizing the latter's pistol.

The society protestetd against "officers and courts that tamely bow to the mob," and registered "unqualified condemnation of lynching under whatever circumstances."

It urged "upon all religious, educational and civic agencies the imperative duty of building a public opinion which will no longer tolerate mob violence."

Atlanta, Ga. Constitution
November 24, 1935

Borah Would Kill Anti-Lynch Bill If He Occupied the White House

WASHINGTON, Nov. 23.—(AP)—Senator Borah bluntly asserted today that should he receive the "unexpected and great honor" of being president, he would veto as unconstitutional such legislation as the Costigan-Wagner anti-lynching bill.

His stand was given in a letter to the National Association for the Advancement of Colored People. It replied to one sounding his views, as a presidential possibility, toward the anti-lynching bill he has opposed in the senate.

The Idaho republican's quick response to the challenge, and his wording of it, furthered the growing belief in Washington that he will get into the presidential race. But it was unusually outspoken for a presidential possibility.

Constitution Cited.

Walter White, signing the association's letter as its secretary, said he was writing "on behalf of 12,000,000 American negroes and of many white Americans who are deeply concerned with the alarming increase in lynchings in the United States." He warned that negro votes hold the balance of power in many pivotal states.

Borah replied he had opposed the Costigan-Wagner measure because he had no doubt it violated the constitution, and added:

"That being my view then and now, I shall vote against such measures as long as I am a member of the senate, and should the unexpected and great honor come to me of being president of the United States and such a bill should reach me, under my oath and in the light of my convictions, I would unhesitatingly veto it. . . .

"I do not enter a discussion of what in my judgment is the utter futility of these measures aside from the constitutional question. Neither do I take time to again express, as I have often expressed it by word and act, my horror of lynching, further than to say that if the federal government is to deal with the subject, it can only do so by an amendment to the constitution of the United States."

Borah Accepts Assumption.

Borah did not suggest that he would not be a candidate. In fact he said he would let the association's assumption "that I am a candidate for the presidency" stand "for the purpose of this letter."

Earlier the Borah movement received further impetus when Representative Lemke, republican, North Dakota, who supported President Roosevelt in 1932, said the Idaho senator was "the only candidate so far prominently mentioned who could get the support of the farmers of the west for the republican nomination."

Lemke's statement, capping an hour's conference with Borah, was regarded significantly. So was an announcement that the senator would open a drive for liberalizing the republican party in a nation-wide radio broadcast December 7.

This will be the first of a series of speeches by Borah in the eastern and middle-western states before the opening of congress in January. His friends expect him to challenge the established leadership of the party in these addresses.

The Association for the Advancement of Colored People, in its letter to Borah, said he held "the somewhat dubious honor of having been the executioner of two distinctly hopeful opportunities" for stamping out lynching.

NAACP Position.

Citing a number of lynchings within recent months, the letter asked:

"Do you feel proud of your handywork, Senator Borah?"

Then citing the power of negro votes in some of the border and northern states, the letter added:

"There are many Americans, Senator Borah, who no longer believe in the sincerity of members of the senate who forget states' rights when such issues as prohibition are being discussed but who wrap about themselves the mantle of 'constitutionality' when the lives of human beings are taken by lawless mobs."

Borah made public the association's letter together with his reply in which he said he confined himself "to a simple answer to what I consider a corrupt and shameless question."

Expressing his views on the unconstitutionality of such measures as the Costigan-Warner bill, Borah said: "Whatever may happen in the future politics of this country, so far as my position on the question presented by these measures is concerned, it will not be changed or even modified."

Statesville, N. C. Daily
November 25, 1935

DOESN'T PUSSYFOOT.

In reply to a letter from officials of the National Association for the Advancement of Colored People written for the purpose of sounding his views, as a presidential possibility, toward the anti-lynching bill he had strenuously opposed in the senate. Frequently and seriously mentioned as a contender for the Republican nomination for the presidency, it is not improbable that some of his political foes put the colored boys up to this method of sapping his strength.

But Borah is not given to sidestepping just because it happens to be expedient. With characteristic frankness he says that he had opposed the Costigan-Wagner measure because he had no doubt it violated the constitution and added: "This being my view then and now, I shall vote against such measure as long as I am a member of the senate, and should the unexpected and great honor come to me of being President of the United States and such a bill should reach me, under my oath and in the light of my convictions, I would unhesitatingly veto it. I do not enter a discussion of what in my judgment is the utter futility of these measures aside from the constitutional question. Neither do I take time to again express, as I have often expressed it by word and act, my horror of lynching, further than to say that if the federal government is to deal with the subject, it can only do so by an amendment to the constitution of the United States."

Measured by the same yardstick usually employed by presidential candidates, this prompt and decisive re-utterance of his position by Mr. Borah would indicate that he is not seriously considering the race for the presidency, because it would alienate a considerable bloc of Republican votes. Or could it be that he just plain don't give a dang?

In his opposition to the anti-lynching bill Senator Borah stands with some mighty good Democratic company. Our own Senator Bailey helped to kill it in the senate, declaring that the South was sufficient unto itself in looking after this little matter. Recent happenings would indicate that Senator Bailey was wrong if "sufficiency" is construed in the broadest meaning of the word. If the provisions of the Costigan-Wagner bill were in force recent whitewashing in this and other states would have been changed to a blood-red in the South's fashion sheet section that covers the style of dealing negro criminals of the baser sort.

But that is another story and one that does not enter into the question of presidential possibilities.

ASHEVILLE, N. C.
TIMES
NOV 25 1935

Borah's Political Courage

REPLYING to the challenge and warning of Walter White, Secretary of the National Association for the Advancement of Colored People, Senator Borah declares his opinions on federal anti-lynching legislation with refreshing candor and extraordinary courage.

White wrote to the Senator as spokesman, he claimed, for American Negroes who in some close states may hold the balance of political power. Certainly, if Senator Borah should be a candidate for the Republican nomination, his past votes and his present declarations on anti-lynching laws would lose him votes in some Eastern and border states where Negro voters would perhaps be the decisive factor in his camapaign.

Borah does not hesitate. Abhorring lynching, he nevertheless tells White that this proposed extension of federal power by Congressional enactment is not only futile but unconstitutional.

Assuming for the purposes of his letter that he is a candidate for the Presidency, the Senator ignores the intimated opposition of the colored people, plainly saying that if such a bill were presented to him as President he would veto it.

Some commentators lately have suggested that Senator Borah, who may be considering a race for the nomination, is making flirtatious advances to the Townsend followers. Yet whatever Borah's views are on the Townsend program or any other economic or social program, he is still the outspoken Borah who has won and held the admiration of the American people by his political courage and independence.

Lynchings-1935
Discussions

White Press, Southern

4938

Kinston, N. C., Free Press
November 14, 1935

A Sheriff Disqualifies Himself

THE state of Texas reports the lynching of two 16-year-old Negro boys, alleged to have confessed to a heinous crime.

There is no brief for the culprits if they were guilty of the crime. Nothing was "too good" for them. But lynching and mob law is unlawful in this country. It is demoralizing and dangerous. It menaces the security and stability of society.

The law provides adequate punishment and the machinery for meting it out to those whose conduct is as reprehensible as the two young fiends of Texas evidently was. They were in the hands of constituted authorities and were en route to make their appearance before a regularly constituted court. There is absolutely no doubt that the death penalty would have been meted out to them if the evidence had warranted it.

At the time the two boys were taken by the mob they were in custody of a sheriff and a deputy. The sheriff is quoted as saying, after he had failed so dismally in complying with his oath of office in protecting his prisoner:

"I don't plan any arrests. The men were masked. Their automobiles had licenses from other counties. I didn't recognize any of them. The grand jury will meet in February and may investigate the lynching then."

The sheriff thus disqualifies himself, and whether the authorities of his county in the Lone Star State are ever able to identify and punish members of the mob, they should lose no time in removing him. He is unfit by his own declaration and attitude to occupy the important place.

Statesville, N. C. Daily
November 15, 1935

"THE WILL OF THE PEOPLE".

The news dispatches tell that sever hundred people joined in the lynching of two negro boys who confessed to criminal assault upon a high school girl in Columbus, Texas, and drowning her. The boys were snatched from officers at a river crossing and hanged to a tree near the farm home of the victim.

The county attorney termed the lynching "an expression of the will of the people" and said he did not consider the citizens who executed the negroes a mob. With that sort of attitude it is not reasonable to expect him to be sincere and aggressive in carrying out his threat to "vigorously" prosecute any of the seven hundred persons, including women, who participated in the deplorable affair.

As provoking as this crime may have been, for which the two negroes were lynched, the fact remains that they were in the hands of the law and headed most certainly toward a quick retribution. "The will of the people" could well have awaited the outcome which was as certain as death itself, and thus the South would have been spared another blot on its name—but mobs are unmindful of blots.

But this county attorney is the type of official to whom nothing is criminal if enough people are concerned in it; whose sworn obligation does not count when there is disapproval on the part of any considerable number of voters, and he could have saved his breath in declaring that he would "prosecute," because already it is written in the stars that nothing will be done about it.

CHARLOTTE, N. C.
NEWS

NOV 12 1935

Novelty Compounded.

It was a strange kind of mob which lynched a Negro near White Bluff, Tennessee, last week. For one thing, there were only five members of the mob. For another, only one shot was fired to end the victim's life, nor was there any torturing of him before death or dismemberment afterward. No, this small mob quietly seized the Negro, killed him and then, to cap the climax, marched into town and surrendered to the sheriff.

The sheriff, so astonished was he, hardly knew under what charge to hold the men. He was not long in finding out, however, and neither was the county grand jury long in indicting the five for murder in the first degree. Even more strangely still, the trial will begin at once.

The one more amazing circumstance necessary to make this the strangest chapter of lynching in the South would be for the trial jury to bring in a verdict of guilty, making it necessary for the judge to sentence these men to die as other men have died for murder. Our guess ordinarily would be that the jury would do no such thing, but this whole affair has been so completely out of the ordinary that it is hard to tell what to expect next.

Raleigh, N. C. Observer
November 16, 1935

OCCASIONAL DUE PROCESS.

Asheville Times.

A county judge and a county attorney of Columbus, Texas, faced with the moral emergency of a terrible crime by two Negro youths and a terrible vengeance by the mob which hanged them, seem not to hesitate over statements which will almost certainly be repeated, sooner or later, in Congress by the advocates of Federal police power for intrastate crimes.

The lynching was "an expression of the will of the people," said County Attorney P. P. Moore.

County Judge H. P. Hahn was somewhat more judicial. He strongly opposes mob violence in general, he explained; but the fact that the youths who assaulted and then drowned Geraldine Knollman, valedictorian of Columbus high school, are under legal age for capital punishment prevented him from condemning the citizens who "meted out justice" to the murderers.

It is not hard to understand the natural and human reaction to such a crime as this. It presents unusual elements of provocation for violence. But, as Judge Hahn and County Attorney Moore well know, you can't have legal and orderly justice just for occasional use. You either have law supreme or mob violence supreme in any crisis arising in a community.

GREENSBORO, N. C.
NEWS

NOV 16 1935

Shears and Paste

Novelty Compounded.

It was a strange kind of mob which lynched a negro near White Bluff, Tenn., last week. For one thing, there were only five members of the mob. For another, only one shot was fired to end the victim's lift, nor was there any torturing of him before death or dismemberment afterward. No, this small mob quietly seized the negro, killed him and then, to cap the climax, marched into town and surrendered to the sheriff.

The sheriff, so astonished was he, hardly knew under what charge to hold the men. He was not long in finding out, however, and neither was the county grand jury long in indicting the five for murder in the first degree. Even more strangely still, the trial will begin at once.

The one more amazing circumstance necessary to make this the strangest chapter of lynching in the south would be for the trial jury to bring in a verdict of guilty, making it necessary for the judge to sentence these men to die as other men have died for murder. Our guess ordinarily would be that the jury would do no such thing, but this whole affair has been so completely out of the ordinary that it is hard to tell what to expect next. —Charlotte News.

Durham, N'a. Eagle
November 16, 1935

THE EPITOME

The mob never lynches merely its victim. It lynches law, order, justice, and decency as well.

The mob at Moultrie, Ga., killed an innocent Negro after a white man had been slain. Not content with this, the mob tried to take the guilty Negro from National Guardsmen after the prisoner had been convicted and sentenced to die in the chair.

Which is the epitome of stupidity.

Tarboro, N. C. Southerner
November 14, 1935

Will of the People

As far as newspapers are concerned, the average Southern lynching follows a well-defined pattern. The Negro of the case assaults a white woman. A group of people customarily referred to as a "mob" swings the culprit to a tree. The sheriff says he is unable to identify any of the members of the "mob". The editor plays up stories about the affair on the front page and rehashes the same old stuff about the disintegration of the American people as reflected in their disrespect for lawful processes on the editorial page. The spirit of the "mob" is decried, the inability of the authorities to bring the lynchers to justice is lambasted and anyone who happens to voice the view that the lynchers were, after all, meting out justice has a journalistic bomb planted under him.

There is perhaps but one other occurrence which is treated by newspapers with more rigid adherence to a pattern, and that is the death of a citizen. So-and-so died of such-and-such at a certain time and funeral services will be held from his home or his church with burial following at this or that cemetery with Rev. So-and-So in charge. Then his career, the his survivors and finally the pall bearers. It is all just so.

In the case of the death notices such treatment is desirable. Originality is not needed or expected. But why lynchings should stick to a cut-and-dried formula is a journalistic enigma. Therefore this newspaper seems to follow it and to express its real views, unhampered by custom, upon the country's latest lynching, which occurred in Texas when two young Negroes were hanged by a "mob" for the brutal murder of Miss Geraldine Kollmann, high school valedictorian, whom they confessed they criminally attacked and drowned.

Let it be admitted, to begin with, that it would have been better had the lynching not occurred and the law taken its course. That point settled, let it also be admitted that in some respects the mob served the ends of justice better than the law could have, and that therefore the lynching is not wholly to be decried. A so-called lynching mob, be reminded, may not and frequently is not a bunch of wild, emotional, unreasoning hoodlums; it may be and often is a group of resolute, calm but determined citizens who refuse to tolerate the cruel murder of their women and the possible delay and laxity in administering punishment by lawful processes. As the county attorney said of the Texas affair, the lynching was the "will of the people." The law also, in a democracy, is the will of the people. Under this definition then, the lynching method and the statutory method become synonymous, with the former possessing the undisputable advantage of quickness impressiveness and completeness without expense to the state.

This is not to be interpreted as a condonement of lynching. There are many factors which make it contain more of the wrong than of the right. But it is an attempt to show that there is something, even though not much, to be said on the side of the lynchers. This newspaper does not approve lynching; at the same time, it refuses to follow a pattern which requires that it believe lynching contains no points in its favor whatever. There is, in fact, considerable to be said for it, even if not enough to justify it.

ASHEVILLE, N. C.
TIMES
NOV 14 1935

Occasional Due Process

A COUNTY judge and a county attorney of Columbus, Texas, faced with the moral emergency of a terrible crime by two Negro youths and a terrible vengeance by the mob which hanged them, seem not to hesitate over statements which will almost certainly be repeated, sooner or later, in Congress by the advocates of federal police power for intrastate crimes.

The lynching was "an expression of the will of the people," said County Attorney P. P. Moore.

County Judge H. P. Hahn was somewhat more judicial. He strongly opposes mob violence in general, he explained; but the fact that the youths who assaulted and then drowned Geraldine Knollman, valedictorian of Columbus High School, are under legal age for capital punishment prevented him from condemning the citizens who "meted out justice" to the murderers.

It is not hard to understand the natural and human reaction to such a crime as this. It presents unusual elements of provocation for violence. But, as Judge Hahn and County Attorney Moore well know, you can't have legal and orderly justice just for occasional use. You either have law supreme or mob violence supreme in any crisis arising in a community.

Savannah, Ga., News
November 28, 1935

Lynch Law is Barbaric

Hancock county, Georgia, has adorned itself with a lustrous diadem by demonstrating that the "law-abiding spirit" still prevails there and that lynch law is uncivilized and unnecessary in the administration of justice. A negro, charged with the slaying of a policeman at Sparta on November 17, has been convicted and sentenced to die December 20. That is speedy enough justice to satisfy any who are swayed by reason rather than blind lust for vengeance.

It speaks well for the beneficent influence which the 83-year-old jurist, who presided at the trial, holds among the people of the Ocmulgee Superior Court circuit which he has served for two decades, that perfect order prevailed throughout the trial. The wisdom of long years of experience is embodied in Judge Park's comments: "This is the only way to preserve the laws of the land — to let the courts handle the work for which they were established. Orderly procedure makes for better law enforcement. It has a salutary effect on the nation as a whole."

He has rightly set forth the doctrine that lynch law breeds disrespect for law. It has a demoralizing effect on any community in which it occurs. Hancock county has set an example which other counties may well emulate. Confidence in the calm judgment of his friends and neighbors was displayed by the aged jurist when he said to an Atlanta news man: "Tell the Governor for me that no national guardsmen will be needed here."

Lynchings-1935
Discussions.

White Press, Southern.

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"LAW AND LYNCHING

To The Commercial Appeal:

In picking up a copy of "Pulse of the Nation," the other day, I read a reference on page 9 to your editorial "Law and Lynching" of Dec. 23. It is the clearest statement of the sort I have ever seen and tells the truth as it exists in the south, but as it is not understood in the north. I think the editor had in mind using your article as a glaring example of something or other, but I read it with much appreciation and admiration. I think you did a good job.

Sincerely,

E. M. ALLEN.

New York, N. Y.

THE VARIOUS "ISMS"

TO The Commercial Appeal:

The underlying cause of a world transition from nationalism to internationalism is the increase of speed of communication, resulting in a world shrinking into a neighborhood of a family of nations, practically living under one roof, and a horrible war of modern death dealing machinery would destroy the world, civilization, and subjugate mankind to barbarism.

The restless world is driving England and America in each other's arms to compose an Anglo-Saxon union in defense of a common cause to deal with the military aggrandizement of Japan over China and the Pacific Ocean.

The American possibility of following a purely nationalistic policy in view of our heavy investments in Canada, Europe and South America amounting to over 14 billion dollars would be out of question and preposterous, for the American horsepower is measured by the yardstick of a foreign purchasing power, and a national production based on home consumption only would spell economic disaster for America.

The American moral guidance entrance into a world tribunal of nations acting as a world police court will resurrect in the near future under a higher plane of civilization in defiance to the iconoclasm of our potato Senator Borah, communistic showmanship of Father Coughlin the ballyhoo of Huey Long, Hearst Arthur Brisbane and the pithy, epigrammatic spirit of provincialism of Will Rogers.

M. KEPPEL.

Marianna, Ark.

Hattiesburg, Miss. American
March 13, 1935

LYNCH LAW

NEGRO DIES ON OAK TREE

(By Associated Press)

SLAYDEN, Miss., Mar. 13.—An officer who found the body of a 29-year-old negro swinging from the limb of a tree two miles east of here late yesterday, was summoned to tell his story at an inquest here today.

The negro, Ab Young, a tenant farmer, sought in connection with the shooting to death Saturday of Hardy Mackie, 45-year-old state highway employe, was seized near Rossville, Tenn., across the Mississippi line, earlier in the afternoon and rushed here, where he was lynched by a mob of 50 men.

He went to his death after singing a hymn. He was allowed to pray before the noose was adjusted around his neck. The other end of the rope was tied to a tall oak tree.

On Top of Car

His captors placed him atop an automobile and drove off, leaving the negro dangling in the air.

Prosecuting Attorney E. C. Wright of Holly Springs, who called the inquest, said that a verdict that the negro came to his death at the hands of "parties unknown" was likely.

The inquest, he said, while routine, might develop information that will forward his investigation.

"We will present our case to the grand jury in August after we have made a thorough investigation into this affair," Wright said. "We have some good officers working on the matter. Naturally, those who participated in the affair are not talking. Nobody we interviewed admitted knowing whether it was a suicide or a hanging."

Wright said Deputy Sheriff Joe Fitch found the body swinging from a tree, and that he would tell of his discovery at the inquest.

The prosecuting attorney said he and officers rushed to Slayden from Holly Springs when informed the mob had the negro.

Didn't See Negro

"We didn't see the negro who apparently was hidden away," Wright said. "We did talk to Hill Mackie, brother of the slain man, and other responsible and law-abiding citizens, and Mr. Mackie said he would talk to the men in an effort to persuade them to give up the negro to the officers, asking us to seek speedy trial.

"We went to Mount Pleasant to telephone, as there is no telephone in Slayden, and got in touch with the acting district attorney, and asked that Judge Taylor McElroy, communicate with us at once.

"Before we heard from Judge McElroy, we learned that the negro was dead. He had never been in the hands of officers."

The hanging occurred around 1:10 p. m.

Members of the mob, occupying four or five automobiles passed through Mount Pleasant with their captive earlier in the day. They told people sitting around a garage that the negro would be "lynched at sundown".

Shot Without Warning

Mackie, a native of Marshall county, had returned from Holly Springs Saturday night when he stopped his automobile in front of a Slayden store.

Young, officers said, had been drinking, and was shooting across the road. Mackie warned him to stop shooting, the officers said, and shouted, "you will kill somebody!"

The negro, they said, turned and fired in the direction of the highway employe, who fell mortally wounded.

The negro fled under a hail of bullets. He had been at large until yesterday.

Huntsville, Ala., Times
March 25, 1935

What Mob Can Do

The human race has to cope with many enemies in its long struggle to work out a scheme for peaceful living, but the greatest enemy of all is the mob.

For a perfect picture of the way the mob acts, consider the riot that swept up and down the streets of New York's Harlem the other day.

A negro boy tried to steal a 10 cent knife from a store counter A floor-walker collared him and the boy, naturally enough, set up a yell.

An excitable woman saw and heard just enough to touch off her motor reactions, and she ran out into the street, yelling that the boy had been killed.

Up and down the streets went the cry. Out of poolrooms, lunchrooms, and workshops came angry men, milling in the streets, yelling, looking for someone to fight, afraid, suspicious, and angry.

A crowd of a thousand men and women swept into the store, turning things upside down, breaking things, yelling, hitting, fighting.

Police reserves came, by the hundreds. There were dozens of fights. Scores of men were cut, beaten, or slugged. More than a hundred were arrested. Thousands of dollars' damage was done to property.

Yet the juvenile knife-stealer, who unintentionally started it all, managed to jerk away from his captors during the melee and vanished, utterly unharmed.

One could search the world over without finding a better example than this of the blind, panicky insanity of the mob spirit.

Here was a riot of major proportions, an ugly welter of fights that spread all across a populous section of a great city—and all for what?

Not one of the rioters knew. It started, literally, from nothing at all; and because men and women were jittery, and gave way to the combined emotions of anger and fear, there was the piper to pay.

The mob spirit that can seize a few thousand people in one city is the same spirit that can and frequently does seize whole nations, when hatred and panic get together.

It sweeps dictators into power, causes mass executions, concentration camps, sluggings and clubbings.

It fills the air with bombing planes and the fields with infantrymen and sets cruisers loose on the sea lanes.

It inflicts more misery and destruction on the earth than a generation can repair.

And all, as in Harlem—for what?

Pensacola, Fla. Journal
March 26, 1935

THE MOB SPIRIT

The human race has to cope with many enemies in its long struggle to work out a scheme for peaceful living, but the greatest enemy of all is the mob.

For a perfect picture of the way the mob acts, consider the riot that swept up and down the streets of New York's Harlem the other day.

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Spartanburg, S. C., Herald
September 30, 1935

A Georgia Lynching

Georgia adds its name to the lynching list of 1935. A Dooly county mob took a negro, who had been arrested for drunkenness, from the sheriff who was removing him to Fitzgerald for safekeeping and he was discovered next morning hanging to the limb of a tree.

It can hardly be believed that men could become so violent as to execute a fellow being against whom there was no criminal charge. For that matter, it can hardly be believed that men would take any man charged with a crime from the hands of authorities and kill him without a trial.

Dooly county and Georgia will have a difficult task in explaining this cruel and fiendish miscarriage of justice.

MISSIONARY SOCIETY DEPLORES LYNCHINGS

Resolutions deploring the two recent lynchings in Georgia stating that in neither case "was there even the pretense of an excuse," were adopted by the Woman's Missionary Society of the Atlanta district, Methodist Episcopal Church, South, in quarterly session here. 11-23-35

The session was held Wednesday but not made public until yesterday.

One of the mob victims, the resolution said, was not accused of any offense whatever, and the other was accused only of drunkenness and of effecting his escape from an officer by seizing the latter's pistol.

The society protestetd against "officers and courts that tamely bow to the mob," and registered "unqualified condemnation of lynching under whatever circumstances."

It urged "upon all religious, educational and civic agencies the imperative duty of building a public opinion which will no longer tolerate mob violence."

had been killed.

Up and down the streets went the cry. Out of pool-rooms, lunchrooms and workshops came angry men, milling in the streets, yelling, looking for someone to fight afraid, suspicious and angry. A crowd of a thousand men and women swept into the store, turning thing upside down, breaking things, yelling, hitting, fighting.

Police reserves came by the hundreds. There were dozens of fights. Scores of men were cut, beaten or slugged. More than a hundred were arrested. Thousands of dollars' damage was done to property.

And the juvenile knife-stealer who unintentionally started it all managed to jerk away from his captors during the melee and vanished, utterly unharmed.

You could search the world over without finding a better example than this of the blind, panicky insanity of the mob spirit. Here was a riot of major proportions, an ugly welter of fights that spread all across a populous section of a great city—and all for what?

Not one of the rioters knew. They could not possibly have hoped to know. It started, literally, from nothing at all; and because men and women were jittery, and gave way to the combined emotions of anger and fear, there was merry Ned to pay.

Now you don't need to think very hard to draw the needed moral from all this. The mob spirit that can seize a few thousand people in one city is the same spirit that can and frequently does seize whole nations, when hatred and panic get together.

It sweeps dictators into power, causes mass executions, concentration camps, sluggings and clubbings; it fills the air with bombing planes and the fields with infantrymen and sets cruisers loose on the sea lanes; it inflicts more misery and destruction on the earth than a generation can repair.

And all, as in Harlem—for what?

WILMINGTON, N. C.
STAR

APR 27 1935

Editorial Comment From Other Angles

THE LYNCHING PROBLEM

(New York Herald Tribune)

Of all the forms of lawlessness that have disgraced America in the eyes of the civilized world that of lynching is undoubtedly the most abominable. It is so for the simple reason that other comparable crimes are either the work of demented or depraved individuals or of gangs without the pale of organized society, while your lynching mob usually includes a fair proportion of citizens of the kind normally regarded as respectable. It is their betrayal of the state and of their own decency that gives the final hideous touch to the atrocious business.

Little wonder, therefore, that from time to time congress has had to face the proposal to put an end to the evil through federal action. Just now the senate is in the throes of a passionate debate over the Costigan-Wagner bill. This measure would make it a federal offense, heavily punishable, for local peace officers to refuse or fail to protect prisoners in their custody from mob violence. It would also provide for financial damages to the relatives of victims against the counties or cities or both, in which lynchings are perpetrated, the damages to be collected in a federal court. In the main it follows the lines of the Dyer anti-lynching bill, which had congress in a similar ferment thirteen years ago.

Its opponents have called it unconstitutional but mistakenly, we believe. Since the Fourteenth Amendment forbids any state to deny to any person within its jurisdiction the equal protection of the laws, excellent authority has held that congress has the right to pass legislation penalizing failure to give such protection. Neither with the bill's objectives nor with its constitutionality can there be serious quarrel. Nor need we join our Southern statesmen in shedding bitter tears over its implied insult to the South. As Senator Costigan has observed: "Lynching has been practiced in every part of the nation. The evil is in no sense to be regarded as sectional."

However, the bill does raise a fundamental question of governmental policy. In the first place, a lynching is almost invariably a purely local crime. In this respect it differs radically from kidnaping, bank burglary, highway robbery and the like, with their attendant murders, whose perpetrators skip from jurisdiction to juisdiction. There is not the same excuse to include it in the fast-growing list of offenses to be dealt with by the federal authorities. In the second place, it is an evil that is on the wane. In 1892, there were 255 lynchings; last year there were 15. The curve, though it may waver a bit from year to year, has shown a marked downward tendency for nearly half a century, indicating very clearly the growing popular revulsion against the crime as well as the effectiveness of local statutes.

Given the enormous diversity of customs and conditions in this country, one may always doubt the wisdom of calling upon the federal government to solve a local problem. Lynching is a local problem, however widespread may be its practice, and, unless the figures lie, it is being solved locally. The process may take longer than the short cut of federal nterference, but in the end it is bound to be the more wholesome and effective.

ABILENE, TEX.
NEWS

APR 25 1935

Lynching

When the people of a community uprise to take the law in their own hands, becoming judge and jury and executioner in one, they are embarking on a dangerous and intolerably brutal course that will return later to smite the conscience. The states have failed completely, both north and south, to curb that horrible expression of primitive passion—lynching. Why, therefore, shouldn't Uncle Sam, who has demonstrated his strength in controlling crime, go after the lynchers whenever and wherever they raise their ugly heads?

For which reason another "states rights" hue and cry having a strangely hollow sound is that raised this week in the United States senate over the Costigan-agner bill to make lynching a federal offense. Certain senators (southern, we are sorry to say) profess such alarm over the bill's prospects of passage that they propose to squeeze it to death by deliberately delaying consideration of other measures of legislation ahead of it.

It is tactics of that sort that make the average citizen look with distrust on lawmaking bodies.

SAVANNAH, GA.
PRESS

APR 18 1935

PROBLEM FOR STATES.

The Evening Press agrees with Senator Walter F. George that the matter of the punishment of those guilty of the crime of lynching should be left to the state in which such offenses occur. Local juries should fix the penalty for such a crime.

There is now pending in the United States Senate the Costigan-Wagner anti-lynching bill, which has very drastic provisions for the penalizing of counties where lynchings take place and where the participants in such lynchings are not punished.

Senator Walter F. George before leaving Washington on Tuesday was pronounced in the belief that the measure should not pass the Senate and that if it should become a law that the courts would declare it unconstitutional. We accept the view of the Senator in this respect as being sound. He has given much thought to it and his legal mind carries the conviction that the law if passed would not be upheld by the courts. In the Senate on Tuesday Senator George, asserting he had risked his political and physical life to protect men from mob violence, denounced the bill as unconstitutional, said the South had made marvelous progress in coping with lynching and assured the Senate that the proposed federal law would actually retard the anti-lynching movement.

This is a matter the states are well equipped to handle. Lynchings are not as numerous as they have been in former years. A federal law framed to prevent them would effect no cure; men who form mobs with a view to lynchings are not bound by statutes, either state-wide or national in scope.

The states are much better prepared to handle this important question of their own volition and in their own way than is the federal government.

States like New York, Illinois, California and others we might mention, we are quite certain do not want any federal interference with the control of the matter

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NORFOLK, VA.
LEDGER DISPATCH
DEC 21 1935

THE SOUTH TODAY

The Lynch Mind: A Snapshot

By JOHN TEMPLE GRAVES II

(Copyright 1935, by Sout hern Newspaper Syndicate)

Editor's Note: John Temple Graves, II, conducts a widely read daily column in the Birmingham (Ala.) Age-Herald. He has been author of numerous books, contributor to many magazines, and this year was awarded a doctor's degree by the University of the South for "distinguished contributions to the field of journalism." He saw service in France in 1918, served on the American peace commission in Paris in 1919, was economist for the Federal Trade Commission in Washington, and was admitted to the bar of the District of Columbia. Dr. Graves is the son of a distinguished Southern journalist and the great grandson of the eldest brother of John C. Calhoun. By way of versatility he holds the Middle Atlantic States tennis championship for 1934.



GRAVES

During the War of the American Revolution a Virginia justice of the peace developed a nice technique with the Tories. He would suspend them by their thumbs until they were persuaded to shout "Liberty forever!" The gentleman's name was Charles Lynch, and even though his patient's all survived this extra-legal treatment, the name was given thereafter to a practice by which nearly 5,000 Americans, most of them Southern Negroes, have been put to death without benefit of law in the last fifty years. The simpler and better name for these premediated killings, of course, is murder. The term "lynching," although undoubtedly less offensive to practitioners, is an understatement—and an injustice to the memory of Charles Lynch.

Wide Range Of Letters

With all that is being said and done, or at least, attempted, against lynch law, it seems strange that there should be so few studies of the lynch mind—photographs taken from life. Almost any Southern editorial writer who has taken a stand against mob murder is likely to have a drawerful of more or less revealing letters from people who believe in lynching; letters of abuse, epithet, protest, argument, philosophy. In the course of ten years as an editorialist in Florida and Alabama, conducting a daily editorial column on the first page under his own name, this writer has had his share of such letters; and because they have come to him as to an individual they have been, perhaps, more intimate and enlightening than letters addressed formally to a newspaper's editorial page. Their contents may offer little of argumentative worth, but they have a certain news value and an indisputable clinical interest.

Some people will tell you that the lyncher has no mind, that he is a moron. But it can be stated on the best of evidence that thousands of very good readers and writers in the south today believe in lynching as a stern necessity under certain circumstances, even though they may be unwilling to take part in an actual lynching themselves. Without them and the prestige which their comparatively "educated" support gives the institution, actual lynchers might be much more careful. For one letter from the moron who scrowls on coarse ruled paper that you are a "low down yellow-livered nigger-lover" and calls you unprintable names in a spelling all his own, there are dozens of letters from perfectly intelligent people who write to debate the thing with you, sometimes sorrowfully, sometimes angrily, sometimes with complete dispassion.

Never to be forgotten, for example, is the obviously genuine regret with which a certain graduate of the University of Virginia offered his conclusion that the white and Negro races will never be able to live successfully side by side in the south—or the perfect calm with which he suggested by way of solution "a general massacre." Comparable in philosophical ferocity is the rule laid down by a Birmingham physician in a letter insisting that a certain Negro defendant should be hanged whether he was guilty or not. "The important thing," he wrote, "is that whenever a white woman is raped by a Negro there should be an example and a spectacle of punishment. If possible, get the right Negro and string him up. String up one or two of his nearest relatives at the same time. And if the right one can't be found, take some other Negro."

A major point with lynch sympathizers is that those who are not in favor of lynching have never been faced personally with the situation which incites it. "If we had sat quietly (sic) on our royal," asserts one correspondent "while the niggers were killing our white women and alibing and getting by we would never had been recognized." He wrote: "If those women who were attacked were some of your own friends or relatives, I wonder if you would be for handling them so nice and gentle."

Communist Influence

Interference of the Communist International Labor Defense is mentioned in many letters as a cause of lynchings. A Georgia author wrote that the only way to end present day lynchings and racial disorders in the South was to "discover the agitators—they happen to be Communists and labor organizations—punish them; their action is treasonable." But that the Communists themselves feel that their coming, far from aggravating the lynch impulse, has cowed it, is suggested in a letter from the secretary of an international labor defense district organization:

"The ILD has forced the Southern lynchers to now assume the defensive. They are no more the arrogant fellows they were in 1931. In 1931 a Scottsboro paper openly made lynch threats against any Negro who aspired to jury service in the South. The Jackson County Sentinal editorially stated: 'A Negro juror in Jackson County would be a curiosity, and sometimes curiosities are embalmed, you know.' Today we witness Tom Knight (attorney general of Alabama) telling the Supreme Court of the United States that Negroes are not systematically excluded from Alabama juries because of their race."

The conviction that lynching parties are composed of men grimly and calmly performing a social duty in the spirit of early American vigilantes is common to many of the correspondents. "I do not think the mob is composed of the blood-thirsty anarchists which you intimate," wrote a Florida school teacher, "any more than our Confederate grandfathers were such because they united secretly to free this fair land from the dominion of the carpet-baggers and scalawags. Rather are they composed of men who have lost confidence in the agencies that have been duly constituted to effect justice. And with no small reason."

Defenders Of Lynch Law

A superior knowledge of the Negro race is the claim with which a number of letter-writers set themselves up as defenders of lynch law. "How much do you know of Negro psychology?" scoffed a Tennessee merchant. "Do you know anything of the Negro you are thrown with but what he wants you to think? Do you appreciate that the vindication of the 'majesty of the law' is Greek or Hebrew to him? The law is something to be used in his favor by his friends and against him by his enemies. He will put you and your newspaper among those that think them boys didn't do nothing wrong' and he will not admit it to you but you could never make him believe that they (the Scottsboro defendants) rode in a car at night with any strange women without having intercourse with them, and range you with those who think opportunity justification."

But the most frequently employed and impressive point made in defense (or explanation) of lynching is the ineffectualness of the law, the technicalities employed to delay and often to defeat the doing of justice. "Those (Scottsboro) Negro boys were convicted and sentenced by an Alabama judge and jury and should have been dead and forgotten long ago," writes a Georgia merchant. "That they are still living is the fault of our laws. If you are crusading for law and order, then for God's sake start with the law. Get the laws fixed so that when a man is fairly convicted by a jury of his peers let him suffer the penalty imposed without further bother and expense. How in the name of decency is Alabama to keep her women from being raped by black devils when they have such examples of the inadequacy of our existing laws?" In this writer's mind, obviously, there is no question of the fairness of the Scottsboro trials, nor any concern for it.

Organizations Active

It is only within recent years, of course, that organizations lige the International Labor Defense and the National Association for the Advancement of Colored People have interfered to offer to Negro defendants in certain cases in the South the services of resourceful attorneys, and thus to protract trials and legal processes. Whether this "interference" tends to defeat justice or to procure it, the fact that it is a comparatively recent development means that the lynch argument based upon it is also recent.

These selected letters are typical of the variations in intelligence, education and point of view of those who write to Southern newspapers in defense of lynch law. There are many, if not more, letters expressing uncompromising hostility to mob murder and the lynch philosophy. The number of Southerners who believe that lynching is a disgraceful, corruptive and wholly unnecessary practice rivaltoday the number of those who do not. The expressions of their belief have neither news value nor clinical interest, as they are identical with those of civilized people the world over, but the picture attempted here would be incomplete without a reference to them. In Birmingham last year, for example, when a third-rate politician called facetiously for "bigger and better lynchings" and suggested that "rope is too high and one bullet placed in the correct position will do the work at much less cost," he found himself sixteenth in a field of sixteen in a race for the State Legislature. It is symptoms of this sort that give hope to Southerners who are earnestly striving to do away with the crime of lynching.

Richmond, Va., Times-Dispatch
December 30, 1935

The South Disgraced Again

IN THE past 45 years, more than 5,000 persons have been lynched in the United States, and there have been convictions of the guilty parties in less than one-half of 1 per cent of the cases.

This orgy of crime continued during 1935, when 20 more persons were done to death in this fashion, 19 of them in the South and the other in California, according to figures just released by Tuskegee Institute. Since there were 15 lynchings in 1934, the total for the year now drawing to a close represents an increase of five. There were 28 in 1933, and 8 in 1932.

While it is obvious to all that lynchings have decreased greatly since the turn of the century, there has been no well-defined trend since 1923, when the total was 33. During the past dozen years the number has oscillated between that figure and 1932's all-time low of eight. From 1885 through 1901, the lowest for any year was 96, and

the highest was 231. As recently as 1919 there were 80.

Since there has been no clearly defined trend in late years, we see no reason to think that lynching is about to become extinct, much as its extinction is to be desired. So long as conditions remain as they are, it seems reasonable to suppose that there will be a certain number of these ghastly crimes each year.

A few episodes from the twelvemonth now closing are illuminating as to the state of public opinion in the South, where almost all lynchings occur. Take the case of GOVAN WARD, for example, who was put to death in broad daylight by a mob on the streets of Louisburg, N. C., last July. A white North Carolinian obtained the names of nine of the lynchers and furnished them to the authorities, but no action was taken against them.

Consider also the brutal killing of two Negro boys, aged 15 and 16, by a mob in Colorado County, Texas, last month. The County Attorney blatantly announced that lynchings conform to "the will of the people," and indicated that neither he nor any of the other local officials had any intention of doing anything about it. During the same month, members of a mob at White Bluff, Tenn., took the sheriff's gun away from him, shot their victim to death, and calmly returned it to the official, who was said to have remarked, "they seem to be having a good time."

Even worse than the participation of adults in such orgies is their effect upon the minds of little children. A Negro lynched at Fort Lauderdale, Fla., was left hanging to a tree by the mob, and a photograph shows 10 little white girls, ranging in age from 4 to 11 years, standing under the tree and gazing up at the corpse.

We are frank to say that we are almost ashamed to be identified with a section of the country where such things occur with such frequency.

What is to be done about it? The proposed WAGNER-COSTIGAN antilynching bill is regarded by many authorities as unconstitutional, although its advocates contend that it is validated by the Fourteenth Amendment authorizing Congress to enact legislation to prevent any citizen from being deprived of life, liberty or property without due process of law.

If the WAGNER-COSTIGAN bill is constitutional, we shall not be surprised to see it, or something like it, enacted by Congress in the coming years. Aside from its dubious constitutionality, the measure has other defects, but if lynchings continue at the present rate in Dixie, we think the South will get its due with the enactment of a law taking the prosecution of lynchers out of the hands of the local authorities, and placing it in the hands of Federal agencies.

Lynchings-1935
Discussions

White Press, Southern

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TALLAHASSEE, FLA.
DEMOCRAT
JUL 21 1935

Lynch Law
Is Invoked Again

The lynching near Fort Lauderdale Friday at least demonstrated that mob violence is not confined to north Florida.

Mobs go into action in thinly populated sections and less frequently in cities to take the law into their own hands when a group of men becomes aroused by a crime. There have been several lynchings in Florida in the last decade or so. Not all the victims have been negroes and not all the crimes thus punished have been of the same order.

An outstanding case was that at Tampa when national guardsmen fought off a large mob intent on lynching a white "axe slayer." It is noteworthy that even in that large city and with the aid of the national guard, a lynching was averted only after several persons had been killed. This might be recalled in mitigation of the impotence of law enforcement officers in small towns and in the country who have failed to prevent extra-legal execution of justice.

Lynch law is inadvisable for two reasons; It encourages a disrespect and disregard for law and, since it is hasty, it sometimes punishes the innocent.

In this country lynch law is the survival of a necessary frontier institution: Enforcement of personal and property rights through vigilante committees and the klan of reconstruction days.

Unquestionably, law abiding citizens should work to eliminate the vestiges of an outworn institution that now is a handicap. In attacking the problem due consideration should be given to the necessity for rigid enforcement of law through constituted agencies.

And it would be helpful for the bar to adopt the policies approved at the national convention and eliminate the practice of lawyers working to free guilty criminals through technical loop holes.

The powerful primitive instincts aroused in the mob should be first understood and then opposed with the certainty of legal punishment of the guilty.

Tarboro, N. C., Wkly. Southerner
July 18, 1935

Mississippi and Ethiopia

Ethiopia has a predominantly large Negro population. So does Mississippi.

In Mississippi, a gang of infuriated white men the other day took two Negroes away from a sheriff and killed them. They call that lynching.

In Ethiopia, an Italian army is preparing to take not two Negroes and kill them, but hundreds and thousands of Negroes. They call that bringing civilization to the people of darkness.

What is the difference between what happened in Mississippi and what apparently will happen in Ethiopia? In many ways, there is no difference. Both present a picture of an age old custom: members of a more highly developed race doing as they please with members of an intellectually inferior race.

One difference, however, is this: those who exercised this legacy from their forefathers in Mississippi were genuinely engaged by what they considered the unpardonable sin. As unwarranted as the lynchings may have been, one has to give the mob credit for having honest motives. The likely forthcoming slaughter in Ethiopia cannot be explained on any such grounds. It will be cold-blooded, premeditated. It will be inspired only by such an unjustified motive as desire for territorial expansion.

Whereas the lynched Negroes of Mississippi committed an act against society, Ethiopians, as a whole people, have done nothing worse to Italy than possess land and resources which Italy would like to have.

But such is the inconsistency of that human process called thinking that what happened in Mississippi is called mob murder and what may happen in Ethiopia will be called empire building. The former receives the whole-hearted condemnation of the world, the latter receives international consent, if not in so many words, at least by lack of actual effort to prevent it through a League of Nations supposedly endowed with the power to prevent it.

'LEAVE LYNCHERS' IS DAILY'S REPLY

Hands Off Mob, Says Louisiana Paper, Or We'll Lynch More

Cleveland Press
Cleveland Ohio.

VILLE PLATTE, La., Aug. 1—(Special)—One of the strangest things yet to come out of Louisiana, even since the advent of Hooey Long, made its appearance here yesterday when Ville Platte Gazette threatened editorially that "Any legal procedure in the Adam Joseph lynch case in an attempt to punish the mob, will cause the speedy removal of the hides of all other blacks hereabouts".

The unique declaration came after Joseph, who barely escaped with his life after a mob tried to lynch him several days ago, put the prosecution of seven known members of the mob into the hands of the International Labor Defense in New Orleans. The paper's promise of hide removal elicited especial attention from the Negro population of Ville Platte because of its close total to that of the whites, about forty percent, and most of them armed and highly independent farmers.

Senator Long has thus far been silent on the punishment of the would-be lynchers, although he had promised in his usual loud manner that he could deal with all lynchers in his state. This statement was made during the hearings on an anti-lynch bill.

GREENSBORO, N. C.
RECORD

JUL 31 1935

King Lynch In Franklin.

In Franklin county, North Carolina, yesterday a band of some 25 men, including both whites and negroes, unmasked, in broad daylight and on a frequently traveled highway, took a violently insane negro prisoner, Govan Ward, from Sheriff John P. Moore, of Franklin, and two deputies, and lynched him near the spot where three hours earlier he had slain a white farmer.

The negro had run amuck with an axe. He had been subdued, handcuffed and was being taken to prison. But certain citizens of Franklin know or obviously think they know just how to deal with insane persons; namely, put them to death by torture and make a community circus of the proceedings.

Today's Raleigh News and Observer carries a picture of the Franklin mob's victim with the following lines under it:

> Suspended from a scrub oak with a cotton ploughline, his hands still handcuffed, his tattered, bloodsoaked clothes gaping, Govan "Sweat" Ward, 25-year-old Franklin county negro, was seen by hundreds of spectators yesterday as his body hung for more than two hours in a patch of woods about a mile from the Louisburg-Henderson highway near Wellon's mill. The negro's right little toe was cut off by a souvenir hunter, and blood dripped from the wound until officers cut the body down. Women and girls were among the spectators who approached close to the body, pulling aside its ragged covering to inspect the wounds, before national guardsmen from Henderson formed a cordon about the victim of the mob keeping the morbidly curious back.

The same newspaper carries a picture of Sheriff Moore and below it are these lines:

> Swinging the cotton ploughline used to string up the mob victim, Franklin county's sheriff, John P. Moore, who took office less than 24 hours prior to the tragedy, is seen walking away from the scene of the lynching. Sheriff Moore said he recognized none of the 25 or more unmasked men who took the negro victim away from him and two deputies in broad daylight, nor did any of the officers note the license numbers on the mob members' cars. After losing his prisoner, the sheriff returned five miles to Louisburg and organized a force of 30 men to search for the mob, but the negro's corpse, swaying from a scrub oak, was the sight that greeted officers when they next saw him.

Coroner R. A. Bobbit, of Franklin, impanelled a jury at the scene of the lynching and within five minutes an open verdict was returned setting forth that the negro met his death at the hands of "persons unknown to us."

If this case is permitted to end with such a verdict North Carolina may as well admit it thoroughly approves of the Franklin way of ridding society of "crazy niggers;" and further, the people of this state may as well conclude our present government is impotent and join in lusty chorusing: Lynch is King: Long live King Lynch!

Commercial Dispatch
COLUMBUS, MISS.
JUL 22 1935

Voice of the People

ANSWER TO LYNCH CRITICS

Columbus, Miss.,
July 20, 1935.

Editor Commercial Dispatch:

We, true ladies of the South, are law-abiding citizens, but when it comes to a negro attacking one of our Southern ladies, we certainly do approve of lynching—the quicker, and the quieter, where there is positive proof, as in this case, it can be done too soon. We ladies highly appreciate the protection of our Southern gentlemen, for without them, we would be helpless indeed, as such crimes as this have grown more numerous in the last few years. The Southern people are the negroes' best friends, as all the decent negroes realize, and I am glad to say I have heard many of our respected negroes express their approval, and even joy that such negroes that get out of their place, and turn to wild beasts ought all be killed and as soon as possible.

We hope that this Association in Jackson has never had anything like this happen to one of their families—it has never happened to any of the writer's family, but she nevertheless can sympathize with the poor, helpless, dear Southern women who have had it to go through with, and we are most thankful and appreciative of our gentlemen, who know when to take our protection into their own hands.

The writer's father and grandfather have been slave owners, and loved and knew how to treat the negroes, and also keep them in their place.

She is a Daughter of the Confederacy and true to the Order.

MARY BLEWETT OTTLEY.

ROCKY MOUNT, N. C.
TELEGRAM
JUL 31 1935

BLOOD AND ROPES

Lying before us as we write is a piece of rope. It is a small, plaited rope such as is sometimes used by farmers to steer their mules and horses before the plow or to guide their missions around the farm at other tasks. Such a rope also is used to fasten to the metal bucket, which has replaced the old oaken bucket, but which still brings up cool, refreshing water from the indispensable well. In the city, we have seen such a specimen of rope used by the police to keep back crowds when they tried to surge into the street or to congregate around a forbidden object. Boy Scouts also used a similar type of rope in learning to tie and tying a series of useful knots.

But this particular rope is smeared with blood—human blood, the blood of a murderer, who in turn himself was murdered. His life was sought, demanded, and taken only a few hours after he himself had sought, demanded, and taken the life of a fellow human being. From casual observation and without knowing the facts, the blood upon the rope which now lies before us, might have been the blood of the white man as well as his Negro assailant. The blood in either case would have come from similarly constructed bodies, the life of one having been taken by a single man in a lonely spot and the life of the other supposedly taken by many also in a remote location.

Who gave either party the right to demand and take the life of a human being? No one. Who deserved to die? Legally, no group is empowered under such circumstances to be judge, jury, and executioner; morally, they may point to the scriptural passage concerning, "an eye for an eye, a tooth for a tooth," as the deed is committed and instead of one murderer the State has many.

Sane-minded people are saying that lynching under such cirmcumstances as prevailed in North Carolina yesterday, when the citizens of a community rose up and did themselves what the courts in all probability would have done, are doing the "right thing;" those who lean toward the humane or socialistic side will say the lynching was inhuman, brutal, and uncalled for; radicals will say it was not done quickly enough.

Perhaps citizens who take the law into their own hands occasionally should not be condemned too severely in view of the fact that they have not the proper respect for the courts and their jurisdiction; perhaps they have lost faith in the courts and fear that justice is not being done; or perhaps it is the barbaric, prehistoric, cave-man tendencies cropping out. Then, too, one must look at the numerous escapees, approximately 600 in the State last year, from North Carolina's prison units. That is a record which no one is boasting of and which prison officials wish they could forget. The Negro in question may have been insane or he may not have been insane. He may have been placed in one of the state institutions for life, and may have escaped in a month. Lynching is one thing when one views it from a distance, but it turns to something entirely different when it takes place right at one's door. We know it is not right for a mob to take the life of any person and we know the members are not acting civilized. Yet, we sometimes are prone to pause and wonder what would be the ultimate effect if our courts had caused to be built up arond them a wall—a wall of feeling on the part of the people that all guilty persons would be justly punished and that quickly and without fear or favor.

CHARLOTTE, N. C.
NEWS
JUL 31 1935

A Lynching By Total Strangers.

Mississippi, Louisiana, Mississippi, Louisiana, Mississippi, Florida — into this miserable company, listed in the order of their lynchings during this year of our Lord 1935, was propelled yesterday the commonwealth North Carolina. Twenty or so men in Franklin county, adjacent to that in which is the state government, with its courts, its schools, its asylums for the insane and other indications of civilization, these twenty or so men furnished the propulsion. As surely as though they had dusted it with soot, they blackened the good name of North Carolina.

But that discussion of the affair is rhetorical. What is needed now is a descent into the strictly practical. Here were the sheriff of Franklin county and two of his deputies, with their prisoner. Confronting them were the 20 or more men, unmasked, traveling in three or four automobiles which bore license plates. Yet the sheriff or neither of his henchmen, good politicians all, recognized a soul, nor thought to take the number of a car. "I wish we had," said the sheriff. The coroner, however, was palpably glad that he hadn't. It would have made it embarrassing for him to have empaneled a jury and to have returned a verdict, while the Negro's body was still hanging from the tree, his killers hardly returned to their homes, that death came at the "hands of persons unknown to us." Twenty persons unknown to politicians in a county of 29,456 people? That many unknowns could not be gathered together except with diligence.

As late as last night, no communication had come to the governor from the officers of the law in Franklin county. During the time the mob was forming and before it was decided to take the prisoner to a safer place, not one call for help went from Franklin to Wake, next door. A company of national guardsmen and a squad of state patrolmen had arrived in Franklin county, at the scene of the lynching just committed, before the sheriff was recovered from his astonishment at being approached by a mob not a person of which he knew by sight. Thereupon, the sheriff went all the way back to Louisburg, deputized 20 citizens of the county and sent them out in all directions "to head off" the mob he had just left. This sheriff eschewed the seine. He preferred the dragnet.

North Carolina has had lynchings before, as late as 1933, in Pender county. They have been in lessening frequency, due partly to the refining influences which encompass us and partly to the wit of officers of the law, who know what to do when feeling begins to run strong in a community. But if North Carolina really chooses to discourage lynching so that it will die out altogether, this occasion in Franklin county, and the ease with which men who took the law into their own hands, not to mention those who let it be taken, could be identified and punished, is its opportunity.

Lynchings-1935
Discussions.

White Press, Southern.

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Letters To The Editor

LAW AND LYNCHING

To The Commercial Appeal:

Your editorial on Law and Lynching is a step in the right direction, and I want to commend you for writing the best article I have ever read on this subject, not because I agree with your views, but your simple, sensible line of reasoning shows familiarity with your subject and courage to express the facts.

Most people have learned long ago that you cannot legislate virtue into people. There is a priciple which cannot fail to keep a man in everlasting ignorance—that principle is "condemnation without investigation."

If more of our northern publicity writers would spend their time studying their subject, I believe they would spend less time discussing unenforcable laws and condemning their fellow men.

With best wishes for a year of Health, Happiness and Prosperity, I am, sincerely,

E. CLOVIS HINDS.

Memphis, Tenn.

LYNCHING AND LAW

To The Commercial Appeal:

I would like to be allowed the privilege of adding a word of commendation to your editorial in Sunday, Dec. 23, Commercial Appeal on "Lynching and Law."

I have also read Mr. J. D. Kennedy's letter replying thereto, and there is scarcely further comment that could be made that could so ably cover the situation. However, I'd like to congratulate you on your splendid editorial.

I am certainly not in favor of lynchings, but as long as there's clemency to the extent of commutation there's no assurance of the merited punishment being fully executed without delay. The children of Tennessee are not safe when fiends are at large such as the one who cost the lives of four honest citizens because they were upholding an idealism of decency and through orders that were given and obeyed by men who had the authority to issue them had their lives snuffed out.

The crime so atrociously alleged may be eliminated by instilling fear in minds so depraved by the assurance of quick and certain death.

MRS. ZULA JOHNSON.

Union City, Tenn.

SHELBYVILLE AFFAIR

To The Commercial Appeal:

I want to congratulate you on the editorial on the Shelbyville attempt to get the negro that attacked the 14-year-old white girl and the killing of the white men. I only wish that more papers would have the nerve to speak out as you did in your piece. I only hope that if anyone is outraged, it will be to some kin of the weak-kneed fathers who are so against mobs and lynching. Placards should be put on anyone lynched for this crime, so that everyone that has the same notion will see it and stop and think.

JOHN H. MERIWETHER, SR.

Jackson, Tenn.

LAW AND LYNCHING

To The Commercial Appeal:

I want to add my humble thanks to the feeling many more important people wil. have in reading your "Lynch Law" story. I am sure that it will do good, I know it was a mighty fine job of writing, and I believe it ought to be run in a box on the front page every time the deplorable necessity for lynching arises.

C. C. JACKSON.

Memphis, Tenn.

LAW AND LYNCHING

To The Commercial Appeal:

Your editorial on "Law and Lynching" is plain, true and well stated.

Regardless of fines, assessments or removal from office of officials when the one crime is committed the only problem before the community is to get the right one. Stop the crime and lynchings will stop.

W. L. M'ELROY.

Columbus, Miss.

LAW AND LYNCHING

To The Commercial Appeal:

I am glad that one man, George Morris, had the courage to discuss "mob law" intelligently in his article on Dec. 23. As the negro said, "Them am my sentiments exactly." The men composing mobs are too often the substantial citizens who have little faith in the outcome of the trial if the culprit is brought before a court or so-called court of justice. They are the ones who must pay the bills for the keep and long drawn out trials in our incompetent court system.

The criminal in committing the crime for which he is often the victim of mob violence has no sympathy for his victim, neither does he have any respect for society. When these crimes are committed, if there were any assurance that quick punishment in proportion to the crime would be given the criminal, we would have no mob punishment. Let those who are so ready to condemn mob law exert their energy in preventing the crimes that incite ordinarily peaceful citizens to fervent anger and there will be fewer mobs. Instead of hailing the culprit as a martyr when he is brought to account for his crime, we should have some sympathy for the victim. In committing the crime, the rapist forfeits his life to society. And when the courts fail to exact sufficient toll, citizens themselves do it. Under the present system of handling criminals, the courts deserve very little respect, and they have very little respect. This is hard to say, and it should not be so, but it is true. Give the people assurance that justice will be done, restore due respect for the courts, and mob law will cease overnight.

Very truly yours,

JAMES R. KILLEBREW.

Lexington, Miss.

LAW AND LYNCHING

To The Commercial Appeal:

Under the caption "Law and Lynching," The Commercial Appeal prints another judicial sentiment that takes a fling at the law, as follows: "The so-called majesty of the law is not always the inspiring spectacle it is supposed to be." Technicalities, loopholes, pardons, etc., were summoned to justify this criticism of the law.

In his defensive comments upon lynching, the editor writes: "Men are transformed into mobs of mad men, but undeniably the sight of a lifeless body, bullet-ridden, swinging from the limb of a tree, carries a lesson with it to some who could not be reached any other way."

Ignoring the fact that this is an alleged attack, circumstantial evidence, etc., I would like to point out the swift justice meted the three perpetrators of a similar crime in the Hernando courts. The men were apprehended and the evidence was sufficient, resulting in their hanging without a single technicality or loophole so far as the process of the law was concerned.

Mississippi citizens had the intelligence to respect the guardsmen, to not walk unarmed into an army, nor to destroy what it would take years to rebuild. The schools and education pointed out by the editor did little credit to common sense.

The negroes, as well as any other group, have no regard for rapists for they are not safe living among decent people, but since we are taxed for a system of rules big enough to cope with any crime committed, why not use the system for which we pay burdensome taxes?

Lynching as too revengeful and barbarous to be conducive to a desirable civilization. It has no place in the Golden Rule and contributes nothing to progress.

I know nothing of the merits involved in the Shelbyville affair, but I do know that needless blood was spilled and useful lives sacrificed through the enraged revenge of a fury mob blind to reason. That of itself is proof that lynching does not wipe out a wrong with the same results as law, nor is it a reflection of civilized order and dignified wisdom.

CLIFTON SATTERFIELD.

Memphis, Tenn.

Mindless Mobs

A few days before Christmas, Tramme Steele, Laurel Hill, Fla., filling station operator, was murdered by bandits.

Two white men and a Negro were placed under arrest. Somebody mentioned the possibility of a lynching.

Murmuring which began to be heard around the jail in which the three suspects were held increased in volume as they spread around the countryside.

As excitement grew the mob spirit took hold and the three prisoners were rushed to Montgomery for safekeeping.

No one stopped to consider the fact that the officers might have made a mistake.

Yesterday afternoon Sheriff Tom Gannt of Andalusia announced the confession of two paroled Kilby convicts which absolved the three men whose names narrowly missed being listed among the victims of mob madness.

The mob spirit is that of a mindless maniac—a constant threat against orderly society. While it exists no man is safe and no home is secure.

Birmingham, Ala., Age-Herald

January 5, 1935

EXPLAINING LYNCHING

To the Editor The Age-Herald:

I am unflinchingly opposed to lynching as a means of dealing with a criminal. Two wrongs do not make a right. But it seems to me that, in your editorials in regard to mob violence, you are "boxing as one that beateth the air" both in your diagnosis of the source of the mob spirit and in the threatened intervention of the federal government to suppress it.

The mob spirit is not born of racial hatred. You irritate a peaceable race relationship by such insinuations. Unfortunately, the victim is usually a Negro. But not because he is a Negro. Rather because he has committed an infamous crime. And were the criminal of another race or faith or tongue, he would not be spared.

Nor do I think that the mob is composed of the bloodthirsty anarchists which you intimate. Any more than our Confederate grandfathers were such because they secretly united to free this fair land from the dominion of the carpetbaggers and scalawags. Rather are they composed of men who have lost confidence in the agencies that have been duly constituted to effect justice. And with no small reason!

Federal interference will be an instance of the clay replying against the potter. The federal government was established by citizens in rebellion against tyranny and oppression, and especially against the invasion of our homes. And will it legislate against the power that gave it birth? Will the great, great grandsons of the American Revolution respect a statute which leaves the sanctity of their womanhood at the mercy of an unscrupulous brute?

The ruling power under any form of government is public sentiment. Mob sentiment is to a certain extent public sentiment. In fact, it is often supported by a stronger sentiment than its numerical strength might indicate.

It is easier to diagnose many times than to effect a cure. Nor do I profess to have that secret panacea. But if this diagnosis is correct, the logical thing to do would be to remove those obstacles to the swift and certain administration of justice by the duly constituted authorities. Again, easier said than done. It has been suggested that we have some remedial legislation doing away with our foolish exchequer rule of evidence and permitting the courts to try cases on their respective merits. This would certainly remove what must be the hampering dread of technical error and the consequent lamentable frustration of the purpose of the law.

If you will be as vigilant and relentless in editorials setting forth the bitter fruit of the miscarriage of justice and deploring delay as you have been in berating the mob, and your resourceful cartoonist will furnish the supplemental drawings of the shyster lawyer and his practices, you will aid in creating an atmosphere conducive to the effective functioning of our courts. It is just as important that the criminal be dealt with speedily as it is that the penalty shall be in proportion to his offense. Eccl. 8:11. "Because sentence against an evil work is not executed speedily, therefore, the heart of the sons of men is fully set in them to do evil." As long as this sow of delay is permitted to wallow in the spring, the stream of justice will flow with mud.

Whatever the remedy, and however it is to be effected, as soon as the authorities make the law a terror to that which is evil, you will see a material decrease in mob violence, you will find that our citizens of every race can live peaceably together and that they love and support good government.

FRANK H. M'ELROY.

Troy, Ala.
Jan. 3, 1935

Anderson, S. C., Independent Trib.
January 6, 1935

LYNCHING IN 1934

Even in its most favorable aspects, lynching is not a pleasant subject for discussion, serving as it does to remind us of the thin line that separates the natures of human beings from those of the beasts.

However, there is a measure of gratification in the knowledge that not more than fifteen persons were lynched in the year that has just passed. This is important news because it represents progress.

There have been years in which as nigh as 231 men were executed by mobs, often inflamed by drinking orgies, and for many years the average ranged between a hundred and two hundred.

Of late, however, the trend has been definitely downward and, in consequence, there arises in hopeful minds a renewed confidence that this evil will ultimately be eliminated from our national life. We cannot with reason lay claim to the attainment of a high state of civilization until that objective has been retshed.

INDEPENDENT
Lewisburg
JAN 4 1935

ECHO OF LYNCHING

Thelma Mullins has resigned as administratrix of the estate of George Banks and has requested that Sam Lopinski of Charleston be named as administrator of Banks' estate. She is the sister of Banks, a negro, who, with Tom Jackson, also a negro, was taken from jail here in a surprise visit by unknown persons early on the morning of Dec. 10, 1931, and lynched on a telephone pole on Wilson's hill west of Lewisburg. Banks and Jackson were under indictment for the murder of Constable Joe H. Myles and Jack Brown, who were shot to death at Leslie on the night of Nov. 22, 1931. The county under a state law was held liable to the amount of $5000 for the death of each of the negroes, to be paid to their heirs. The Mullins woman in her resignation sets up that no funds or estate of any amount had come into her hands as administratrix.

Letters to the Editor

IN OPPOSITION

To The Commercial Appeal:

Congratulations on hitting on such an effective way of discouraging opposition to Mr. George Morris' views on lynching. A little quip printed over such letters works wonders in seeing to it that nobody else dares disagree with you.

However, there is just one little point I wish to call your attention to: The defenders of lynching are not confined to Mr. George Morris and southern reactionaries. There are as many, and more advocates and defenders of lynching in the north and west as there are in the south. Letters to northern newspapers after the San Jose incident disclosed that. Probably the most notorious defender of lynching is Westbrook Pegler, ex-Chicago sports writer and a constant scoffer at the south and everything it stands for.

Defenders of lynching are nothing new. The argument is centuries old, but what is significant and what is amazing is that The Commercial Appeal, thanks to Mr. George Morris, is the first public utility of any kind, north or south, east or west, to openly defend lynch law, directly or indirectly.

As a student of southern history, I happen to know that the intelligent element in the south, as distinguished from the reactionary, has always denounced lynching. This was true before the Civil War, and is true today. Governor McAlister nobly carries on that tradition. And backing him to the limit would be found the law enforcement officials of the city of Memphis.

At the attorney generals' crime conference in Washington three weeks ago I had the privilege of standing within 20 feet of the president of the United States as he denounced those who would resort to mob violence.

Of course, possibly the president and governor are wrong. Perhaps they should have taken their cue from Mr. George Morris.

Possibly even Mr. Morris would volunteer to personally examine the guilt or innocence of anyone before turning them over to a mob!

HUGH RUSSELL FRASER.

Editor's Note—This controversy in the Letters to the Editor column has been fully aired, opportunity having been given for expression of opinion on both sides. No more letters on the subject will be printed.

Macon, Ga. News
January 3, 1935

IMPEACHMENT OF JUDGE LYNCH

From The Washington Post:

Two dead, half-a-dozen wounded and the destruction of a $150,000 courthouse. Such was the price paid for the prevention of a lynching in Shelbyville, Tenn. That price, if it helps to stop this cowardly and barbarious practice, is not necessarily exorbitant.

National guardsmen successfully whisked away a Negro accused of attacking a young white girl and stood their ground when a rapacious mob, robbed of its prey, rushed the courthouse. Tear gas not availing, bayonets and finally bullets were called into action with the above horrible results. Late reports indicate that the blood-letting has greatly calmed the temper of the community.

The sordid episode again calls attention to the sentiments expressed by the Organization of Southern Women for the Prevention of Lynching, which claims to represent a membership of a million. That association will be remembered as the group which last year declared the lynchers have no commission to protect the virtue and honor of its members, thereby repudiating the traditional plea of extenuation and condemning its hypocrisy.

These women, who may be taken as representative of the finest citizenry of the South, are on record as condemning the lack of equal educational opportunity for Negroes and urging action to eliminate constant inter-racial friction. Lynching, the association describes, as "the logical result" of racial oppression, coupled with the exploitation and intimidation of a weaker element for economic gain.

Whether or not such valid generalizations apply to the Shelbyville case is not reported. It may be assumed they were at least contributory. The important point is that 500 temporarily deranged men were there prevented from taking the law into their own savage hands. The impeachment of Judge Lynch and the maintenance of constitutional procedure, at whatever cost to rioters, is a welcome conntrast to the customary course of lynchings.

Lexington, S. C. Dispatch-News
January 17, 1935

MOBS WOULD NOT FEAR FEDERAL LAW

Dr. Will W. Alexander, director of the commission on interracial co-operation, Sunday in Atlanta again held the threat of a federal anti-lynching law up before the south because of a recent Louisiana lynching.

Just what Mr. Alexander hopes to accomplish by these threats, we do not know. He can't expect to convince two or three town or county officers that they can stop a mob of scores when that mob has made up its mind to lynch some one. He is certainly not appealing to the fear complex of the mobs, for mobs do not have such a complex. Southern officers, as a rule, will protect their prisoners in any reasonable circumstances, but when fifty or a hundred armed men get the drop on two or three officers, what does Mr. Alexander expect them to do? Does he expect them to arrest the mob and lock them up, or to shoot the bunch out of hand?

And suppose there is a federal anti-lynching law passed. Will that stop lynchings? If Uncle Sam was able to find and arrest the alleged lynchers, does Mr. Alexander suppose enough witnesses could be found as a rule to testify against them to secure a conviction?

We doubt that the federal government would be any more successful in enforcing an anti-lynching law than it was in enforcing the prohibition law. Certainly the men who do the lynching in the south would not respect a federal law any more than they do the state laws, and lynching would continue, unless steps were taken to cure this evil in the right way.

The only remedy for the lynching evil is to build up a respect for the laws and the courts of the state. Lawyers who delay the work of the courts, juries who fail to convict, judges who are too light in passing sentences when it comes within their province; and governors who turn vicious criminals loose on society after being convicted and imprisoned, must bear the larger part of the blame of lynchings.

But in certain cases in the south, with all these evils remedied, there would still be lynchings, which no law that can be passed would stop.

So Mr. Alexander might as well stop worrying over the possibility of a federal anti-lynching law, for it will come sooner or later.

INTERRACIAL HEAD ASSAILS LYNCHING BY LOUISIANA MOB

Mob action, such as the lynching of a negro in Louisiana last week "would seem to make it imperative the federal government take positive and vigorous steps to protect the lives of its citizens," Dr. Will W Alexander, director of the commission on interracial co-operation, said Sunday.

Alexander, heading a group of southern men and women interested in better relationship between the races, said:

"The occurrence of these occurrences and the refusal of local authorities either to protect their prisoners or to punish lynchers would seem to make it imperative that the federal government take positive and vigorous steps to protect the lives of its citizens."

Jerome Wilson, 30-year-old negro was shot to death in a jail cell at Franklinton, La., by a group of men and his body dragged away and left on the side of the road. The negro had been convicted of slaying Deputy Sheriff DeLos C. Wood during a general gun fight between officers and negroes at Wilson's home July 22. The Louisiana supreme court granted him a new trial.

Lynchings-1935
Discussions

White Press, Southern

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Lumberton, N. C. Robersonian
August 5, 1935

NO TANGIBLE EVIDENCE

As was to be expected, judicial inquiry into the lynching in Franklin county drew a blank Thursday and Judge Harris recessed the hearing indefinitely. Judge Harris said there was no evidence on which to hold any one. Solicitor Bickett said the investigation would be pushed and the matter will be reopened at the proper time.

Chances are that evidence sufficient to hold any person will never be obtained. Atrocious as was this crime against law and order in the ruthless slaying of an insane negro by a mob, reporters who arrived upon the scene while the body of the negro was still hanging from a tree and souvenir-hunters were busy, one of them cutting off a big toe for his trophy, heard no condemnation of the crime. The demented wretch chopped off the head of a prominent farmer and carried it with him in his mad hunt for other victims. The provocation was great, but there can be no excuse for a mob taking the law into its own hands and each member of it is guilty of murder; but getting citizens who deplore the outrage and shame to the county and the state to identify members of the mob is well-nigh impossible in such cases, even after the excitement has had time to die down.

It is past belief that some members of the lynching mob were not recognized by some officers and law-abiding citizens who deplore the crime, and it is devoutly to be hoped that after a cooling-off time evidence may be obtained sufficient to punish the mob murderers and vindicate the good name of the state.

Charleston, S. C. News & Courier
August 2, 1935

Communists and Lynchers Allies

The taunt of Mussolini's newspaper that the American negroes had better concern themselves with the American lynchers before championing the cause of the Ethiopians has point.

There is no answer to it, and especially it shames the white South. Three negroes have been lynched, in Mississippi and North Carolina, in the last two weeks. That the Italians, with their "Camorra," "Mafia" and other secret societies, long ago made lynching a fine art has nothing to do with the case—lynching is a disgrace to the white South.

Why do our people confess that they are incapable of governing by law? Why do any of them say that they cannot "protect womanhood" without saying, "To hell with the Constitution"?

The truth is that lynching endangers womanhood, manhood, children. It is defiance and destruction of law, and, when life is taken by the mob for one cause, it will be taken for other causes. Property will be taken and destroyed too.

The Communists proclaim that Communism is spreading among American negroes (the spreading is confined to Northern cities for the most part), and in no possible way can Communism be encouraged so effectively as by lynching.

The Communists work to destroy the law to undermine and blow it up, to prove that the existing system of law is a failure. That is the aim of the lynchers.

The white lynchers and the black Communists are comrades and allies, fighting on the same front whether they know it or not.

Concord, N. C. Tribune
August 3, 1935

AS WAS TO HAVE BEEN EXPECTED.

The judicial inquiry into the lynching of a negro in Franklin county so far has brought the expected result: Nothing.

Following his first session as a committing magistrate, Judge Harris said that not sufficient evidence to hold any one had been presented.

That's because the public doesn't want any one indicted.

Between 25 and 50 persons were in the mob which killed the negro, yet the State so far has been unable to find any one who recognized any one else in the mob.

That, of course, is just a lot of hokum. There are plenty of people who know members of the mob but they won't talk; and that means the State will likely continue to face a stone wall in its investigation.

NEW ORLEANS, LA.
TRIBUNE
JUL 24 1935

Tools For Lynch-Mobs

THE National Association for the Advancement of Colored People thanks us for suggesting, two months ago, that Southern sheriffs who may have occasion to cope with lynch-mobs equip themselves and their deputies with teargas bombs. The idea seemed good to us then; it seems good now. Alas for the futility of humane intentions! Mississippians recently entertained themselves with two lynchings, and envious Floridians a few days later found a Negro suspect with whose death they halved Mississippi's margin. In none of these rural festivities did teargas figure.

Perhaps gas-bombs are not to the taste of Southern sheriffs. If they are not, then we don't care to press the point. The gist of our argument was that in this age of marvelous gadgets for defense and offense, peace officers have a wide range of highly effective weapons against mob-emergencies. For example, one machine-gun skillfully employed would deter any mob of ordinary proportions.

Of course all this presupposes an honest determination to uphold the law. If, on the contrary, the intention is to surrender prisoners to mobs after saving the face of sheriffs and their aids, then the present order of things is suited to the purpose.

NEW ORLEANS, LA.
TRIBUNE
JUL 26 1935

Again, Lynching

MOBS have no respect for statistics, no matter how flattering. A sharp decline in lynching, mightily nourishing to the self-respect of the citizens of all Southern States, was recently reported. Within a week of the good news, Mississippi mobs performed upon two victims. Last Friday a Florida mob overpowered a sheriff and four aids, and strung a Negro up.

A political observer writes from Washington that President Roosevelt has displeased large groups in the South by his demand for strengthening of the Federal government in its dealings with the States. The Southerners, he remarks, are as ardent as of old in their championship of State Rights. Certainly a lot of them opposed the Costigan anti-lynching bill, counter to enlightened opinion in their own communities.

So a few of the Florida and Mississippi mobsters who are now washing their hands may be counted upon to vote against Mr. Roosevelt on the score of State Rights, if they can find an opposing candidate to their taste. What none of them seems to realize is that every time they lynch a man, they strengthen the conviction outside the South that State governments in these parts either will not or cannot exercise some of the rights of self-government which they most loudly demand to retain. They work more effectively for centralization of government than the most fanatical bureaucrat in Washington.

Daytona Beach, Fla. News
July 28, 1935

WEEKEND VIEWPOINTS

Investigation of another Florida lynching drags through a week at Fort Lauderdale and nobody found to blame. Touched off with a note of high dudgeon by the governor it got under way with another eloquent pronouncement by the Lauderdale prosecutor. These gentlemen quite truly pointed out how the fair name of Florida had been besmirched and, with courageous defiance of contradiction, avowed the stain should be wiped away and the culprits brought to justice.

If memory errs not, one or the other of them went so far as to promise that "no stone shall be left unturned." But after the opening burst of eloquence the inquiry rapidly fizzled away into silence. The coroner's jury declared the lynchers were "unknown." The grand jury questioned 30 witnesses in a 2-day special session, whereupon its probe collapsed. Its statement was that it had found it "impossible to return a true bill." Just how thoroughly it did its stone-turning is a secret buried in the sacred privacy of the grand jury room.

Thus to "parties unknown" is ascribed another mob crime. Cowardly mob leaders are always difficult to identify—even though eloquent investigators might conceivably have an honest desire to identify

them. Lynchings will not cease until the individual realizes that his sense of justice, his respect for the good name of his community, his state and his country, are blunted when he joins up with a blood-thirsty mob.

And speaking of lynchings consider another eloquent viewer-with-alarm, Senator King of Utah, who rose up on his hind legs in Washington the other day and, in a burst of holy indignation, declared he would have the United States consider severing diplomatic relations with Germany because of nazi oppression of Jews and Catholics. What would the indignant senator say if Germany were to recall her ambassador to Washington because we allow mob-executions to go unpunished?

Some of the tactics of the powers that now rule Germany also point back to barbarism, but is it the business of the United States to go to war about it? Our country, noble as it is, has yet many a sizable beam in its own eye ripe for removal, and has a tremendous job on its hands tending properly to its own business. Moreover, it seems perfectly clear to the thoughtful person that the Hitlerites in their asinine appeals to race prejudice and their insensate attempts to throttle the church are but digging their own graves.

And now in recent days we find Italy through its fascist-controlled press bringing an international type of race prejudice into the inbroglio over Ethiopia. The cry is that Japan seeks to get her fingers into the Ethiopian pie and join the yellow and black races in a struggle against the whites for the control of east Africa.

Only the end of the rainy season in Haile Selassie's beleaguered empire, and the actual beginnings of the struggle for suzerainty over the last free nation in Africa, can tell just how national sympathies will line up, just how many powers will leap into the fight, but at present there would appear to be slight ground for expecting Japan to be active in the set-to. She has her hands full establishing herself as overlord of eastern Asia and holding off the Russian bear. Moreover, despite the large bites of China she has gobbled down, there still remains about eleven-twelfths of that vast and helpless land to be swallowed and digested. And this should keep Nippon busy for several decades to come.

Albemarle, N. C. Press
August 6, 1935

LYNCHING PARTIES

Far be it from us to condone the lynching of any person, black or white, for we have always noticed that when a group of citizens take the law in their own hands and take the life of a man who commits some dastardly crime, the evidence would lead us to believe that the law would eventually do the same thing, that is, in states where they have capital punishment. However, we are not certain that a blanket condemnation of all lynching parties is in order, for the very simple reason that the thing has never "come close enough home". No man is qualified to say what is best unless he has had a sister or wife ravished by a black beast, or a child or parent killed by a blood-thirsty criminal. And for that reason, so long as men are human, they will continue to wreak vengeance on criminals of this type. And again, it will be well nigh impossible to convict any members of a mob.

Last week down in the eastern part of the state, a negro crazed by a narcotic, attacked a man and his sister, and then cut off the head of a prominent farmer. The sheriff and his deputies, with the negro, were stopped by a band of unmasked white men, and the negro was taken away from them and lynched. Governor Ehringhaus condemned members of the mob, and ordered a judge to make an investigation. The sheriff and his deputies went on the stand and stated that they did not know a single man in the mob. They may have sworn to the truth, but we doubt seriously whether there is another county in the state where a band of 20 or 30 men could gather together, and the sheriff and any two of his deputies could not identify a single one of them. The judge wound up his investigation with the statement that there was "no evidence on which to hold anyone".

A mob is a dangerous thing for it cannot be controlled, and lynchings should be condemned. However, God pity the day when we become a nation unable to express righteous indignation, either through the law or with a lynching party.

Greensboro, N. C., News
August 3, 1935

The Racial Anomaly At Louisburg.

When negroes join a mob bent on lynching a negro, the lynching story from the south has a new lead. The novelty of the situation explains the lead of the story that came out of Louisburg, North Carolina, where a mob lynched a feeble-minded negro who had murdered a white farmer. "An angry mob of negroes and white men," begins the lead of the Louisburg story, "today lynched Govan Ward, 25-year-old mentally deficient negro for the axe-slaying of a white farmer." But the conclusion that this was a negro lynching is not to be drawn from the Associated Press story. How far the investigation of the circumstances surrounding this North Carolina lynching will go and what facts it will develop, we cannot say. If it ever gets to the question of the constituency of the mob, however, it is a safe prediction that it will be found that the whites outnumbered the blacks by three to one. All that is known about the history of lynching in the south and the racial conflict, makes that a conservative prophecy. Lynching itself has intensified the race consciousness and the class consciousness of the negro. All that is known of human psychology, also, refutes the notion that negroes voluntarily joined a mob bent upon a lynching. They were compelled to do so, not by force, but a sense of ex-

pediency. When murder is in the wind and the mob is traveling with it, it is expedient to get on the winning side. Innocent negroes have been known to suffer when a murder like that at Louisburg was committed and a mob was riding.

There is no danger of negro savagery complicating lynching in the south when the negro joins the mob. He does so only in order to protect himself. There has never been a lynching committed by a negro mob, or one committed in which the negro took the initiative. It is distressing news when negroes join a lynching party but it does not add a new disgrace to the crime. It is the same old disgrace.

In such a crime as furnished the mob its stimulus at Louisburg, a murder committed by a mentally deficient negro, the state must bear a share of the responsibility, this time for the preliminary circumstances. State and local governments are under an obligation to discover and remove from society, mentally deficient persons who are likely to develop maniacal tendencies. So the orderly processes of government, as well as its inability to stand the stresses and strains to which it is subject when the mob forms, bear a share of the guilt in the Louisburg case.—Danville Register.

ATHENS, GA.
BANNER HERALD
JUL 24 1935

CRIMINAL ASSAULTS INCREASE

From statistics compiled by Tuskeegee Institute, it is shown that criminal assault cases in the South have been on the decline for the past several years. In practically every instance, such crimes have been committed by negroes. Few, if any, have been chargeable to white men. However the condition is different in the north—that is in Chicago, Detroit and other western cities. Of recent years what is termed the "better element" of young men have been arrested, tried and convicted on the charge of criminal assault. Quite recently in Lansing, Michigan, a 17-year-old white girl testified that three young men, students from Michigan State College, had assaulted her. One of the young men plead guilty to the charge. All three were convicted, but the punishment imposed was extremely light. A dozen or more such crimes have been committed in that section of the country in recent years. While the guilty parties have been convicted and sent to the penitentiary for a few years, in practically every instance these criminals have peen paroled after serving a short time of their sentences.

The practice has grown so common that it has aroused the indignation of the respectable class of people in that section of the country. The Sioux City (Iowa) Journal in commenting on the condition says: "The north has criticized the south's treatment of offenders. But the north has not been able to discourage increase in the crime. The north has been too lenient while insisting that the south has been too severe. It is of interest to note however, that this particular crime is decreasing in the south while steadily increasing in the north. There must be a reason for this."

There is a reason, and the sooner the officers and the courts recognize the gravity of the crime and impose drastic sentences on such criminals and the pardoning powers cease to exercise their right of clemency, the sooner will the crime be abated.

Lynchings-1935

Discussions

White Press, Southern.

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UNFORTUNATE SHELBYVILLE

The tragic toll to be expected when passion and prejudice leads to rioting is illustrated in the death of three persons, the burning of the courthouse, and the reflection upon the good name of an outstanding community that resulted from the recent attempt of an enraged mob to seize a negro being held by the authorities in Shelbyville, Tenn.

Shelbyville is one of the oldest and most substantial towns of Tennessee. Its inhabitants are as fine people as are to be found in any American community. But their beautiful courthouse is in ashes, with valuable records destroyed, and the good name of the community has been besmirched by the acts of a mob led by drunken rowdies, many of them not inhabitants of the town, that attempted to defy the forces of law and order.

Public sentiment in this fine southern town is reflected by the Bedford Times, published at Shelbyville, in the statement that—

Bedford county is emerging from the throes of a frightful and soul-harrowing tragedy. Our heads were bowed in grief for days. The misfortune which befell us came unexpectedly—without warning—the shock was depressing.

Bedford countians are not lawbreakers, as the entire world has been made to believe. No higher type of men and women live anywhere—they are heads of Christian homes, rear their children in the Christian faith, respect the laws of the land, and defend their country when in peril. They are not perfect—they are subject to the frailties of humanity—but their weaknesses are not of the heart, they are not vicious.

In defending the action of the militia in firing into the mob at Shelbyville, the Nashville Tennessean points out that "it was the sovereign law of the state that was assaulted by the mob, and it was the sovereignty of the law that was being upheld there by Sheriff Gant, the governor and the state guard. It was the law of the state being defended against 'lynch law.' it was the government of the state protecting a county against the rule of the mob."

Some unthinking critics in other sections have condemned the entire population of Shelbyville for the regrettable rioting and its heavy toll in life and property. No fair person will fail to realize the injustice of such criticism, nor to sympathize with the fine people of this community in the shadow thrown over them by the acts of liquor and passion-inflamed rowdies.

Athens, Ga., Banner-Herald
January 6, 1935

LYNCHING IN 1934

Even in its most favorable aspects, lynching is not a pleasant subject for discussion, serving as it does to remind us of the thin line that separates the natures of human beings from those of the beasts.

However, there is a measure of gratification in the knowledge that not more than fifteen persons were lynched in the year that has just passed. This is important news because it represents progress.

There have been years in which as nigh as 231 men were executed by mobs, often inflamed by drinking orgies, and for many years the average ranged between a hundred and two hundred.

Of late, however, the trend has been definitely downward and, in consequence, there arises in hopeful minds a renewed confidence that this evil will ultimately be eliminated from our national life. We cannot with reason lay claim to the attainment of a high state of civilization until that objective has been retshed.

MACON, GA.
NEWS
JAN 3 1935

Gist of the Press

IMPEACHMENT OF JUDGE LYNCH

From The Washington Post:

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Whether or not such valid generalizations apply to the Shelbyville case is not reported. It may be assumed they were at least contributory. The important point is that 500 temporarily deranged men were there prevented from taking the law into their own savage hands. The impeachment of Judge Lynch and the maintenance of constitutional procedure, at whatever cost to rioters, is a welcome conntrast to the customary course of lynchings.

CLIFTON FORGE, VA.
REVIEW
JAN 3 1935

THE LYNCHING RECORD.

The lynching record in the United States during 1934 was an enviable one, in that the total of deaths by this means was held to the minimum. And there is cause for rejoicing over the fact that not a single lynching occurred in Virginia, though unfortunate that of those executed without a trial in a court of competent jurisdiction all of them were in the South. To be sure there have been evidences of serious lawless outbreaks in the North, West and East, but the officers were able to cope with the situation and prevent further trouble. We have never been in sympathy with mob spirit, yet it is proper to say that the South should not be condemned in caustic language by reason of the lynchings, when it is a known fact that there is more crime in the other parts of America than in Dixie. According to the Bristol Herald-Courier, there would have been sixty-six lynchings last year instead of fifteen, the correct number, had the officers failed to do their full duty. We have no way of knowing how this information was obtained, but if true, the officials deserve highest commendation. In discussing this particular subject our contemporary made the following comment in a late issue:

"Twenty-eight persons were lynched in 1933. That there were only one more than half as many lynchings in 1934 is heartening to the law-abiding public. Heartening also is the fact that fifty-one attempted lynchings were prevented, although it is discouraging to know they were attempted. Had all the mobs succeeded in their purpose there would have been sixty-six lynchings.

"The most notable instance of the prevention of a lynching this year was that which occurred recently at Shelbyville, Tenn., where a mob attempted to seize a colored man who was on trial on a charge of attacking a white girl. In clashes with National Guardsmen who had been ordered to the scene four members of the mob were killed and many wounded, and Tennessee redeemed its good name.

"The most disgraceful record for the year was made in Mississippi, where six persons were lynched. There were two lynchings in Florida, two in Louisiana, and one each in Tennessee, Texas, Alabama, Kentucky and Georgia. As already said, eight of these mob victims were in the hands of the law when seized. Doubtless these eight lynchings could have been prevented as easily as were the fifty-one attempted outrages of the kind that failed. It is gratifying that there were fewer lynchings in 1934 than in 1933, but there should have been none. Mob lawlessness must be stamped out."

Greensboro, N. C., News
January 13, 1935

LYNCHING EVIL TO BE DISCUSSED TUESDAY

Local Branch of Association For Advancement of Colored People to Meet At St. James'.

The Greensboro branch of the National Association for the Advancement of Colored People will hold its first meeting of the year Tuesday evening, January 15, at 8 o'clock, in St. James' Presbyterian church, North Forbis street.

"Your Responsibility in Eucouraging the Passage of the Costigan-Wagner Anti-Lynching Bill," will be the theme of the meeting. The Methodist Episcopal church, South, the Y. M. C. A., the Y. W. C. A., the Nashville (Tenn.) Pastors association, Dr. J J. Tigert, president of the University of Florida, and many other leaders and organizations in various parts of the country have already urged the passage of this bill.

Members of both races who are interested in eliminating the lynching evil are invited to attend the session, it was stated.

High Point, N. C. Enterprise
January 12, 1935

ON CAPITAL PUNISHMENT

TOM Bost, one of North Carolina's best-known newspapermen, preaches in the current issue of Carl Goerch's weekly magazine, "The State," that capital punishment inspires lynchings and cheapens generally the value placed on human life.

The Raleigh correspondent delivers his peroration in no uncertain terms:

"Whether the demand for public execution of criminals comes reputedly from deity or from devil, whether from Russia or from Rowan, from heaven or from hell, from holy hoboes or from Hottentots, from the streets of the New Jerusalem or from the Sodom of perdition, it is savagery pure and simple and all that it can possibly do is to acquaint decent people with the impulses of barbarians."

We feel inclined to adopt Mr Bost's tactics of weekly sermonizing, and to deliver a little homily of our own with the above quotation as a text.

The infallibility of our scriptural basis is pretty well established by the fact that its writer has personally witnesses 7 hangings, 2 lynchings, and 142 executions.

The pertinence of our topic is evident in the question of a lethal gas chamber to replace the state's worn-out electric chair, in the large volume of editorial comment now appearing on the subject, and in the rising tide of popular sentiment against capital punishment.

The point of our discourse lies in the field of morals, rather than in the realm of laws. There appears to be no moral justification for capital punishment.

A moral precept, it will be argued, is a relative thing. Granted. But men must live by the best standards of their home, even though a subsequent generation rise up to call them deluded. Capital punishment has continued the official policy of the state because men regarded it as morally just until very recently. But now a veteran newspaperman calls it savagery pure and simple.

The application of it is easy: Capital punishment does not deter criminals, and it does not properly respect human life.

The growing number of executions at Raleigh proves that the mere threat of an electric chair is not enough to solve the crime problem.

The endorsement by the commonwealth of wilful, deliberate destruction of life, either as a punitive or protective measure, does not encourage the individual citizen to hold human life inviolate. Killing attracts killing, as surely as trade draws trade.

We cannot prove the truth of our contention by the multiplication table or any other demonstrable facts. We leave it in the realm of morals — a misty realm from which, nevertheless, come the motives of men and nations.

Wilmington, N. C. Morning Star
January 9, 1935

DANGEROUS TO LAW

AFTER more than a year's delay South Carolina has finally got around to the business of clearing up a lynching by the simple expedient of declaring a man who allegedly confessed he was the leader of four in the killing of a negro, not guilty. Three others indicted with him were previously dismissed.

Far be it from us to instruct our South Carolina neighbors on the conduct of their own affairs, but we do cling to the idea that a human life is something not to be taken at will, and that a lynching is no less a lynching when a small group wreaks vengeance for personal reasons than when a sizeable mob goes on the warpath in the heat of passion or prejudice.

We believe we understand the psychology behind the Ninety-Six acquittal, appreciating the natural hesitancy of the Nordic to punish a brother for a crime where a negro was the victim, particularly when the negro was shown to be the aggressor. Still, the covering over of homicides, regardless of race or creed, is something that tends to break down the fabric of law enforcement and leave dangerous loopholes which may mean the injuring of any or all of us.

However, the South Carolina chapter is closed and there is no reopening it.

SPARTANBURG, S. C.
JOURNAL

JAN 3 1935

Fewer Lynchings

It is encouraging to those who are really concerned in law being respected and enforced that there were fewer lynchings in 1934 than in 1933—the drop being sharp. In 1933 there were 33 lynchings, while in 1934 there were only 15. It was in 1932 that the low record was set—eight.

Wherever there is onel lynching recorded it is just one too many. There can be no justification, whatever the provocation, for an uncontrolled mob to usurp the authority and functions of the courts and law officials and take the life of a criminal or suspect, without orderly, fair, impartial trial.

Lynching bills are being framed and will be pressed for passage at the approaching session of the 74th Congress. What good results would be obtained by such legislation is certainly open to debate; for it would invite conflict between Federal and state and local authorities. To prevent confusion and friction arising therefrom the one safe plan is for the states to assert themselves to stamp out this foul indefensible assault up on their sovereignty and dignity by stamping out lynching and mob law and rule, and protecting suspects and prisoners from the itching, grasping hands of a cowardly mob bent not only on taking human life illegally but in assaulting law and constituted authority.

Knoxville, Tenn., News-Sentinel
January 17, 1935

Just Another Lynching

DOWN in Washington Parish, Louisiana, a mob entered the jail cell of Jerome Wilson, a Negro, and shot him to death.

It was just another lynching to add to the odious list of more than 5000 in the past half-century. Not even unique was the possibility of this victim's innocence. A deputy sheriff had been killed in a shooting affray at Wilson's house. Wilson was arrested, convicted of murder and sentenced to be hanged. But the Louisiana Supreme Court had just granted him a new trial.

A federal anti-lyching law would make communities like Washington Parish hesitate. Under the proposed law now pending in Congress, the county would have been held financially liable for the young Negro's death.

Congress should pass this law before other such lynchings smirch the records.

Talladega Ala
Journal
Jan-10-1935

Three Innocent Men Escape Lynching

Two Andulsia youths confessed to Sheriff Tom Gannt today that they committed a murder for which a mob threatened to lynch three innocent men recently.

The two, Rubin Pittman, 19, and Galvin Soles, 22, told Sheriff Gannt they killed Trammel Steele in a filling station robbery at Laurel Hill, Fla., last Dec. 20.

Both are paroled convicts from Kilby Prison.

Confessions of Pittman and Soles absolved three other suspects who were held for safekeeping at Montgomery. A mob had threatened them following capture here. They were Tobe Adams, Tookie Meeks and Ed Davis, the latter a Negro.

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White Press, Southern.

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LYNCHBURG, VA.
NEWS
JAN 6 1935

PROTEST NOT ENOUGH.

The Bedford County Times, which is published in Shelbyville, Tennessee, the scene of the latest mob outbreak, declares that the representative people of that community had no part in the disgraceful affair and do not condone it. It calls upon the others newspapers of Tennessee to join in assuring people of other states that the community is not in sympathy with the hoodlums who participated in the burning of the courthouse after the men they sought had been taken away. It does not wish the community to suffer what the work of the least representative people.

The assurance is being given by the newspapers of the state. Indeed, it is hardly necessary to give it, for usually it is the worst element that takes part in lynching orgies. Yet, it is incumbent upon the people of Shelbyville and of Bedford county to do more than assure the outside world that the "best people" were not in sympathy with the mob. It is incumbent upon them to assure the outside world that these people are bitterly resentful and strongly hostile to any who may have taken part in the rioting. It is incumbent upon them to assure the outside world not only that they are not sympathetic but are humiliated and angry. They can do this by bringing to justice the men who participated. They can do this by seeing to it that a large number of those who had a hand in the uprising against law feel the full weight of the law they defied, that jail for arson is their fate.

It can, of course, be done—if the people of Shelbyville wish it to be done. The mob was out in the open. Members of it were recognized by many. Not all, perhaps, are known, but many of them are—by somebody. If these members are not arrested, tried and convicted, when guilty, it will be because the people of Shelbyville are too indifferent, because, though they are not sympathetic, they are not determined to wipe out the disgrace that has afflicted their town.

Too often, we hear that the "best people" of a community where a lynching occurs were not participants and were not in sympathy. That isn't enough. Until something more is done to show lack of sympathy, until something is done to show more than a lack of sympathy, the whole community must share some of the responsibility. The real reason that lynching is prevalent in a civilized community is that the civilized persons are too often content with disapproval that is expressed in words only.

The people of Shelbyville and community are no worse than the people of other communities in which the mob has over-ridden the law. The result of the investigation and of the efforts to punish the criminals will show whether they are or are not better than the people of most such communities. If it shows them to be better, they need have no fear that the outside world will know of it. The fact will be published in every newspaper throughout the country, and Shelbyville and Bedford county and all Tennessee will be held up as an example for other communities to follow. Of far more importance is the fact that hereafter Tennessee will be freer than most of her sister states from mob violence.

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[redacted]
JAN 4 1935

A REMARKABLE RECORD

Editor McIntosh, in his personal column in the Albany Herald, states that Dougherty county has never had a lynching, a remarkable record and one of credit to the citizenship of that county.

While there have been few lynchings in Georgia during recent years, in the past at some time or other, there has been a lynching in practically every county in the state. Lynchings usually are caused from the committal of the crime of rape, persons rarely ever being lynched in this section of the country for other crimes.

In calling attention to the record of Dougherty county, Editor McIntosh says:

"Dougherty county has never had a lynching, and I am not sure that there is another county in this section of the state of which that can be said. A number of men charged with capital offenses have been tried and convicted in the county; and there is an impressive list of legal executions, but never yet have officers of the law failed to protect a prisoner menaced by a mob. Indeed, it is probably no more than fair to say that there has never been imminent danger of a lynching in Dougherty county. This community has preferred to uphold the courts, permitting the law to take its orderly course."

Winston Salem, N. C.
SENTINEL
JAN 3 1935

Warning From Another Quarter

Learning that a mob planned a march on a Virginia jail to deliver and lynch a prisoner therein, Governor Pollard promptly warns all and sundry that when the cavalcade reaches the jail it will be confronted by a sufficient number of soldiers and peace officers to prevent any lynching and to protect the honor of the state.

This is logical and commendable action coming from a responsible authority. When mobs are given to understand that the state means business, that it is prepared to act firmly and with promptness to prevent an outrage against the law, the chances are that it will disperse.

Sometime ago in Florida, a mob gave notice in advance that it intended to lynch a certain Negro, and while the forces of the law sat back, apparently powerless or indifferent, the hoodlums carried out their threat. The warning of Governor Pollard is in direct contrast. Here is a warning from another quarter—the right quarter, that Virginia means to resist with all its power any effort to flout the law and scorn the due processes of the courts. Warning of this kind might well be issued by authorities in every Southern state, letting would-be mobsters know well in advance that the state will not regard attempts at lynching with indifference, but will in every possible instance act to prevent the overt act, even at the expense of human life, if necessary.

CHARLESTON, S. C.
NEWS AND COURIER
DEC 21 1934

Why Rebuild the Court House?

The mob of Shelby in Tennessee that burned the court house after it failed to get the negro that it wished to lynch was the most consistent, reasonable, logical, civilized and far-seeing mob that, to this time, has been reported in this 100 per cent "American" republic.

If the people shall rule by lynching, not by law, why have a court house?

Let us not turn thoughts from the crime of which the mob is supposed to have held the negro prisoner, in the hands of the law, guilty. It was damnable.

Let the uplifters of foreign communities, like New York, say what they will, the crime against woman is aggravated when it is done in a land in which both the white and black races live in numbers. The negro assaulter does inflame the white mob more than would a white monster. So it is in South Africa (the condition there is worse than in the South). So, in Massachusetts any crime was more infamous 200 years ago when it was done by an Indian or a negro than by a white villain.

This is no reason why we should not have law in the South and that law enforced. If the laws of Tennessee are inadequate to deal with the crime that crazed Shelby, the Tennesseeans, if they are partially civilized, should make laws that fit the crime and

punish it. A court to meet in twenty-four hours, empowered to sentence to death and from which would be no appeal, could be set up. It might shock the uplifters, who would call it barbarous, but still it would be law. It would give civilization a start. Civilization would have a chance to grow in stature.

The uplifters of foreign parts have tried to impose their notions on the South the last one hundred years. If they had practical sense more than half-wits they would see in the trial and condemnation of the Scottsboro negroes by law in Alabama a triumph over lynching. Instead of that they have acquitted the "boys" as they call them, in their purified and superior minds, and denounced the Alabama juries and judges as lynchers. What the uplifters want is martyrs. They care nothing about the negroes—and they are multiplying negro martyrs in the South.

If the Tennesseeans are to confess themselves savages incapable of enacting laws and enforcing them, for the trial and punishment of criminals of whatsoever kind they should not rebuild the court house in Shelby.

If they mean to be savages, why pretend to civilization?

Why waste money on a court house?

NEWS
Bluefield W. Va.
DEC 26 1934

With Other Editors

MOB VIOLENCE

A striking and horrible example of mob violence is reported from Shelbyville, Tenn., where a mob, defeated in its efforts to lynch a Negro, fired and reduced to smouldering ruins a courthouse valued at $150,000.

For hours national guardsmen had withstood the attacks of the mob which sought to take away the alleged assailant of a young school girl. In the clashes between the soldiers and the citizens two persons were killed and several severely injured. Finally, the Negro was whisked away, dressed in the uniform of a guardsman and wearing a gas mask over his face. Then came the mob's revenge—the burning of the courthoose.

Lynchings and other forms of mob violence constitute one of the gravest problems of the nation. If the present administration really intends to make a strong drive for respect for law and order in the coontry, serious ionsideration most be given to the matter of reducing to a minimum such outrages as reported from Shelbyville.

It is an old problem, especially in the South, and a hard one, but possibly it is not beyond solution.—Fairmont West Virginian.

RICHMOND, VA.
TIMES DISPATCH
DEC 20 1934

A Salutary Lesson

THE Tennessee National Guardsmen who killed and wounded several members of a mob of would-be lynchers at Shelbyville yesterday, deserve commendation for their devotion to duty. They were ordered to use their rifles, if any attempt was made to interfere with the orderly processes of justice, and they obeyed orders.

The members of the mob knew that the Guardsmen were at the scene for the purpose of protecting the prisoner, but they made an effort, nevertheless, to smash in the main door of the courthouse and carry off the accused. A number of them were cut down by bullets, and they deserved it.

This episode should prove a valuable lesson to mob-minded citizens in the South and elsewhere. It has shown such persons that despite the deplorable prevalence of lynching in recent months, and the frequent failure of officers of the law to do their duty, such officers can usually protect their prisoners and themselves, if they wish to do so.

There has been entirely too much laxity on the part of sheriffs and other officers in the face of mobs. Some such occurrence as that at Shelbyville was needed to stiffen the columnar vertebrae of these gentry, and to show them what can be done when the determination to protect the prisoner is predominant.

AUGUSTA, GA.
HERALD
DEC 30 1934

LACK OF THOUGHT IN A MOB

BOTH the kind of firmness which officers of the law ought to show in times of stress and the utter irrationality which can pervade a mob were strikingly illustrated by the tragic events at Shelbyville, Tenn., where national guardsmen foiled an attempted lynching.

The bloodshed which attended that clash is, of course, an extremely regrettable thing. Yet it goes without saying that if officers of the law everywhere were as determined about protecting the prisoners in their charge as these Tennessee officers were in this case, lynching would speedily cease to be a disgrace to American civilization.

But it would be hard to think of anything much more senseless than the would-be lynchers' action in burning down their own courthouse. They will have to build a new one, and the money will come out of their own pockets. A more unintelligent way of venting their anger could hardly be imagined.

Batesburg, S. C., News
January 16, 1935

MOBS WOULD NOT FEAR FEDERAL LAW

Dr. Will W. Alexander, director of the commission on interracial co-operation, Sunday in Atlanta again held the threat of a federal anti-lynching law up before the south because of a recent Louisiana lynching.

Just what Mr. Alexander hopes to accomplish by these threats, we do not know. He can't expect to convince two or three town or county officers that they can stop a mob of scores when that mob has made up its mind to lynch some one. He is certainly not appealing to the fear complex of the mobs, for mobs do not have such a complex. Southern officers, as a rule, will protect their prisoners in any reasonable circumstances, but when fifty or a hundred armed men get the drop on two or three officers, what does Mr. Alexander expect them to do? Does he expect them to arrest the mob and lock them up, or to shoot the bunch out of hand?

And suppose there is a federal anti-lynching law passed. Will that stop lynchings? If Uncle Sam was able to find and arrest the alleged lynchers, does Mr. Alexander suppose enough witnesses could be found as a rule to testify against them to secure a conviction?

We doubt that the federal government would be any more successful in enforcing an anti-lynching law than it was in enforcing the prohibition law. Certainly the men who do the lynching in the south would not respect a federal law any more than they do the state laws, and lynching would continue, unless steps were taken to cure this evil in the right way.

The only remedy for the lynching evil is to build up a respect for the laws and the courts of the state. Lawyers who delay the work of the courts, juries who fail to convict, judges who are too light in passing sentences when it comes within their province; and governors who turn vicious criminals loose on society after being convicted and imprisoned, must bear the larger part of the blame of lynchings.

But in certain cases in the south, with all these evils remedied, there would still be lynchings, which no law that can be passed would stop.

So Mr. Alexander might as well stop worrying over the possibility of a federal anti-lynching law, for it will come sooner or later.

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White Press, Southern.

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Chattanooga, Tenn. Times
December 23, 1934

Parsons Adds More Details of Mob Hanging Man in Bedford Years Ago

The man lynched in Shelbyville back in 1889-92 was Bill Bates, Charles Parsons, former police officer, who read in The Times yesterday the account of C. D. Hewlett, relates.

Mr. Hewlett, state editor of the Roanoke (Va.) Times and former telegraph operator for The Chattanooga Times, in a letter to a friend here Friday recalled that the only lynching he ever witnessed occurred in Shelbyville, between 1889 and 1892. He did not mention the name of the victim, but Parsons, who was present at the hanging, remembered in detail what took place.

Bill Bates and his father, Scott Bates, Parsons recalled, had been stealing horses. Mrs. Bill Bates gave evidence against them to a jury. In retaliation, Bill Bates beat his wife to death with a fence rail, Parsons declared. It was such a gruesome murder, the former officer said, that a mob was promptly organized to lynch both Bates and his son.

The mob went into the jail, took the keys from Joe Moore, son of the sheriff and a former Chattanooga druggist, Parsons related. The mob was not more than 150 or 200 people and was formed in the rural section of Bedford county.

"I was standing right by Bill Bates when they strung him up," Parsons declared. "I was just a boy 8 or 9 years old. Hewlett was right, he didn't quiver a bit after he was taken down. I think he was as good as dead when they strung him up. As they marched him out across the courthouse lawn to that tree, he collapsed. They had to carry him to the tree.

"After they hung Bill Bates, they brought his father, Scott Bates, up to the tree. The rope was put around his neck and they started stringing him up. Jim Hight cut the rope. He was not the mayor at that time, but later became mayor. When Hight cut the rope, Joe Easley knocked Bates down. Mr. Hewlett was wrong about them taking him back to the jail. Some one put him in a buggy and took him away."

Shelbyville was the scene of a riot last Wednesday when national guardsmen undertook to repel a mob which came to lynch E. K. Harris, Negro. Harris committed a criminal assault last Nov. 19 on a 14-year-old schoolgirl. When the mob was unable to accomplish its purpose, it succeeded in driving the national guard out of town, burning the Bedford county courthouse and five army transport trucks.

CROCODILE TEARS

Leading citizens of Shelbyville, Tenn., sent out pleas that the town not be condemned for the barbarous riot which took place there and culminated in the burning of the courthouse. The plea was that the outbreak was not sanctioned or condoned by the better element of the town.

With their plea in view, the following news item strikes a somewhat sour note:

LEWISBURG, TENN., Jan. 23.—(AP)—Prospects for an early grand jury investigation into mob violence that wreaked heavy property damage and cost four lives at Shelbyville last month were ended today with a statement by Circuit Judge T. L. Coleman at his home here that there would be no such inquiry until the April term of court.

Coleman, judge of the eighth judicial circuit, said there was no place to hold court at Shelbyville at the present time.

If the so-called better element at Shelbyville did not condone the action of the mob, it should assert itself by demanding the calling of a special grand jury if necessary. Over five months will have elapsed under the present plan before any move is made to bring those responsible to justice. A crime of the seriousness of the outbreak at Shelbyville warrants immediate action.

As for the excuse that there is no available place in which to hold court, that smacks of weakness.

Is there any constitutional provision in Tennessee that court must be held only in a suitable courthouse?

A vacant pasture would serve the purpose just as well if the leaders in the community were anxious to remove the shame that has been cast upon them.

Shelbyville can expect no sympathy if it continues in its mood of passive acceptance of mob rule. It deserves none.

Sandersville, Ga., Progress
January 17, 1935

A negro was lynched in the county jail at Franklinton, La., last week after the supreme court had granted him a new trial. Such delays over technicalities is one of the attributing causes of numerous lynchings in the south. In Canada or England, where criminals are given quick trials lynchings are unheard of.

Anderson, S. C., Independent Trib
January 19, 1935

Misinterpreted Remark Proves Bad For Negro

How lynchings get started, with all odds in favor of an innocent man getting his neck cracked, was ably demonstrated near Belton early last night.

The trouble originated when Elliott Jefferson, 53-year-old negro farmer, made a remark intended for condolence and interpreted as an insult.

It seems that a white family subrents a house on a farm Jefferson rents from F. Hanks, of the Belton section. The husband is a painter by trade and hasn't managed to get much work of late. Yesterday afternoon the wife, who was at home alone, opined to Jefferson how hard it was to make a living, citing several instances of hard luck of late.

Jefferson was sympathetic and remarked: "Don't worry, missus, I got a big pile of 'taters up yonder and if you treats me as well as your sister you can eat off them as long as there are any there."

The sister referred to, formerly lived in the house now occupied by the painter's family. He and his wife moved away a few months ago.

Jefferson's words of sympathy were misinterpreted by the white woman, according to investigating officers. Trouble started boiling, and a white man named Compton rounded up Jefferson with a shotgun.

When Sheriff Bud Clamp and Deputy Edgar Rainey arrived on the scene, some eight or ten men had gathered. They hadn't harmed Jefferson, but there was considerable mumbling around. One man was heard to remark: "If we only had a gallon of likker we could do this thing up right," according to reports.

Jefferson was taken to the county jail for safe keeping. He will probably be released today, as it is not likely that any charges preferred against him will stand, officers said last night.

"I didn't mean a bit of harm," Jefferson said when seen at the county jail. "I just wanted to invite those white folks to help themselves to my potatoes because they had been good to me."

Jefferson has a good reputation, according to officers.

Anniston, Ala. Star
February 2, 1935

On Preventing Lynchings

Two Southern newspapers recently have given timely and thoughtful discussions of the lynching problem and of possible measures to prevent mob violence. The Birmingham Age-Herald emphasizes the need of some action by the Southern states to curb lynchings and forestall legislation by Congress that might be prejudicial to the South, and The Louisville Courier-Journal likewise comments on the responsibility resting upon state authorities after describing an incident that took place in Alabama in which a lynching was narrowly averted.

The Age-Herald says:

"Last Monday Senator Costigan directed attention to the bill which he and Senator Wagner are sponsoring, and had read into the record the contents of the measure which he said is substantially the same that received the approval of the judiciary committee at the last session of Congress. That proposal did not come up for action in the Senate, largely because Southern Senators were opposed to its consideration. It is highly questionable that they will be able to make themselves equally felt this time. The Claude Neal lynching has given a special momentum to sentiment for federal legislation in the premises. That means that the affair is most likely to be fought out on the floor of the Senate.

"Southern Senators can be relied upon to leave nothing undone to prevent enactment. But as matters stand, they are up against an ominous situation. The tide is running against them, and will continue to do so to an overwhelming extent, unless the Legislatures of this section take steps to strengthen their own laws on the score of lynching. A very clear obligation rests on our General Assembly to scrutinize the Alabama statutes for the purpose of implementing them as much as possible. We have anti-lynching laws, which in the hands of an aggressive Governor, or under the pressure of a determined public opinion, can serve as a deterent. The trouble is that we cannot usually be sure of having either force at work.

"Governor Graves has shown his courage in this respect, during his first administration. He can be expected to toe the mark again, whenever the occasion arises. But that assurance does not make less desirable such additions or amendments to existing statutes as shall operate to drive home to all concerned the serious consequences of a lynching bee. There are too many loopholes in the arrangement we have. There is lacking that

mmediacy between a mob's action and the penal-ies therefor which ought to exist as a warning t would-be lynchers and the communities in which ynchings take place. We ought to have, as a state aw, pretty much what the Costigan-Wagner bil provides, by way of establishing accountability and meting out punishment.

"How much better off would our representatives and Senators be, if they could cite this step in the direction of state and local responsibility At this hour, when so much is being done o planned at Montgomery to advance the socia well-being of the state and to make governmen an effective agency, a modern anti-lynching statute would be thoroughly in order. It would b the best answer we can contrive to the criticisms hurled at Alabama on the score of race relations It would help us to gain that position in the eyes of the country which for one reason or another we have lost—to our very painful disadvantage."

The Courier-Journal editorial follows:

"In Alabama the other day a frenzied mob clamored for the lives of three men, believed to be guilty of a robbery and murder at a filling station in the little Florida town of Laurel Hill. Members of the mob were convinced that they had sufficient evidence against the men to make no mistake in requiring their lives in return for those they were supposed to have taken. The law was too slow for these aroused citizens. They wanted to take justice and vengeance in their own hands.

"By a combination of good luck and the integrity of certain peace officers the men were spirited away from the place where the mob milled about, crying for blood. Once safe in Montgomery the suspects were able to establish their absolute innocence and lack of connection with the Laurel Hill crime. Two ex-convicts, out on parole, confessed soon after the robbery and murder, and the case was cleared up. The men and women of the Alabama community had barely missed putting three innocent human beings to death in the most hideous and degrading fashion.

"Such outbursts of lynch fever can be curbed if the responsible authorities want to curb them. Senator Costigan of Colorado recently pointed out that the threat of a punitive federal law on lynching during the last session of Congress had a marked effect on the lynch record of the nation. 'For the five and one-half months in which the Congress was in session,' he declares, 'lynchings virtually ceased in this country. Then promptly following the adjournment of Congress, which did not enact the considered legislation, the stream of lawlessness again began to flow at the rate of approximately one lynching a week, until the whole country was saturated with its revolting recitals.'

"So much for the argument of the 'inevitability' of lynching in some American communities. And so much, in the case of the men sought by the frantic Alabama mob, for the argument that lynching of suspects is ever justified."

METHODIST PAPER DECRIES LYNCHING

Christian Advocate Calls On Press, Pulpit And Public To Stamp Out Crime

NASHVILLE, TENN., Feb. 9.—(AP)—The Methodist Episcopal Church, South, through its official organ, The Christian Advocate, today called upon the public, the press and the pulpit for renewed effort to stamp out the "vile and cowardly crime" of lynching.

In an editorial headed "A Shameful outrage on justice," Dr. W. P. King editor of The Christian Advocate, pointed out that although 1,741 persons were lynched from 1900 to 1930 there is recorded only 12 convictions of the prosecution of these crimes.

"No defeat of justice," he added, "is so notorious as the failure to bring lynchers to justice."

Two Tennessee incidents were mentioned in the broadcast against lynching.

"Citizens are beginning to see that even in self defense, the present rage of lawlessness must be checked," the editorial said. The burning by a x x x mob of the Bedford County Courthouse at Shelbyville, Tenn., should be a warning written in letters of fire to the entire country."

The courthouse was burned after a mob failed in an attempt to take a negro accused of attacking a white girl from National Guardsmen.

"It is regrettable," the editorial continued, "that there was the necessity of militiamen killing members of the mob. The authorities of the law, however, are under an inescapable obligation to protect a prisoner both before and after he may be found guilty or innocent."

"Several months ago," the editorial added, "Cordie Cheek was taken from Nashville and lynched by a mob of Maury County citizens. Sworn identification was made of members of the mob and yet the Nashville court has done nothing. If the Cordie Cheek lynchers had been brought to justice, the more recent deplorable incident might not have happened."

The editorial urged preachers, the public and both the secular and religious press to throw their weight against lynchings and declared that "the press should be willing to expose public officials, from the judges down, who evade their responsibilities."

Bamberg, S. C., Herald
February 7, 1935

What is Lynching?

The Greenville News objects to calling every killing by masked men in a group a lynching and seeking to bring the event under the laws against lynching, and it says:

County Attorney Townes has a case of much pertinence and unusual legal interest in his appeal from the circuit decision directing Greenville county to pay $2,000 to the wife of George Green, who was killed by a band of masked men.

The verdict was directed on the ground that Green had been "lynched."

But obviously every homicide committed by a group of persons cannot be called a "lynching." What constitutes the difference between a murder, even if committed by a gang or "mob" and a "lynching" in the legal sense?

The courts, of course, will have to answer that, and their decisioin will be of much practical importance. The word is generally defined to mean punishment for a crime, or alleged crime, outside of the established machinery of justice. An essential to a lynching is the taking of the law into their own hands by citizens, to inflict punishment for a crime for which the victim would otherwise have been tried and, if found guilty, sentenced. In former years the mob spirit was not necessarily essential for some lynchings, such as of horse-thieves, were conducted in a very orderly manner. In later years, however, the term has come to embrace action by a mob. However, in this particular case a decisive question would seem to be that of whether or not Green was believed to have committed some serious offense for which a band undertook to administer summary "justice" without benefit of the courts.

Tupelo, Miss. Journal
January 2, 1935

MISSISSIPPI LEADS

Mississippi leads the list in lynchings. Figures for 1934 show that of the 15 persons lynched, all of whom are Negroes, six met their death in Mississippi.

This is not a record of which any Mississippian can be proud. Nor can the South be proud of the fact that all 15 lynchings occurred below the Mason and Dixon line. On 44 other occasions Southern sheriffs prevented lynchings, while Northern and Western officers were called upon to defy a mob only seven times.

The reasons why the 15 were lynched are interesting: four because of attempted rape; two because of rape; two because of murder; one because of wounding a man in an altercation; one because of associating with a white woman; one because of striking a man; one for writing an insulting letter; one for talking disrespectfully; one for insulting women; one for implicating others in a charge of stealing and bootlegging turpentine.

These figures at least show that the excuse given by many people for the prevalence of lynching, the fact that the courts will not punish those guilty of murder and rape, is largely without any foundation of fact.

The fact that seven were lynched for comparatively trivial reasons shows that unreasoning anger, not a pure desire for justice, is the mob spirit. Nor can the Mississippi courts be accused of leniency to rapists.

People who see mob law as a far greater evil than the ones the mobsters try to stamp out, can, however, get some consolation from the fact that there were 13 fewer lynchings in 1934 than in the preceding year.

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Discussions.

White Press, Southern.

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Term 'Lynching' Was Derived From Virginia Justice's Method Of Handling Tories, Says Editor

Letters to Newspapers, Pro and Con on Subject, Not All From Illiterate Individuals, He Says.

By John Temple Graves II.

Editor's Note: John Temple Graves II conducts a widely read daily column in the Birmingahm (Ala.) Age-Herald. He has been editor of two southern papers, author of numerous papers, author of numerous books, contributor to many magazines, and this year was awarded a doctor's degree by the University of the South for 'distinguished contributions to the field of journalism.' He saw service in France in 1918, served on the American peace commission in Paris in 1919, was economist for the Federal Trade Commission in Washington, and was admitted to the bar of the District of Columbia. Dr. Graves is the son of a distinguished southern journalist and the great-grandson of the eldest brother of John C. Calhoun. By way of versatility he holds the middle Atlantic states tennis championship for 1934.

This is the second of a series of articles by southern writers on "The South Today." These articles will not necessarily reflect the position of The Constitution on the problems discussed.

During the war of the American Revolution a Virginia justice of the peace developed a nice technique with the Tories. He would suspend them by their thumbs until they were persuaded to shout "liberty forever!" The gentleman's name was Charles Lynch, and even though his patients all survived this extra-legal treatment, the name was given thereafter to a practice by which nearly 5,000 Americans, most of them southern negroes, have been put to death without benefit of law in the last 50 years. The simpler and better name for these premeditated killings, of course, is murder. The term "lynching," although undoubtedly less offensive to practitioners, is an understatement—and an injustice to the memory of Charles Lynch.

Wide Range of Letters.

With all that is being said and done, or at least, attempted, against lynch law, it seems strange that there should be so few studies of the lynch mind—photographs taken from life. Almost any southern editorial writer who has taken a stand against mob murder is likely to have a drawerful of more or less revealing letters from people who believe in lynching; letters of abuse, epithet, protest, argument, philosophy.

In the course of ten years as an editorialist in Florida and Alabama, conducting a daily editorial column on the first page under his own name, this writer has had his share of such letters; and because they have come to him as to an individual they have been, perhaps, more intimate and enlightening than letters addressed formally to a newspaper's editorial page. Their contents may offer little of argumentative worth, but they have a certain news value and as indisputable clinical interest.

Some people will tell you that the lyncher has no mind, that he is a moron. But it can be stated on the best of evidence that thousands of very good readers and writers in the south today believe in lynching as a stern necessity under certain circumstances, even though they may be unwilling to take part in an actual lynching themselves.

Without them and the prestige which their comparatively "educated" supporte gives the institution, actual lynchers might be much more careful. For one letter from the moron who scrawls on coarse ruled paper that you are a "low down yellow-livered nigger-lover" and calls you unprintable names in a spelling all his own, there are dozens of letters from perfectly intelligent people who write to debate the thing with you, sometimes sorrowfully, sometimes angrily, sometimes with complete dispassion.

Lynch Psychology.

Never to be forgotten, for example, is the obviously genuine regret with which a certain graduate of the University of Virginia offered his conclusion that the white and negro races will never be able to live successfully side by side in the south—or the perfect calm with which he suggested a way of solution "a general massacre." Comparable in philosophical ferocity is the rule laid down by a Birmingham physician in a letter insisting that a certain negro defendant should be hanged whether he was guilty or not. "The important thing," he wrote, "is that whenever a white woman is raped by a negro there should be an example and a spectacle of punisament. If possible, get the right negro and string him up. String up one or two of his nearest relatives at the same time. And if the right one can't be found, take some other negro."

A major point with lynch sympathizers is that those who are not in favor of lynching have never been faced personally with the situation which incites it. "If we had sat quietly (sic) on our royal," asserts one correspondent, "while the niggers were killing our white women and alibing and getting by, we would never had been recognized." He wrote: "If those women who were attacked were some of your own friends or relatives, I wonder if you would be for handlinged them so nice and gentle?"

Communist Influence.

Interference of the communist international labor defense is mentioned in many letters as a cause of lynchings. A Georgia author wrote that the only way to end present-day lynchings and racial disorders in the south was to "discover the agitators—they happen to be communists and labor organizations—punish them; their action is treasonable." But that the communists themselves feel that their coming, far from aggravating the lynch impulse, has cowed it, is suggested in a letter from the secretary of an international labor defense district organization:

"The I. L. D. has forced the southern lynchers to now assume the defensive. They are no more the arrogant fellows they were in 1931. In 1931 a Scottsboro paper openly made lynch threats against any negro who aspired to jury service in the south. The Jackson County Sentinal editorially stated: 'A negro juror in Jackson county would be a curiosity, and sometimes curiosities are embalmed, you know.' Today we witness Tom Knight (attorney-general of Alabama) telling the supreme court of the United States that negroes are not systematically excluded from Alabama juries because of their race."

The conviction that lynching parties are composed of men grimly and calmly performing a social duty in the spirit of early American vigilantes is common to many of the correspondents. "I do not think the mob is composed of the blood-thirsty anarchists which you intimate," wrote a Florida school teacher, "any more than our Confederate grandfathers were such, because they united secretly to free this fair land from the dominion of the carpet-baggers and scalawags. Rather are they composed of men who have lost confidence in the agencies that have been duly constituted to effect justice. And with no small reason."

Defenders of Lynch Law.

A superior knowledge of the negro race is the claim with which a number of letter-writers set themselves up as defenders of lynch law. "How much do you know of negro psychology?" scoffed a Tennessee merchant. "Do you know anything of the negro you are thrown with but what he wants you to think? Do you appreciate that the vindication of the 'majesty of the law' is Greek or Hebrew to him? The law is something to be used in his favor by his friends and against him by his enemies. He will put you and your newspaper among those that think 'them boys didn't do nothing wrong' and he will not admit it to you but you could never make him believe that they (the Scottsboro defendants) rode in a car at night with any strange women without having intercourse with them, and range you with those who think opportunity justification."

But the most frequently employed and impressive point made in defense (or explanation) of lynching is the ineffectualness of the law, the technicalities employed to delay and often to defeat the doing of justice. "Those (Scottsboro) negro boys were convicted and sentenced by an Alabama judge and jury and should have been dead and forgotten long ago," writes a Georgia merchant. "That they are still living is the fault of our laws. If you are crusading for law and order, then for God's sake start with the law. Get the laws fixed so that when a man is fairly convicted by a jury of his peers let him suffer the penalty imposed without further bother and expense. How in the name of decency is Alabama to keep her women from being raped by black devils when they have such examples of the inadequacy of our existing laws?" In this writer's mind, obviously, there is no question of the fairness of the Scottsboro trials, nor any concern for it.

Organizations Active.

It is only within recent years, of course, that organizations like the International Labor Defense and the National Association for the Advancement of Colored People have interfered to offer to negro defendants in certain cases in the south the services of resourceful attorneys, and thus to protract trials and legal processes. Whether this "interference" tends to defeat justice or to procure it, the fact that it is a comparaive recent development means that the lynch argument based upon it is also recent.

These selected letters are typical of the variations in intelligence, education and point of view of those who write to southern newspapers in defense of lynch law. There are many, if not more, letters expressing uncompromising hostility to mob murder and the lynch philosophy. The number of southerners who believe that lynching is a disgraceful, corruptive and wholly unnecessary practice rivals today the number of those who do not. The expressions of their belief have neither news value nor clinical interest, as they are identical with those of civilized people the world over, but the picture attempted here would be incomplete without a reference to them. In Birmingham last year, for example, when a third-rate politician called facetiously for "bigger and better lynchings" and suggested that "rope is too high and one bullet placed in the correct position will do the work at much less cost," he found himself sixteenth in a field of 16 in a race for the state legislature. It is symptoms of this sort that give hope to southerners who are earnestly striving to do away with the crime of lynching.

GREENWOOD, MISS.
COMMONWEALTH
DEC 6 1935

HAD THIS SUSPECT BEEN LYNCHED THE GUILTY MIGHT HAVE ESCAPED

Officers of still another Mississippi county, Montgomery, had to move fast this week to avoid mobbery.

They succeeded by rushing a suspect in a rape case to a distant jail, while a mob estimated at 1,500 persons advanced on the city hall at Winona.

Officers quote the suspect, who was trailed by bloodhounds, as insisting that he is innocent of the crime but as admitting that he knows the negro who committed it.

If that be true, they will have ample time to obtain this information while protecting the suspect. Had the suspect been lynched, on the other hand, the identity of the guilty man might never have been learned.

That's part of the folly and viciousness of lynching. Guilt of the victim is not proved in every case, and if the victim is innocent his lynching often protects the guilty.

We congratulate these Montgomery county officers on their quick and effective action. Swift trials with imposition of the death penalty upon conviction is the only effective method of curbing mobbery and will curb it even in these most provocative cases.

By their acts, the Montgomery county officers give this judicial method a chance in that county.

—Jackson Daily Clarion Ledger.

WILMINGTON, N. C.
STAR

DEC 9 1935

PREVENTING LYNCHING

A committee of the North Carolina Bar association headed by a former superior court judge will study lynching and means of preventing it, with the purpose of filing a report of its findings before the next meeting of the state association.

There may be numerous legal aspects to lynching which require thoughtful study and carefully planned remedial measures, and if so the lawyer's committee will be doing a constructive service for the state.

From the lay viewpoint, the curbing of lynching presents no such intricate problem. All that is really needed is foresight and judgment on the part of the sheriff in a community where lynching is feared, prompt action by the courts when the accused is arraigned, and drastic punishment for those found guilty of taking part in mob violence.

It is the latter phase that offers the greatest difficulty. It is comparatively easy to secure adequate protection for a prisoner threatened with lynching, and the courts may be depended upon to deal justly with such prisoners.

Obtaining proof of participation in a mob outbreak is another question. Even though one or two isolated members may be recognized and arrested, as a rule they will swear positively that they knew none of their companions. So too will bystanders who witnessed the trampling of the law in this manner. It follows, therefore, that the paramount precaution is to prevent a lynching instead of seeking the perpetrator after it has happened.

RICHMOND, VA.
TIMES DISPATCH

DEC 30 1935

The South Disgraced Again

IN THE past 45 years, more than 5,000 persons have been lynched in the United States, and there have been convictions of the guilty parties in less than one-half of 1 per cent of the cases.

This orgy of crime continued during 1935, when 20 more persons were done to death in this fashion, 19 of them in the South and the other in California, according to figures just released by Tuskegee Institute. Since there were 15 lynchings in 1934, the total for the year now drawing to a close represents an increase of five. There were 28 in 1933, and 8 in 1932.

While it is obvious to all that lynchings have decreased greatly since the turn of the century, there has been no well-defined trend since 1923, when the total was 33. During the past dozen years the number has oscillated between that figure and 1932's all-time low of eight. From 1885 through 1901, the lowest for any year was 96, and the highest was 231. As recently as 1919 there were 80.

Since there has been no clearly defined trend in late years, we see no reason to think that lynching is about to become extinct, much as its extinction is to be desired. So long as conditions remain as they are, it seems reasonable to suppose that there will be a certain number of these ghastly crimes each year.

A few episodes from the twelvemonth now closing are illuminating as to the state of public opinion in the South, where almost all lynchings occur. Take the case of GOVAN WARD, for example, who was put to death in broad daylight by a mob on the streets of Louisburg, N. C., last July. A white North Carolinian obtained the names of nine of the lynchers and furnished them to the authorities, but no action was taken against them.

Consider also the brutal killing of two Negro boys, aged 15 and 16, by a mob in Colorado County, Texas, last month. The County Attorney blatantly announced that lynchings conform to "the will of the people," and indicated that neither he nor any of the other local officials had any intention of doing anything about it. During the same month, members of a mob at White Bluff, Tenn., took the sheriff's gun away from him, shot their victim to death, and calmly returned it to the official, who was said to have remarked, "they seem to be having a good time."

Even worse than the participation of adults in such orgies is their effect upon the minds of little children. A Negro lynched at Fort Lauderdale, Fla., was left hanging to a tree by the mob, and a photograph shows 10 little white girls, ranging in age from 4 to 11 years, standing under the tree and gazing up at the corpse.

We are frank to say that we are almost ashamed to be identified with a section of the country where such things occur with such frequency.

What is to be done about it? The proposed WAGNER-COSTIGAN antilynching bill is regarded by many authorities as unconstitutional, although its advocates contend that it is validated by the Fourteenth Amendment authorizing Congress to enact legislation to prevent any citizen from being deprived of life, liberty or property without due process of law.

If the WAGNER-COSTIGAN bill is constitutional, we shall not be surprised to see it, or something like it, enacted by Congress in the coming years. Aside from its dubious constitutionality, the measure has other defects, but if lynchings continue at the present rate in Dixie, we think the South will get its due with the enactment of a law taking the prosecution of lynchers out of the hands of the local authorities, and placing it in the hands of Federal agencies.

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Discussions.

White Press, Southern.

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TYLER, TEX.
COURIER TIMES
NOV 15 1935

Nothing But Lynching Will Save Southern Women From Negroes Who Ravish Them Declares Club Women

AUSTIN, Nov. 14. (AP)—A lone delegate at the Texas Federation of Women's Clubs convention Thursday protested a speaker's demands for a state investigation of a dual lynching at Columbus.

White-haired and elderly Mrs. J. R. White of Coleman arose without recognition at the conclusion of a plea to Governor Allred for an inquiry and said:

"Nothing in the world will save southern women from those brutes (Negroes) except lynching."

Mrs. Jessie Daniel Ames of Atlanta, Ga., executive director of the Association of Southern Women for the Prevention of Lynching, demanded in a speech before the federation that Gov. James V. Allred order an inquiry.

A mob of men lynched two Negroes accused of criminally assaulting and murdering a young white school teacher. County Attorney O. P. Moore said he believed the action was an "expression of the will of the people."

"The county attorney's attitude being what it is," said Mrs. Ames, formerly of Georgetown, Texas, "I think the governor owes it to the state to order a speedy investigation. Such lynchings not only make the south and Texas ridiculous to other states but appear lacking in civilization."

She said absence of decisive action "makes it appear that we're helpless or don't care."

CHARLOTTE, N. C.
NEWS
NOV 19 1935

Anticlimax.

The lynching and its aftermath over in Tennessee last week, which progressed from one strange circumstance to another, had for its ending a scene with not even novelty in its favor. Just the opposite, the climax of the piece was distressingly trite.

Act I, you will recall, was the lynching, which oddly enough was accomplished without torture or dismemberment and with only one shot. In Act II there was the surrender of five men who confessed to the deed. Act III brought forth the trial and the plea of the five to manslaughter in self-defense against one unarmed Negro.

Act IV saw the jury file in and report. Not Guilty, was the verdict.

There was a mild epilogue to this farce, delivered by the judge upon the bench. Said he to the jurors: "I am astounded at your verdict."

CLARKSVILLE, TENN.
LEAF-CHRONICLE
NOV 19 1935

EDITORIAL

Lynching Encouraged

The acquittal by a Cheatham County jury of five white men charged with the lynching of a Negro man appears to us to have been a miscarriage of justice. The quintet, or at least one of their number, admitted killing the Negro, but claimed self-defense.

We are not upholding the Negro in the offense with which he had been charged. To insult and then slap a white woman is a foolhardy thing to do. But for a group of men to take him out and shoot him is an act that can hardly be described by any other word than murder.

Judge Wirt Courtney was justified in expressing amazement at the verdict. "By your action," the court said, "you will make Cheatham County the dumping ground for lawlessness in the future." Without casting reflections upon the good people of our neighboring county, we cannot challenge the sweeping statement by the court. The lynching was a disgrace to Cheatham County and to the State of Tennessee and the verdict of acquittal showed to the world that all of Cheatham County resented mob rule. No doubt the verdict met with popular disapproval by the majority of Cheatham County residents. It was a triumph of violence over law and order.

GREENSBORO, N. C.
NEWS
NOV 22 1935

Shears and Paste

Executed?

A Texas mob lynched two negro boys last week and the county attorney called it an execution. The mob he called citizens. He said, "I do not call the citizens who executed the negroes a mob. I consider their action an expression of the will of the people." He did not add that the voice of the people is the voice of God. We have heard a great deal lately about the dangers that are besetting the constitution of the United States. Here we have a case in which the constitution was stamped upon by one who had sworn that he would defend it. The constitution was disregarded by a mob and the one who swore he would defend the constitution called the mob citizens. He is the man who would have these constitution destroyers brought to justice. Instead he becomes a party to the disgraceful proceedings. But why should we go all the way to Texas in a hunt for enemies of the constitution when we have them right here in our own state. A group of citizens (?) murdered a crazed negro in Franklin county only recently and nothing has been or will be done about it. In this case the solicitor made an effort to find out who took the negroes away from the officers of the law whose sworn duty it was to protect their prisoner, but was unable to learn a thing. We do not even know whether or not he demanded their removal from office. We have some defending of the constitution to do right here at home.—Charity and Children.

ROANOKE, VA.
TIMES
NOV 23 1935

"WILL OF THE PEOPLE."

P. P. Moore, county attorney in Columbus, Texas, said of the lynching of two Negro boys who had assaulted and killed a high school girl, "I do not call the citizens who executed the Negroes a mob. I consider their action an expression of the will of the people."

Nothing more cowardly has been said by a public official in our recollection. Lynching is an extralegal measure that cannot be regarded as anything but murder. Those who participate in it are guilty of murder. To say that murder in any case is the "will of the people" is to negate every statute that has been passed for the protection of human life; furthermore, it is to say that any mob, in a frenzy of the moment, is justified in destruction either of property or life because that is the way it feels at the time. Human experience in all fields shows the folly and the ruinousness of any such attitude. The mob that cries for a man's life at one moment may lift him to power the next; the mob that cheers its hero in one instant may lead him to the chopping block in the next.—Richmond Times-Dispatch.

BIRMINGHAM, ALA.
NEWS
NOV 16 1935

Determined Officers Can Prevent Lynchings

After a relatively good record for the first half of the year in the matter of lynchings, 1935 has become increasingly marred by outbreaks of mob violence. In the first six months of the year there were only four lynchings, and these took place in only two states, Mississippi and Louisiana. For a similar period, that is probably as low a number of lynchings as there is on record. In the first half of 1934 there were six lynchings, and for the same period of 1933 there were eight.

Since midyear, however, there have been several lynchings in various states. Happily, Alabama's record thus far in 1935 is free of such a blot.

In Texas two Negro boys, one 15 and the other 16 years old, were taken from officers by a large mob and lynched, after they were said to have confessed attacking and killing a 19-year-old girl. On Thursday a mob in Georgia tried to take from officers a Negro convicted of slaying a white man, but National Guardsmen frustrated the attempt.

These two cases illustrate one of the chief aspects of the lynching problem. In one case determined and courageous officers of the law fought off a mob and prevented a lynching. In the other, the officers, evidently less determined, did not prevent the mob from capturing the two victims. Perhaps the Texas officers were overpowered by great numbers and could not have prevented the mob from taking the prisoners. But if that was the case, it simply means that the authorities of the law did not take adequate precautions.

The crime of which the Texas Negroes were accused was a heinous one. But that does not excuse the lynchings. No crime justifies lynching, in a country where law is supposed to reign. The point was made, by legal authorities in Texas, that under the law these prisoners could not have been executed because of their youth. This point is advanced to condone the lynchings. In fact, the county attorney in whose county the lynchings took place said he considered the mob's action "an expression of the will of the people." The county judge, while saying he was strongly opposed to mob violence and in favor of orderly processes of the law, said the fact that the Negroes could not be "adequately punished" by law because of their ages prevented him from "condemning those citizens who meted justice to the ravishing murderers." That is not an enlightened attitude for a judge to adopt. Gov. Allred seems to have taken a more enlightened stand, saying that lynching was deplorable at any time.

In the Georgia case, the prisoner had been convicted of murder and sentenced to die on Dec. 12. Yet the mob did not wish to wait for less than a month for the man to be put to death. After hand-to-hand fighting, however, the National Guardsmen repulsed the members of the mob. Georgia is to be commended for thus upholding the law.

Unfortunately, there was a lynching in Georgia in connection with the same case. An entirely innocent Negro was put to death by a mob that was seeking the Negro convicted of the murder. This, of course, the officers could not prevent, because the victim was not in their custody. The incident affords a commentary on the unreasoning nature of mobs. Searching for one man, the Georgia mob put to death another who had no connection with the crime. But of course mobs do not reason, and they are not fair. That is why mob violence, whatever the provocation, cannot be tolerated in a civilized country.

In the great majority of cases, determined officers of the law can prevent mob violence.

When our law-enforcement officials all realize that fact, and recognize their duty to protect any prisoner in their custody, we will see lynching disappear.

BEAUMONT, TEX.
ENTERPRISE
NOV 20 1935

LYNCHING IS NEVER EXCUSABLE

The chamber of commerce of Columbus, Texas, where two negro boys were lynched by a mob of several hundred persons, said to include women, attributes this crime to the inadequacy of state laws. Usually, mob action is attributed to impatience with the "law's delay." In the case of the Columbus lynching delay could not be offered as an excuse, because the negroes were too young to receive capital punishment.

They probably were typical country negroes, with low-grade mentalities. They committed an atrocious crime and naturally the people of Columbus were aroused to frenzy. Still, this is no justification for a lynching, never has been and never will be, so long as civilized society agrees to abide by certain rules or laws for its governance.

While the Columbus chamber of commerce disavows any purpose of condoning the crime which brought so much unfavorable publicity to Columbus, there is evidence in the chamber's set of resolutions of a wish to shift the blame from the mob to the state. However hollow such an proceeding may be, and usually is, it would have been better for the chamber to have "deplored" the lynching.

Almost as much as the lynching itself, the astonishing attitude assumed by public officials entrusted with the duty of enforcing the laws brought condemnation upon Columbus. It is bad enough when private individuals — including women — take part in a lynching. It is worse when public officials, not content to condone such a crime privately, as so many public officials do in the south where black rapists are concerned, publicly make statements showing sympathy for if not open approval of mob violence.

NEW ORLEANS, LA.
TRIBUNE
NOV 15 1935

"The Will Of The People"

THE hanging of two Negroes by a Texas mob would have been just one more lynching, horrible but common in a world of many horrors, had not the county attorney of that bailiwick spoken up:

"I do not consider the citizens who executed the Negroes a mob. I consider their action an expression of the will of the people."

This officer of government implies that the will of a mob amounts to law, may supersede written law, that it is the court of last resort, supreme arbiter of action. Being an attorney, he knows better. Being an officer of the government, he has sworn to enforce the written law no matter what "the will of the people" may be. He lends momentary authority to a falsehood unworthy of his training and his responsibilities.

MORE than 700 residents of his district are said to have participated in this lynching. If that happened to be a majority of its population, the county attorney might have delivered another deceptive maxim: "Let the majority rule."

But nothing could be more dangerously false than either of these precepts as this small-town poohbah would apply them. He is really speaking not of the will of the people at all, but of the frenzied impulse of an inflamed crowd to violate the law which does represent the will of the people.

Were an entire State to license mob-murder, which is inconceivable, the first attempt to exercise that will under the official sanction of State government would bring Federal troops into that State to mend matters.

BUT why turn to the fantastic? We have observed that many persons who, in hysteria, violate law singly or in mobs display good sense in most matters under normal circumstances.

"The will of the people!" It was once the will of New England townsmen to burn witches. They did it sometimes by process of law, sometimes without it.

It is the will of some American communities to lynch, and they do that. Local law-officers often wink, but seldom are so foolish as to try to sanctify murder with sophistry.

It is the will of some other American communities to murder freedom of speech, freedom of assembly, freedom of the press, and now and again they seem to succeed. But such popular "will" as these crimes demonstrate and fulfill is no more the popular will which is the essence of democratic government than is a majority vote by the inmates of a nut-house.

ASHEVILLE, N. C.
CITIZEN
DEC 8 1935

BAR COMMITTEE IS SELECTED TO STUDY LYNCHING

President Broughton Of State Group Names Other Committees

RALEIGH, Dec. 7. (AP)—Roy L. Deal of Winston-Salem, a former superior court judge, will head a special committee of the North Carolina Bar association to study the subject of prevention of lynching during the next year and offer recommendation to the next bar convention.

The lynching study committee was named today by J. M. Broughton of Raleigh, president of the bar association, along with other regular and special committees, completing the set-up of the organization.

Prof. James H. Chadbourn, Jr., of Chapel Hill, who has made a particular study of lynchings and who has done extensive magazine writing on the subject, will serve as secretary of this committee. Other members will be: J. K. Wilson of Elizabeth City, George C. Green of Weldon, Robert M. Gantt of Durham, and Walter H. Woodson of Salisbury.

C. D. Wharton of Greensboro was named by Broughton as chairman of a special committee to study and make recommendations concerning summary judgment law with a view of proposing legislation to shorten civil litigation and avoid frequent delays that result from frivolous or dilatory pleading. A resolution calling for the study was passed at the last association convention.

Albert Coates of Chapel Hill, will head a committee on criminal law and its enforcement, a companion group to that headed by Wharton.

Revision Committee

The committee on revision of the corporation law of North Carolina will be composed of Prof. M. S. Breckenridge of Chapel Hill, chairman; John H. Anderson, Jr., of Raleigh, Ozmer L. Henry of Lumberton, Kemp B. Battle of Rocky Mount, and Charles A. Hines of Greensboro.

William B. McGuire of Charlotte, will head the special committee on the junior bar, the first in the history of the association. Other members will be: Edward L. Cannon of Durham, M. A. James of Asheville, W. J. Hooks of Kenly, E. D. Kuykendall, Jr., of Greensboro, W. J. Adams, Jr., of Rocky Mount, and R. S. Averitt of Winston-Salem.

Junior Bar associations already have been organized in a number of cities of the state, including Durham, Winston-Salem, Asheville, Charlotte, Smithfield and Raleigh.

Johnston On Committee

The special committee on American citizenship will be: Oscar Leach of Raleigh, chairman; T. L. Johnston of Asheville, Charles P. Greep of Louisburg, Judge Marshall T. Spears of Durham, John W. Aiken, of Raleigh, R. S. Pruette of Wadesboro, and D. C. Barnes of Murfreesboro.

J. Y. Jordan, Jr., of Asheville will head the committee on unauthorized practice of law, which has the following other members: Joseph L. Carlton of Raleigh, Fred P. Parker, Jr., of Goldsboro, Roy L. Deal of Winston-Salem, and Carroll W. Weathers of Raleigh.

Jordan's committee will study the proposed passage of legislation designed to prevent individuals who have not been licensed and corporations who cannot be licensed from engaging in law practice.

Lynchings - 1935

Discussions

White Press, Southern.

4950

Herald
Sarasota Fla
NOV 17 1935

RADICALS TO BLAME

The deplorable lynchings occurring in the south within the past month or two are not condoned by the people who have unalterable beliefs in law and order, and who believe in the perpetrator of a crime paying the penalty for his act through the properly constituted courts.

However, the people of the south are noting with no little amazement and alarm that radicals of other sections of the country are rushing to the defense of perpetrators of crimes in the south, and are employing every means, irrespective of the serious nature of the crime, to defend and free those charged with taking the life of a white man or woman or committing a serious crime upon a white woman.

The radicals had better let the people of the south handle their own crime problems, or the deplorable lynchings instead of decreasing, will be on the increase. Men of the black race charged with a crime in which capital punishment is the maximum are given proper defense, the courts appointing capable attorneys in the event the criminal is without the means to engage a lawyer. In such instances proper defense is presented the jury and the accused is given the benefit of every legal doubt. There are few, if any instances, of where a man white or black paid the extreme penalty for a crime without having his conviction reviewed by the supreme court, at least that is the rule in Florida. There may have been one or two exceptions.

The radicals are going to find that their attempts are not going to meet with the approval of the southern people who are more capable of handling the negro problem than are the radicals. They may find their actions so reprehensible to the people of the south that lynchings abhorred by the majority of southerners will increase instead of diminish.

NEW ORLEANS, LA.
STATES
NOV 15 1935

A Texas Lynching

TEXAS furnishes another lynching with an unusual aftermath.

Those put to death by the mob were two youthful negroes, aged 15 and 16. Their victim was the young daughter of a farmer who undertook on horseback and armed to guard his pecan orchard against thieves. The negroes, marauders on the property, waylaid her, forced her from her mount, assaulted her, then murdered her and threw her young body into a ditch.

They were quickly captured and made frank confessions. A determined body of men seized them and carried them to an oak tree on the farm on which she was assaulted and killed. Seven hundred members, probably a majority of the community in which she lived, gathered at the scene, many of them in automobiles whose headlights circled the oak and turned night into day. Over the eloquent protests of a minister of the Gospel stern popular justice was done. A number of women attended the executions.

* * *

WHAT makes this lynching stand apart from others is that the community boldly justifies it and the authorities are apparently not intending to make a mock and perfunctory investigation of it. They say you cannot indict a whole community.

Says the county attorney: "I believe the lynching of these two youthful negroes by a mob of 700 persons, including several women, here last night was 'an expression of the will of the people'."

Declares the county judge: "I am strongly opposed to mob violence. The fact that the negroes who so brutally murdered this girl could not be adequately punished by law because of their ages prevents me from condemning those citizens who meted justice to the ravishing murderers last night."

The minister's plea was that the law should be permitted to take its course. But the Texas community held that since the maximum penalty, because of the ages of the negroes, that could have been inflicted on the murderers was imprisonment in a reformatory until they were 21, was wholly incommensurate with the horror of the crime, it was an occasion that called for the administration of primitive justice.

LYNCHING is always deplorable. It has constantly met our reprobation. We hope to see Southern sentiment so thoroughly organized that eventually it will disappear from this section. The orderly processes of law that send a murderer to the scaffold or to the chair are undeniably more impressive and effective than sudden outbreaks of vengeance that scandalize the administration of justice.

Yet when other communities undertake to assail this Texas community for this latest and most remarkable lynching let them ask themselves what would have been their reaction to an atrocious and unspeakable assault on and murder of a fine young girl in the bloom of life when judicially the only penalty possible to be imposed is a few years of pleasant imprisonment in a reformatory.

COLUMBIA, S. C.
RECORD
NOV 21 1935

Not a Matter of Votes.

O. P. Moore, county attorney at Columbus, Texas, defends the recent lynching of two negro boys, one 15 the other 16, on the ground that the people of Texas approve it. It is, he declares, "an expression of the will of the people."

And it may be, of course, that Mr. Moore is right, that the majority of the Texas voters are in favor of the lynching. But that does not make it any the less murder, or any the less wrong and foolish. There are some things that cannot be decided by vote of the people.

GREENVILLE, TEX.
EVENING BANNER
NOV 13 1935

Mob Women Jeer With Men at Plea Of Rector for Law

Seven Hundred Kill Two Negroes Held for Girl's Slaying.

COLUMBUS, (AP).—Seven hundred sullen mob members, including several women, jeered pleas of an Episcopalian rector to allow the law to take its course and hanged two youthful negroes to a live oak tree near here last night.

The negroes, Ernest Collins, 15 and Benny Mitchell, 16, who assertedly confessed the brutal attack and subsequent drowning of Miss Geraldine Killmann, 19 year old Columbus high school honor graduate, were seized from officers and hanged a mile from the family home of the slain girl.

A few seconds before the mob slipped hangman's knots across the throats of the negroes, the Rev. E B. Marmion, an Episcopal rector leaped to the top of an automobile and pleaded with the mob to "let the law take its course."

* * *

Jeers Preacher.

The mob remained silent until he had finished, then it broke out in a chorus of jeers and went ahead with the lynching.

The negroes, who had been held in Houston for safe keeping, were brought back for trial in juvenile court today. The maximum sentence they could have received was confinement in a reformatory until they were 21.

Sheriff Frank Hoegemeyer found his way blocked by a large caravan of automobiles at the Colorado river bridge near Altair, 11 miles south of Columbus. Ten masked and armed men forced the sheriff and his deputy, Harry Townsend, to hand over the prisoners, who were chained together by the neck.

The men sped away with the prisoners, leaving the officers powerless to pursue them because the road still was blocked. Both the the sheriff and his deputy had been dicarmed.

* * *

Ignore Pleas.

A short time later, the automobile bearing the negroes came to a stop beneath an oak tree a short

distance north of Columbus. A ring of automobiles encircled the tree. Headlights were flashed on as the negroes were taken from the car.

"White folks, please don't do this," Mitchell pleaded. But the mob, working swiftly, paid no attention to his plea.

The hangman's knots, fashioned before the negroes were seized, were slipped around their necks. One of the lynchers sought to remove the chain which bound Mitchell and Collins. As he worked Collins, who semed unshaken, peed into Mitchell's face and grinned. Neither spoke at this time.

Failing to break the chain, the mob marched the youths beneath the limbs of the tree and threw the ropes over. Twenty men seized the ropes and pulled the negroes' feet from the ground.

Collins, large for his age, grabbed the rope and pulled himself up, meanwhile crying "Oh Lord, help me." Several members of the mob sprang upon him and jerked his legs downward.

Silently the crowd began to leave the scene. Sheriff Hoegemeyer reached the tree about an hour later and cut the bodies down. They were delivered to the negroes' parents.

In a final statement, Mitchell assertedly told his captors the name of another negro he said planned the slaying of Miss Kollmann. A few members of the mob went in search of the third negro, but they were told that he had left this section.

Miss Kollmann was killed after she rode into her father's pasture Oct. 19 in search of pecan thieves. She came upon the negroes sitting under a tree and accused them of the thefts. They confesssed, officers said, that they knocked her from her horse with an elm limb, choked her, criminally attacked her and threw her body into a creek. Each accused the other of being the actual slayer.

Sheriff Hoegemeyer, hoping to slip into town without notice, was approaching Columbus in a roundabout way when the mob intercepted him.

"While we were crossing the bridge," he said. "A large body of men stopped us. Before I could make a move, they opened the automobile door and took out the prisoners. They placed the negroes in another car and sped away toward Columbus.

"Seven cars on the bridge blocked my way, so I could not follow them."

ROANOKE, VA.
WORLD NEWS

NOV 19 1935

Editorial Comment

MORE LYNCHING.

(From the Baltimore Sun.)

Late editions of The Sun yesterday contained a dispatch from Texas of the lynching of two Negro boys and a dispatch from West Virginia of the apparent lynching of a foreman of the Civilian Conservation Corps. In the latter case, authorities decided later the man had committed suicide. In the case of the Texas Negroes, there was no question. They were hanged by a mob of 700 persons. Several women were present.

To make the lynching more disastrous to law and order, the county authorities apparently condone the crime. The county attorney calls it "an expression of the will of the people," and declines to speak of the lynching group as a mob. He terms the action an "execution." The county judge, while asesrting he opposes lynching, declines to condemn "those citizens who meted justice to the murderers." His reason is that the Negroes, one of whom was 15 years old and the other 16, could not legally been executed in Texas. They could not, therefore, he reasons, be "adequately punished" for their alleged attack on and murder of a young white girl.

Such a state of affairs as is indicated by the expressions of these officers cannot exist in a truly civilized community. The State of Texas should take steps to apprehend and punish leaders of the mob.

CHARLOTTE, N. C.
NEWS

NOV 17 1935

The Self-Defense of Five Against One.

The strange lynching over in Tennessee last week which was followed by the stranger surrender of the five participants and their immediate trial has produced still one more strange feature. It is a plea of self-defense. These five men had taken a Negro away from two officers of the law and had driven him out into the country intending, they said, to whip him but not to kill him. The car was stopped about five miles from town.

"Get out," said Luther Dotson, "we are going to give you a whipping."

"You ain't going to whip me," the Negro is sworn to have replied and to have reached for a rock that lay on the roadside. Dotson fired, killing the Negro.

If white supremacy has reached such a state that five white men of daring and strength proven by their having wrested a prisoner from two white officers, cannot defend themselves against one unarmed black man without having to shoot him, then white supremacy is hardly worth maintaining. Let the jury take that into consideration.

EDINBURG, TEX.
VALLEY REVIEW

NOV 15 1935

Investigation Of Lynching Demanded

AUSTIN, Nov. 14—(AP)—Mrs. Jessie Daniel Ames of Atlanta, Ga., today called on Governor Allred for a speedy investigation of the lynching of two negroes at Columbus.

Mrs. Ames, formerly of Georgetown and executive director of the association of southern women for prevention of lynching, was here to address the Texas Federation of Women's clubs convention.

"I think the governor ought to order a prompt inquiry," she said, "the county attorney's attitude being what it is."

County Attorney O. P. Moore of Columbus said he regarded the lynchings as an "expression of the will of the people."

"Such lynchings not only make the south and Texas ridiculous to other states," she said, "but appear lacking in cizilization. Absence of decisive action," she added, "makes it appear that we're helpless or don't care."

Winston-Salem, N. C. Journal
December 6, 1935

The South and Lynching

The interracial problems of the Southern states must be solved by Southerners if they are to be solved properly or at all. The white man and the Negro—working hand in hand with each other in the same locality and environment and dealing one with the other in understanding, justice, and equity—can extirpate the evils of lynching, race prejudice, and other malevolent influencs which hinder the progress of the South.

This thought is inspired by an open letter which James E. Shephard, president of the North Carolina College for Negroes, at Durham, has written to the several governors of the Southern states.

In this epistle, remarkable for its temperate tone, its candor and appreciation of of the realities embraced in the Southern lynching drama, Dr. Shephard declares that no Negro born and reared in the South relishes the idea of running to Washington for remedies that lie at home. No federal anti-lynching legislation is necessary if the governors of the Southern states will take a firm, resolute stand against this atrocity. Sufficient laws already exist by which lynching can be driven out of the country, provided they are properly enforced.

He proposes that this question be discussed at a conference of governors such as is held every year, with the thought of having these state executives devise ways of bringing home to their constituents the essential treason which lies in every act of surrender to the mob.

At the same time, Dr. Shephard intimates, the white man of the South can do much to eradicate the cause of lynching by investing more equitable sums in Negro education. As the colored man becomes better educated, as also in the case of whites, he moves farther and farther away from crime.

In the last paragraph of his letter, Dr. Shephard draws a conclusion which must appeal to the sound sense of the thinking Southern mind in referring to the attitude of the intelligent Negro of the South toward the racial problem:

"We desire that our own neighbors and friends enforce the law and if our Southern governors will take a stand against lynching, and protect prisoners at any cost—this dreadful evil will soon be eradicated from American life and there will be no need of a federal anti-lynching law on the statute books—to needlessly add to unnecessary statutes and legislation which even the federal government is powerless to enforce, nor even has the desire to do so. It is in this spirit I appeal to you. We must work out our destiny and salvation in the South by mutual confidence and respect each for the rights of the others."

Lynchings-1935
Discussions.

White Press, Southern.

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THE STATES MUST ACT OR TAKE THE CONSEQUENCES

The Advertiser must call attention here to two significant editorials on a vital Southern question by representative Southern newspapers, The Charlotte Observer and The Charleston News and Courier.

Advertiser

These splendid newspapers are concerned, independently and without collusion, with the question, "What does the South intend to do about lynching?"

And also, "What shall we do about the Costigan-Wheeler bill which would give Federal courts jurisdiction over lynchings?"

11-3-35

The two papers approach these questions from different agles.

Let us quote first what The News and Courier has to say in a leading editorial:

Senator Borah's answer to Walter White, Negro leader and author of the Costigan-Wagner bill, that the bill is unconstitutional and that if president he would veto it, places him as the foremost man, Democrat or Republican, in any party, outside of the South, defending the State right, the Southern right, of each State to manage its own affairs.

While Mr. Borah does not say in this answer (it was necessary) that he would oppose a constitutional amendment his record as a State rights man is enough. He voted against the Costigan-Wagner bill. A few years ago, when he was in Augusta, Ga., he made a statement that was the clearest and plainest that any man in the front political rank has made in defense of the position upon which government by Southern white people rests.

Surely it is a singular thing—this far Western senator come to be the foremost American not a Eoutherner upholding the faith of Hampton, Vest, Ben Hil, Zeb Vance, Lamar, Butler, Bayard, Cleveland, Bryan, Tillman, all the Democrats who protected the beleaguered South decade after decade from "force bills," Lodge bills, Foraker bills, by which the South was harassed and menaced.

The Costigan-Wagner bill would not stop lynchings. It is not designed to stop them.

It is part of the insidious campaign, along many fronts, the educational included, of the Northern Negroes to enfranchise the Southern Negroes, restore to them the lost power that they had in "Reconstruction times." This so intelligent a Negro as Walter White could hardly deny without stultifying himself. Probably he would not do that.

So when the Costigan-Wagner bill was pressed in the Senate and was being postponed by a filibuster of Southern senators last Spring, when Borah was voting against it. What was the attitude of the national Democratic party and administration?

The President, Mr. Roosevelt, could have stopped the bill by a word—which he did not utter. Newspaper correspondents, Pearson and Allen, published that he favored it. That has been privately denied. They published that Mrs. Roosevelt strongly favored the bill and was active for it. That has not been denied.

Anyway we all know that the Democratic senators from Northern States supported the bill, that all or nearly all of them from the border States supported it.

There stood the South deserted by all save Southern senators—and Borah.

The national Democratic party has captured the bulk of the Northern Negro vote.

It cannot hold that vote without capitulating to Negro demands, and Northern Negroes of course demand that the Negroes vote in the States of the "Deep South."

Are they not contesting in the courts that Negroes be admitted to Democratic primaries—in Texas and Virginia?

"But Borah is a Republican." So is Norris, and President Roosevelt declares that Norris should stay in the Senate.

The News and Courier has recited the facts. Who are your Northern friends?

Who are our Northern friends? That question is not so pertinent as the question, Who are the friends of Southerners?

The Observer says:

The acquittal of the five white men in Tennessee charged with murder in connection with the lynching of a Negro, who was not even accused of the "usual crime," was another in a long series of invitations to Congress to enact a Federal anti-lynching law.

The five men admitted at the trial that they overpowered two officers and took their prisoner from them by force, hauled him away to a thicket several miles distant and shot him to death. Their defense was that they had not intended to lynch him but that one of them shot the Negro to death in self-defense when he started to pick up a rock. Also they pleaded as an extenuating circumstance that the Negro had made an insulting remark to the wife of one of the five men and when she resented it he slapped her. He was arrested and chagred with assault and battery.

After hearing all the evidence, including the testimony of the officers, the jury "deliberated" for two nights and a day and brought in a verdict of not guilty. The judge expressed himself as "astounded," but he had no reason to be, if he had been keeping posted on the record of such cases. As a rule the evidence and the law do not count with juries in lynching cases any more than they count with a mob bent on committing a lynching.

For some months now North Carolina has maintained a standing invitation to Congress to enact an anti-lynching law by its failure to punish or even to arrest any member of the mob of 20 or 25 men who in mid-day light took a Negro prisoner from the sheriff and his deputies in Franklin County and lynched him. At a brief formal hearing before Judge W. C. Harris, sitting as a committing magistrate, immediately after the lynching, the sheriff and the deputies swore they were unable to identif, a single member of the mob or get the number of any one of th group of automobiles used by the lynching party. And that seems to have ended the State's interest in the case.

Of course the absurdity of the testimony of the sheriff and his deputies in a rural county, like Franklin, with a population of barely 30,000—where everybody knows the sheriff and the sheriff knows everybody in the county—made no difference.

These two recent cases of lynching—one in North Carolina and one in Tennessee—widely different in their aspects—illustrate the manner in which States generally deal with lynchers, in South Carolina, Georgia, Mississippi, Louisiana and elsewhere.

And yet, when Congress convenes again and an anti-lynching bill is introduced to provide for more certain punishment of lynchers, the Senators and Representatives from all of these States will be expected to make a determined fight in opposition, with orations in defense of States' rights, maintaining that a Federal law is unnecessary because the several States "are amply able to deal with lynchers and are doing so."

Certainly the matter of dealing with lynchers should be one for the States and not for the Federal Government, and should be left to the States—if they will deal with this crime of combined murder and anarchy.

But, sooner or later, if the States will not deal with it—if they will not punish or arrest lynchers, or if State court juries persist in acquitting lynchers regardless of the evidence and the law—then the arguments against a Federal anti-lynching law will become generally recognized as absurd and ridiculous and the matter of dealing with lynchers will be taken over by the Federal Government.

The Nation as a whole has some rights as well as the individual States in the matter of the disgrace of continued and frequent instances of lynch law and sooner or later will insist that the Federal Government take action to deal with lynchers if the States will not.

Frequent lynchings with virtual immunity for the mob are more dangerous to the constitutional rights of the people of the States than a Federal anti-lynchings law would be.

In the interest of States' rights the States should prove that they can deal effectively with lynchers.

Apparently The News and Courier had not seen The Observer's editorial at the time its own editorial was written.

The Advertiser, like The News and Courier and The Observer, prefers to see lynching remain a State rather than a Federal offense, and has said so in numerous articles; it has heretofore roundly condemned the Wheeler-Costigan bill.

But condemning the Wheeler-Costigan bill and receiving the condemnation of mankind are not quite the same agreeable experiences.

Either lynching must go or the right of the States to exclusive jurisdiction over lynchers must go, whether we will it or not!

WASHINGTON, D. C.
NEWS
DEC 10 1935

EQUAL AND EXACT

LAST week a Superior Court judge in Georgia did what the U. S. Supreme Court majority refused to do last May. He cut thru technicalities and declared the conviction of the Negro Angelo Herndon to be "unconstitutional, illegal, void and of no effect."

The Herndon case is the South's celebrated cause. Accused under an old and almost forgotten 1866 anti-insurrection law of trying to establish a Negro republic and of enlarging the Communist Party in Atlanta, Herndon was sentenced to 18 to 20 years in prison. The arrest followed his action in organizing a relief appeal of about 1000 Georgia families, of whom 600 were white.

Judge Hugh M. Dorsey found that application of this statute to Herndon's activities was in conflict with the 14th Amendment and also the Georgia Constitution. The U. S. Supreme Court majority had refused to consider the case on a technicality.

Judge Dorsey has sustained law and enrobed his court with dignity. He has said that regardless of the color of a defendant's skin or political doctrine he is entitled to the shelter of the Constitution. He has upheld what Jefferson called "equal and exact justice to all men of whatever state or persuasion."

Salt Lake City, Utah
UTAH TRIBUNE
NOV 27 1935

Borah's Constitutional Reply

ONLY THOSE who do not know the man or have failed to follow his course in congress attribute Senator William E. Borah's attitude on the antilynching bill to a desire to win southern delegates to the next national convention of his party. He would jeopardize every chance for the nomination rather than compromise on what he interprets to be the limitations of the federal constitution. He cannot understand the inconsistency of those who champion state sovereignty in one instance and reject it in another.

To an inquiry from the National Association of Colored Voters, "representing a population of 12,000,000 American negroes," the senator stated with frankness seldom found in a presidential possibility, that he had opposed the Costigan-Wagner bill on principle, that he intends to vote against such measures as long as he remains a member of the senate and that he would veto it "if the unexpected and great honor" of election to the office of chief executive were conferred upon him.

"I do not enter a discussion of what in my judgment is the utter futility of these measures aside from the congressional question. Neither do I take time to again express, as I have often expressed it by word and act, my horror of lynching, further than to say that if the federal government is to deal with the subject, it can only do so by an amendment to the constitution of the United States."

Without discussing the senator's views or the desirability of taking some decisive action to discourage lynchings, one cannot withhold admiration for the frank avowal of his convictions at a critical period of his public career. It was Henry Clay who declared that he "would rather be right than be president." Senator Borah believes that statutory crimes are punishable by and within the states where they are committed. He evidently bases this decision on articles VI, VII, IX and X of the federal constitution.

In conclusion the senator said with emphasis: "Whatever may happen in the future politics of this country, so far as my position on the question presented by these measures is concerned, it will not be changed or even modified."

Vienna, Ga., News
December 19, 1935

Woman's Society Scores Yynchings

METHODIST GROUP DENOUNCES FAILURE OF OFFICERS TO PROTECT NEGROES.

ATLANTA.— The Women's Missionary Society of the Atlanta District of the Methodist Episcopal church, South. in quarterly session here, adopted resolutions deploring the two recent lynchings in Georgia, saying that in neither of these cases "was there even the pretense of excuse" for mob violence. The meeting was held Wednesday but not made public until today.

One of the mob's victims, they said was not accused of any offense whatever and the other was accused only of drunkenness and of effecting his escape from an officer by seizing the latter's pistol.

Registering "unqualified condemnation of lynching under whatever circumstances," the society voiced its protest against "officers and courts that tamely bow to the mob", and urged "upon all religious, educational, and civic agencies the imperative duty of building a public opinion which will no longer tolerate mob violence."

The society commended county and state officials who in other recent cases have averted threatened lynchings by calling out the troops.

The resolution said:

"We, the Woman's Missionary Society of the Atlanta district M. E. church, South, in quarterly session, note with deep humiliation that two lynchings has disgraced our state in the last two months; one near Vienna, another near Moultrie. Mobs have defied our laws discredited our civilization, and mocked our religion. We bow our heads in shame and contrition that such things can happen among us.

"Lynching in our opinion is never excusable, but in these two cases there was not even the pretense of an excuse.

"Lewis Harris, lynched on September 27th near Vienna, was accused only of drunkenness and of escaping from an officer by seizing the latter's pistol. When he was rearrested, the same officer, apparently without resistence, handed him over to a mob to be shot to death.

"Bo" Brinson, lynched near Moultrie on October 16, was not accused of any offense whatever.

"Searching for another Negro, a mob entered Brinson's house. When he objected, they shot him to death in his own home. So far none of the participants in either lynching has been apprehended.

"Therefore, we register our unqualified condemnation of lynching under whatever circumstances. our protest to officers and courts that tamely bow to the mob, and our shame for a Christian civilization so superficial as still to tolerate such savagery.

"We urge upon officers and courts their sacred obligation to uphold the constituted processes of law, and upon all religious educational, and civic agencies the imperative duty of building a public opinion which will no longer tolerate mob violence.

"We are glad to commend the county and state officials who in recent cases have called out the organized power of the state to protect persons in the custody of the law and to vindicate the authority of the courts."

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WINSTON SALEM, N.C
JOURNAL

AUG 1 1935

The Real Voice of Franklin County

The mob that disgraced the fair name of Franklin county Tuesday does not speak for that fine county, any more than it voices the real sentiment of North Carolina.

Some years ago Franklin gave North Carolina one of its greatest governors. Thomas Walter Bickett was a citizen of Franklin. He spoke for that county. And single handed and alone Governor Bickett faced a mob in another county and prevented it from lynching a Negro prisoner.

During his administration Governor Bickett let it be known that all the executive and judicial power of the State would be used, if necessary, to apprehend and bring lynchers to justice. In this policy he had the backing of a vast majority of the people of his own great county.

We do not believe a majority of those people have changed. They do not believe in lynch law today any more than they did in the days of Bickett, the most vigorous foe of Judge Lynch this State has ever had.

When in November, 1918, by the aid of Governor Bickett the forces of law and order had successfully dealt with a mob in Winston-Salem, Governor Bickett wrote Mayor Robert W. Gorrell as follows:

"I desire to congratulate you and all the officials and law-abiding citizens of Winston-Salem on the intelligent and courageous manner in which the sanctity of the law was upheld in the recent trouble in your city. The case is a tragic illustration of the insanity of the mob, and how the lives of innocent people are always imperiled when the mob spirit prevails. It is to be earnestly hoped that all the people of the State will learn from this tragedy that safety for the innocent can only be assured by the strict observance of the law. The law will always punish any man who violates a woman in North Carolina. It has never failed to do it. The guilty cannot possibly escape, and the mob so often wreaks its vengeance, intentionally or unintentionally, upon the innocent."

In 1917, the year he entered the governor's office, Governor Bickett let it be known how he stood on mob violence and the lynching of Negroes. He said:

For a mob to kill a man is the essence of brutality and cowardice. The white people are under a peculiar obligation to refrain from violence of any sort against the colored people of the land."

The man who is now charged with the responsibility of prosecuting the members of the Franklin county mob is a son of Governor Bickett. If Solicitor William Bickett is the worthy son of his father that we think he is, there is going to be a vigorous and determined effort to convict and punish every man who had part in this horrible and disgraceful affair in Bickett's home county.

Gastonia, N. C. Gazette
August 3, 1935

Why Lynchings?

Disgraceful as was the lynching of the crazed negro Ward, down in Franklin county this week it would surprise you to know that there are scores of good people who feel no qualms about it, as is shown by Legette Blythe, Charlotte Observer columnist, quoting a well known Mecklenburg man.

And the reason is not far to seek. It is because the people are doubtful of the courts, or afraid of the pardoning power of the governor and his commissioner.

It is strikingly significant that Detective Frank N. Littlejohn should have issued his excoriation of the governor simultaneously with the lynching of this negro. A negro murderer from Mecklenburg, Thomas Carter, was given a life term by commutation from the death sentence for the murder of James Davis, a Charlotte merchant. Here is what Mr. Littlejohn said in this connection:

"Apparently Governor Ehringhaus acted upon the advice of defense attorneys for it is a known fact that no communication was made with members of the police department who obtained evidence upon which the negro was convicted.

"At the time the killing occurred, according to Commissioner Gill, Carter was only 16 years of age. Now we know here in Mecklenburg that the negro was nearly 20 years of age and also know that Davis was killed in cold blood during a robbery. A jury of 12 men reached the same decision, but Governor Ehringhaus finds ample reason to overlook the decision of the jurymen and has decided for the prisoner to be maintained by the state for the rest of his life. I'll be willing to bet my hat that within a very short time ample reasons will be found by the Ralegih officials to pardon Carter completely for the atrocious crime he committed."

This too free use of the pardon power is one of the main reasons why the law is held in such contempt these days. People are almost confident that justice will slip a cog, and the prisoner will go free, or else, if convicted, be pardoned in a few months. It has happened too often, we are sorry to say, and has brought about this general contempt and disregard for the law and the courts. We quote from the Observer reporter:

"Those men down there at Louisburg that lynched that negro did the State a good turn. Of coure, they won't get any of them. I hope they won't. I'm tired of all this soft talk about lynching. There's nothing that will do more good in a community than a well-conducted lynching every now and then."

The man who said that was one of the county's upstanding citizens, a man who is a leader in his own community, and in his church, a former office-holder. Were his name given—which it will not be—many people would be shocked, many surprised, many would applaud.

"There's much to be said in favor of lynching," this man went on. "Take that negro down there at Louisburg who cut off that farmer's head with an axe. It was a good thing they did when they hung him. It was all over pretty soon and there's one less criminal in the world. It didn't cost much to get rid of him, either, and the taxpayers won't have to pay for a trial.

"If they hadn't lynched him, what would have happened? They would have had a big trial, called out the national guards, they would have found he was crazy—which I guess he was—and would have sent him off to some hospital for the insane. And in a month or so or a year maybe he would have got out and chopped off some other man's head. As it is, he won't chop off any more heads, he's probably better off dead than alive, and the Louisburg folks won't have to pay for trying him."

Palatka, Fla. News
July 31, 1935

Another epidemic of mobitis has broken out. Hardly had Florida finished swinging up a victim until a North Carolina mob got into action. The South gains nothing by this tendency upon the part of some of its citizens to take the law into their own hands. The lynching habit is hard to break and will not be entirely overcome until public sentiment swings in the other direction. There are no penalties for conforming to a sanctioned precedent.

Springfield, Tenn. Herald
August 8, 1935

JUSTICE FOR THE NEGROES

While we would never be among those who seem to desire strict prosecution of all Negroes accused of any crime for the sole reason that they happen to be colored people, we do feel that it is time some definite action is taken to curb the wave of killing, fighting and general disorder which seems to be sweeping Robertson County's Afro-American population.

It would not be just to condemn the entire group of colored people for the actions of a few—for Springfield and Robertson County have some Negroes as good as can be found anywhere. Many of them are honest citizens, receiving the just respect of white and colored people alike, and we are inclined to think that these are among the majority.

However, with the recent slayings of Negroes by members of their own race and the general fight at the carnival last week-end resulting in the injury of a white man, it appears that disrespect for law and order is spreading among a certain element of colored people.

Laxity in prosecution of Negroes on criminal charges and the large number of those apparently justly accused of crimes reaching even to murder who have been allowed to either go free or given light prison or jail terms have given rise to this disregard of fundamental law in the city and county. Aggressive prosecution and fulfillment of the duties of prosecuting attorneys, judges and juries will be necessary to establish the due regard for law and order. Let us hope that such action will be immediately forthcoming.

ASHEVILLE, N. C.
CITIZEN

AUG 1 1935

THE PROBING BE UNSPARING

Governor Ehringhaus, who seems to have acted with commendable vigor in his efforts to prevent the lynching which occurred in Franklin County Tuesday, is

sharply critical of Sheriff Moore and the other officers of the county. He declares that the Governor's office received no word whatever of the situation there, adding that assistance could and would have been rendered if it had been asked for. Since Raleigh is less than forty miles from Louisburg, the county seat of Franklin, it would have been an easy matter to have rushed help there in a very short time.

On the basis of the Associated Press reports, the sheriff of Franklin (a new officer, just appointed the day before to fill a vacancy) and his deputies seem to have been derelict in other respects as well. It was broad daylight when their prisoner, a negro who had killed and decapitated a white farmer who was trying to quiet him after he had become crazed, was taken from them, they say, by a band of infuriated men, said to have included both whites and blacks, and lynched. The men, according to the sheriff, were armed with both pistols and shotguns. The sheriff and his deputies are quoted by the Associated Press as saying that they did not recognize any member of the mob. But none of the members of the mob was masked, the hour was shortly before noon, Franklin is a small county, news of the murder which aroused the mob had not had time to spread far, the members of the mob must almost surely have been gathered from the immediate neighborhood.

It seems to us that this leaves the sheriff and his deputies in an extremely vulnerable position. Their story calls for believing either that the members of the mob had gathered from a distance, which would seem almost incredible; or else that they do not know the people of the community in which they were charged with the responsibility of maintaining the peace. The average person will draw his own conclusion. It is for the sheriff and his deputies to establish that there was a mob. We have only their word for it as matters stand. It is for them to establish if they can why they failed to protect their prisoner against the mob. The reports do not indicate that they made any effort to do so. It is for them to explain why they could not recognize unmasked men at high noon or describe any of those men so that they might be identified.

The crime committed by the Negro Ward was a most revolting crime, shocking and hideous in the highest degree. It seems evident that the negro was crazed. What he did horrified the officers when they discovered it, and it was horrifying. But all the known facts indicate that the law could have taken its course with Ward if the officers had acted intelligently. They failed to act in that manner. Instead of communicating with the Governor, less than forty miles away, they started with the negro for Rocky Mount, which we would judge to be quite as far from Louisburg as Raleigh, and in another direction. Then they say that Ward was taken from them by an unmasked mob, no member of which they knew, and lynched. That is the story as reported. The judicial investigation which is to be started today should bring out the facts. The public, a wide public, has a right to expect that the probe will be thorough and unsparing.

Sarasota, Fla., Herald
August 8, 1935

IN GLASS HOUSES

The people of the southern states do not approve of lynchings. Society has provided the way to mete out punishment and that is through orderly processes of the law. When lynchings do occur in this section of the nation the people just as emphatically resent the unwarranted slurs emanating in the minds of editorial writers in other sections.

In other words the people of the south, generally, are in no mood to be criticised when a lynching does occur, than are the people of other sections where crime is rampant and seemingly impossible of stemming. Those who take part in lynchings do not write a letter to the law-abiding residents of a community notifying them that they intend to stage a lynching. If they did lynchings could be stopped.

The Detroit Free Press published in a city where several atrocious crimes have been committed recently, and in a state where capital punishment is outlawed, very properly, of course, condemns the practice of lynching. In 44 years four whites and one negro have been lynched in Michigan, but the Miami Herald says, "protests against lynchings would come more reasonably from some other state in view of the fact that lynching only would mete out fitting punishment in some recent Michigan crimes, as that state has no capital punishment."

The Free Press editorial said in part:

"Whatever excuse may have been made for lynching in the past, there is no justification for it now in the United States, which is supposed to be a nation of civilized people."

The Miami paper declaring that the statement does not apply to Michigan, adds:

"There are some excuses for lynchings in Michigan, because the law cannot exact the proper penalty. In the same edition of the newspaper were stories of several murder and assault cases. Two of nine girls identified one man as their assailant. It was in Detroit that a degenerate brutally murdered one little girl and packed her body in a trunk. It was there that a noted New York lawyer was taken for a ride lately and killed for a few dollars. It was from Michigan that a brute forced a man to drive, and slaughtered him through an operation. Michigan has contributed in the last few months some of the worst and most outstanding crimes of degeneracy and brutality on record.

"Yet the Detroit paper says there is no longer any excuse for lynching, although Michigan will only pat these killers upon the back and send them to prison for a few years. That is not protecting society; it is not giving an example of civilization. Where the law is effective and prompt, and the penalty sufficient, there is no excuse for lynching, and it should be condemned, particularly in cases where doubt as to guilt exists. But that is not true of Michigan in its glass house."

WAYCROSS, GA.
JOURNAL HERALD
SEP 9 1935

Lynchings

During the first six months of 1935 there were four lynchings, two in Louisiana and two in Mississippi.

This compared with six lynchings for the first half of 1934 and eight lynchings for the first half of 1933.

Albany-Decatur, Ala. Daily
October 7, 1935

Lynching Multiplies Crime

A South Georgia mob lynches a negro for pointing a revolver at an officer, thus where there was a single non-capital felony chargeable against one lawbreaker, there eventuates a capital felony, involving an uncounted number of persons.

The circumstances are exceedingly unfortunate, constituting another evidence of the widespread disrespect for law that is proving so demoralizing in many quarters. In all such cases there are two victims of mob violence—the person lynched and the law that is designed for the protection of society and which must be upheld if society is to enjoy the protection that the law affords.

The very men who join in a lynching look to the law for their own protection, both in person and in property, and should realize that when they make such an assault upon the law they are weakening the very structure that has been erected for their own defense.

Multiplying crimes never has and never will help to create a happier social condition and this is so obvious that it should be apparent to all.—Gadsden Times.

Greensboro, N. C., News
November 16, 1935

Vox Populi.

"I do not call the citizens who executed the negroes a mob," says the county attorney in a Texas county where two negro boys were strung up without the formality of trial. "I consider their action an expression of the will of the people."

This statement added a grotesque humor to a horrible crime against the law. It uncovered the impotency of a type of official to whom nothing is criminal if enough people are concerned in it. If people in his county want to make a bloody spectacle of the law, it is all right with their county attorney.

But perhaps he did not carry his logic far enough. Lynching is the voice of the people. May some vestige of decency still protect the south from the cowering, pusillanimous official who will go on and say that the voice of the people is the will of God.—Raleigh News and Observer.

Lynchings-1935
Discussion.

White Press, Southern.

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WILMINGTON, N. C.
STAR

SEP 4 1935

STATE SHOULD MAKE ITS OWN CASE

THE National Association for the Advancement of Colored People has furnished Governor EHRINGHAUS with what purports to be a list of nine persons allegedly involved in the recent lynching of a negro near Louisburg for the murder of a white farmer.

The association contends the information contained therein was secured by a southern white man employed as a private investigator.

The *Star-News* looks upon this with some feelings of misgiving. It is and has always been the foe of mob violence regardless of the racial issues involved, and now confronted with a virtual challenge, it is moved to hope that the facts contained in the allegations are unfounded.

Otherwise, law enforcement in North Carolina has been dealt a serious blow, for it stands to reason that if one private investigator can establish names and facts regarding a crime of this kind, that certainly the paid officers of the law whose numbers are legion should be able to do the same thing and without the necessity of an outside agency entering into the equation.

And North Carolinians as a rule are not fond of interference from those outside.

While the N.A.A.C.P. and Mr. BAILEY have recently engaged in a sharp interchange over the same question, let us hope that the Governor will do his best to get to the bottom of the affair in the interests of the good name of the state and its reputation for impartial justice regardless of the identity of those concerned.

CHARLOTTE, N. C.
NEWS

SEP 8 1935

Dedicated To Franklin County.

(Smithfield Herald.)

That lynchings are sometimes founded upon inexcusable presumptions was clearly demonstrated here one day recently. A middle aged negro man was tramping about through the county and stopping at a farm house he was given employment which lasted for several weeks. He had no appearance of being an insane person other than being dull and stupid. One day at the dinner hour, without warning he made a vicious assault upon the farmer's wife, and but for her ability to escape his clutches, a foul crime might have been committed. The first impulse of the farmer and his neighbors was to take guns and kill the negro. Reason and commonsense, however, finally prevailed and instead of doing violence to him, they brought him to the county seat where it was discovered that he was regularly adjudged to be a lunatic and some few months ago had escaped from the State Hospital at Goldsboro.

It is commendable when men resort to law rather than violence in handling assaults of this kind.

Jacksonville, Fla., Times-Union
August 18, 1935

Man Confesses Part In Lynching After Thirty-Five Years

BEAUFORT, N. C., Aug. 17, (AP)—Carteret County officers today disclosed receipt of a letter from Cortez, Fla., signed A. F. Taylor in which the writer said he participated in a lynching here 35 years ago.

Asserting that he had become religious and was being troubled by his conscience, the writer said he was willing to return here if officers wanted him. However, they decided it was useless to accept his offer.

The lynching referred to was the only one in the history of this county. A negro, Louis Patrick, was shot and hanged after the slaying of Elijah Weeks, a merchant.

The Florida letter writer said he was a lookout for the mob but did not witness the lynching.

Charlotte, N. C. Observer
September 8, 1935

Hon. J. C. B. Ehringhaus,
Governor of North Carolina;
Hon. A. A. F Seawell, Attorney General;
Mr. William Y. Bickett, Solicitor,
Seventh Judicial District.

Gentlemen:

Of course I do not know how much evidence the Association for the Advancement of Colored People has against the nine persons whose names it has filed with you and which it charges were members of the mob that seized and lynched a negro prisoner in Franklin county a few weeks ago.

However, the association says the names were supplied it by a Southern white investigator. Presumably the association has had a detective working on the case in order to obtain the names.

In any event, it is entirely probable that if the State should turn over the names with all available facts to one or two good detectives authorized to go into Franklin county and undertake to get evidence against the guilty ones, it would not be long before some arrests would be made and evidence produced that would result in conviction at the hands of an impartial jury.

There seems to be division of opinion as to whether the State has authority under the law to take such action. If it has not, then it is a subject for much-desired legislation when the General Assembly convenes again. If the State has such authority, then by all means it ought to exercise it without further delay.

In any event the State should not stop until it has exhausted all its powers in vigorous and determined efforts to apprehend the members of the mob and bring them into court.

Lack of vigorous action on the part of State as well as county authorities in the matter of the Franklin lynching is calculated to encourage recurrence of the same kind of mob lawlessness in that and other counties, as you know.

GENERAL MECKLENBURG.

Charleston, S. C. News & Courier
September 20, 1935

Lynchers of All Sorts

What fools are Southerners, some of them especially those who lynch a negro charged with murder in Oxford, Mississippi. They are no worse than Californians, who have lynched three or four white men in the last year or two. Still, the Mississippians and the Californians are as dependable to maintain civilization as are those New Yorkers and others who a few years ago were trying to lynch the courts of Massachusetts because they convicted and condemned murderers and are now denouncing the courts of Alabama. These people who demand a federal anti-lynchnng law love the courts no more than they love the lynchers when the courts do not conform to their opinions.

dw, Ala., Democrat
August 15, 1935

The Tuscaloosa News editorializes on the south's fundamentalism, prohibition and lynchings. The News says southerners are indifferent a

weeks ago, when a mob took a Negro from the hands of compliant officers and lynched him, might be cited the lynching of a lynching in Abbeville, South Carolina, Sunday night. Learning of the approach of a mob with its intentions centered on the jail house, the sheriff of the county called upon the governor for troops. A company was on the spot in short order, in time to deploy with fixed bayonets and by the mere presence of the soldiers to suggest to the mob when it arrived the good sense of going on about other business.

8-13-35

There has been introduced in this session of the U. S. Congress and there will be in future sessions anti-lynching bills. The genius of these bills is that they delegate to the federal government the right to try lynchers and state and local officers of the law who may have been derelict in protecting their prisoners from the mob. The theory is, and we are inclined to subscribe to it, that if a few are made to feel the wrath of Justice, the impulse to lynch will be deterred.

However, South Carolina's response in the face of this threatened lynching was superior in one respect to the proposed federal method. The sheriff and, in turn, the governor acted before and not after a lynching had been committed. There were no victims, and that is a point to be considered.

of them. He continues to vote dr and drink wet, and wonders wh anyone should worry about it. H can not see any difference betwee a lynching in Mississippi and Cali fornia, nor a bank robbery hold u in Florida or Brooklyn.

The editorial sounds as if th editor had just finished reading the "Old Boat Rocker" by summariz ing, "When critics tell the south i is goin to hell, they want some more impressive reaction than i embodied in an invitation to g fishing, or have a round of golf." Southerners just don't seem to give a dam.

Score One for S. C.
Charlotte, N. C.

To counteract the discouragement at what happened in Franklin county, North Carolina, two

Newton, N. C., News-Enterprise
September 24, 1935

NOTE ON LYNCHING

The latest lynching—that of a Mississippi negro—is one of the least excusable that has dotted the records of American annals.

The victim was taken from jail while a jury deliberated on his case. The charge against him was heinous, that of slaying a white planter in cold blood.

Still the law was taking its course, and the accused was taking his chance of life before a white jury, with a white judge and white prosecutor. Certainly such odds that existed were not in his favor, and the lynchers should have been satisfied that if guilty would pay for the crime.

We are reminded by this affair that a New Hanover sheriff once took precautions that commended him as a foe of mob violence and a diplomat as well.

The racial prejudice element was involved in a trial here, but the sheriff did not wish to rile the tempers of the spectators by parading armed soldiery in their midst but neither did he wish to have his prisoner hurt.

The troops were mobilizing but kept in their armory several blocks distant, the sheriff arranging with the court to receive the verdict in private. This was done, and the guilty verdict returned assuaged the feelings of the crowd, and the soldiers were not needed.

A bit of foresight like this would have prevented the affair in Mississippi.—Wilmington Star.

Roanoke, Va., World News
September 20, 1935

A MISSISSIPPI LYNCHING

Mississippi, home of lynching, offers a variation in the form of a crime that is at once murder of the defenseless by an armed mob and an attack on the courts. In the latest instance, a Negro accused of killing a white farmer was on trial. The evidence had been submitted, the case argued. While the jury debated its verdict, evidently with some substantial doubts as to the Negro's guilt, an impatient mob took the prisoner from an unresisting sheriff and hung him.

When the presiding judge found his prisoner was dead, he thanked and dismissed the jury. It was not learned how it stood when dismissed, for it had not, after some hours of debate, agreed upon a verdict.

It is of course impossible to believe that Sheriff Lyles and his three deputies do not know who were the men who came to the jail and took his prisoner away from them. The sheriff apparently made no resistance, allowing the mob to get from his office the keys to the Negro's cell. The usual Mississippi announcement follows that "none of the mob had been identified."

It all comes back to a matter of public opinion: Sheriffs are elective officers and will not jeopardize their jobs by asserting themselves against a band of influential voters. And undoubtedly there are the usual number of "respectable citizens" in the community who deprecate this attack on the courts, but who will do nothing to bring the lynchers before the court for murder, and may even vote for reelection of a sheriff who has made no defense of a prisoner committed to his keeping.

A really strong judge could put an end to lynching in Mississippi once and for all, by having the members of that mob brought before him for contempt of court. But the judge, like the sheriff, is looking more to reelection than upholding the dignity of his office.

It is such occasions that give argument for a Federal anti-lynching bill. It is when the States fail in their responsibilities that the public mind turns to the Federal government for relief.

ROANOKE, VA.
WORLD NEWS
SEP 20 1935

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Oklahoma City, Okla.
OKLAHOMAN
SEP 22 1935

When Justice Is Mobbed

OF course nothing was added to the heinousness of the offense by the fact that the lynching at Oxford was staged in the vicinity of the University of Mississippi and not very far from the grave of Justice Lamar. But better things are expected of a community where a university has stood for approximately a century and where lies the statesman who wrought so earnestly for sectional and racial reconciliation.

Some of the trivial excuses offered by the usual mob cannot be offered by the mob of Oxford. The man who was lynched had been apprehended by the officers, had admitted his guilt of murder, and had been tried legally before a jury of his peers. After the evidence had been heard and the jury had retired to reach a verdict, a mob broke into the county jail and lynched the prisoner. Hence the law's delay and the uncertainties of justice can hardly be pleaded by the willing murderers of Oxford.

Another question of a legal nature and of rather serious moment is raised by the Oxford proceedings. Even if the jury had found the defendant guilty (as it probably would have done since he had admitted his guilt) would the appellate courts have permitted the verdict to stand? The streets of Oxford and even the courtroom itself were filled with angry citizens demanding vengeance. The fair and impartial trial promised to every defendant was clearly impossible under the circumstances. It is significant that on the day following the Oxford lynching the appellate court of Virginia reversed a jury verdict in a capital case on the ground that a prejudiced audience in the courtroom at Fredericksburg had by its presence made an unprejudiced trial impossible. Would not an appellate court have held the same way in the Oxford case?

The same opinion might have been returned by the higher court if national guards had been thrown around the Oxford court to protect the prisoner and make an orderly trial possible, for the presence of the troops can influence a jury just as the presence of a sullen mob can influence it. Hence the ordering out of the militia can do nothing more than make it certain that a trial will be had. It cannot make the trial fair and impartial. In a way the presence of the militia may insure the commission of judicial murder.

Of course the presence of the troops usually prevents a mob murder and of course the militia should be ordered out just as soon as the first hint of mob violence is in the air. Even if the militia is forced to take life to protect a prisoner, it should not hesitate to take life. But it is decidedly unfortunate that the very steps taken by constituted authority to carry out the due process of law may in certain cases vitiate the processes of justice. It is unfortunate that the mobilization of the militia is not enough to cure the evil that persists in disgracing the country.

Lynching will not end in America and is certain to be approved by the appellate courts will be made certain for every lenient and they have remained passive entirely too long.

Impartial justice cannot be made certain in America until the people demand fair and impartial trials and refuse to do anything that will make a fair and impartial trial impossible. When citizens unanimously refuse to join a sullen throng in a mob violence must cease to be criminal courtroom, when they almost unanimously condemn all mob manifestations, when they demand certain punishment for all mob members, and when by the rights of every prisoner. They must demand the strict to protect

Lynchings-1935
Discussions of

White Press, Southern

4954

Miami, Fla Herald
August 6, 1935

IN GLAS[S] HOUSES

RECENTLY The Detroit Free Press carried an editorial condemning the practice of lynching, and quite properly so. In 44 years four whites and one negro have been lynched in Michigan, which is a mild record. But protests against lynching would come more reasonably from some other state in view of the fact that lynching only would mete out fitting punishing in some recent Michigan crimes, as that state has no capital punishment.

The Free Press editorial said: "Whatever excuse may have been made for lynching in the past, there is no justification for it now in the United States, which is supposed to be a nation of civilized people."

That statement certainly does not apply to Michigan. There are some excuses for lynchings in Michigan, because the law cannot exact the proper penalty. In the same edition of the newspaper were stories of several murder and assault cases. Two of nine girls identified one man as their assailant. It was in Detroit that a degenerate brutally murdered one little girl and packed her body in a trunk. It was there that a noted New York lawyer was taken for a ride lately and killed for a few dollars. It was from Michigan that a brute forced a man to drive, and slaughtered him through an operation. Michigan has contributed in the last few months some of the worst and most outstanding crimes of degeneracy and brutality on record.

Yet the Detroit paper says tnere is no longer any excuse for lynching, although Michigan will only pat these killers upon the back and send them to prison for a few years. That is not protecting society; it is not giving an example of civilization. Where the law is effective and prompt, and the penalty sufficient, there is no excuse for lynching, and it should be condemned, particularly in cases where doubt as to guilt exists. But that is not true of Michigan in its glass house.

LAW AND LYNCHING

To The Commercial Appeal:

A few days ago another lynching was added to North Mississippi's already full record—the third in a few months. We lead all sections of the south in the number of such demonstrations. It is a situation that should demand the consideration of thinking men and women who are law-abiding citizens of the state.

In a recent editorial The Commercial Appeal recalled the lynching of a man by a mob in California. The reason for the act was that the citizens had lost confidence in law enforcement. The thought arises in my mind: Is this why we have to lynch in Mississippi? Does Mississippi have such a reputation for delayed justice that it becomes necessary for the citzenry to assert itself? Is it possible that the legal machinery is so dilatory and so ineffective that atrocious crimes can go unpunished?

Is there any justification for mob rule?

MRS. DAN G. COMFORT.
Durant, Miss.

Columbia, S. C. Record
August 14, 1935

Argument.

Every lynching the participants in which go unpunished as most lynchers do is an argument for the enactment of the Costigan-Wagner federal anti-lynching bill and everyone of them is seized upon by advocates of federal intervention to punish lynchers and lynching states for this purpose.

Every lynching that is prevented by local and state authorities is an argument against the Costigan-Wagner bill. Abbeville's Sheriff McLane prevented a lynching Sunday by calling for state aid and getting it in time. All the power of the federal government could not have accomplished so much.

Sheriffs being on the ground can prevent lynchings. Washington, no matter what the law may be, cannot.

Charleston, S. C. News & Courier
August 14, 1935

For a White South First

We direct attention to an article, from the magazine "Time," which we reprint today.

Reluctantly though repeatedly The News and Courier has mentioned that the Costigan-Wagner, or "anti-lynching, bill, introduced and pressed by Northern Democrats, written by a negro leader of New York, compels the South to think again upon the "race question."

As long as shall be 8,000,000 negroes in seven or eight Southern states, those states will not be safe without a national party to protect them even though they must organize it themselves.

After 1865 the national Democratic party stoutly and stubbornly defended the white South. Without Thurman, Vorhees, Cox, Cleveland, millions of Northern men, the civilization of the South would have been stamped out of existence.

What has Senator Wagner, Tammany Democrat, in common with Grover Cleveland? In New York city now are 150,000 negro voters; Wagner wants them; Wagner solicits them; Wagner buys them with his Wagner-Costigan bill.

The state right of Pennsylvania was and is to pass its state civil rights bill, to wipe out all social as well as political differences between whites and blacks—"'Everyone to his taste', as the old woman said when she kissed the cow."

Shall states force their "tastes" upon our little state, with its 950,000 white people and 800,000 negroes?

That is what they attempt when they demand that county sheriffs failing to protect certain classes of criminals shall be tried in federal courts.

That is the opening charge in their campaign when they demand that federal, not state, courts, try accused "lynchers." They define as a lynching a killing done by three men or more.

When Byrnes, Smith, the other Southerners, defending the South against this Northern Democratic measure, had to resort to a filibuster, did Franklin D. Roosevelt, the leader of the national Democratic party, come to their assistance with a word?

Why not? The answer is plain. The negro vote, about 200,000 or more, may turn an election in New York. So it may in New Jersey, Pennsylvania, Ohio, Indiana, West Virginia, Illinois, Maryland, Delaware, Kentucky, Missouri. Examine the record and you are likely to find Democrats of those states voting or coquetting with the Costigan-Wagner bill. In them are more than a million negro voters, perhaps a million and a half. They have learned to vote the Democratic ticket, and their leaders (they have able leaders—don't forget that) are demanding compensation and they are getting it.

Read the article from "Time."

The national "Democratic" party no longer defends the South on the "Southern" question.

The national Democratic party is no longer the national "white man's party."

The South can, of course, hope for nothing from the national Republican party, even if an exceptional Republican like Borah is a state rights man.

The time has come when the South has got to stand up and fight again for the safety of its civilization.

If the South cannot bring Mr. Roosevelt and his party to re-affirm the loyalty of Cleveland and Thurman to the South, it had better form its own national Democratic party, cutting loose from the people who would destroy state rights.

Remember this: we Southerners separate the races in industry—in the cotton mills. Think you that Northern Democrats seeking Northern negro votes will not try to abolish the separation? If by amending the constitution to enlarge the president's control of interstate commerce, they can abolish this separation. They dare not offer an amendment that would protect the white South in race relations.

The News and Courier dislikes to discuss this matter. We wish that we could get away from the "race question" forever. Forty-five years this writer has wearied of it and been disgusted with it. We Southerners cannot forget it. "It is a condition, not a theory, that confronts us."

You know the "condition" in South Carolina. You know what an election would be if 200,000 negroes were voting in it and you know what would happen if the federal government protected negroes seeking to work in cotton mills and to live in the cotton mill villages.

If and when the choice shall be between the national Democratic party and a white man's party The News and Courier will choose the white man's party though it cost every dollar sent from the treasury in Washington to South Carolina.

Read the article from the magazine "Time." It is one of the most reputable and representative of weeklies of national circulation.

Zebulon, N. C. Record
August 9, 1935

THE FRANKLIN COUNTY LYNCHING

For the violent and illegal act of less than a dozen men Franklin county as a whole is suffering the criticism and disgrace brought on it by lynching a murderer. Quick justice, saving expense to the county in a trial, and other reasons to justify the act of the mob, do not in anywise remove the crime of mob murder. No matter how guilty the negro was, so long as we have laws and courts to mete out justice, so long lynching remains a crime against the state and a sin before God.

In the early years of the West when there were no courts or established laws to regulate human conduct and deeds, then the will of the majority was law and justifiable if carried out seriously to punish and protect. There may be provocation, but no justification for any body of citizens to take the law in their own hands, especially when we are told that the object of their wrath was probably insane when he committed his crime.

Years ago a lynching of a man occurred near Zebulon. No one was convicted, but for years the shadow hung over the community. We know men who took a deep interest in church and civic affairs up to that time, and who were believed to have been members of the mob, who lost interest in the things of law and order. Seed have been sown by this act of a few men that will produce harvests not only in Franklin county, but every other place where it is known that the law has been pulled down and trampled under foot of men.

Miami, Fla., News
August 16, 1935

Proving the Need

At Abbeville, S. C., 11 negroes were charged with assaulting and attempting to kill a white man. The sheriff heard that a mob was on the way to take justice into its own hands. He might have waited until it appeared, then delivered the prisoners on the familiar plea that he was powerless to resist. Instead, he called on the governor for a company of national guard troops. The executive quickly responded. When the mob arrived and saw the soldiers, it "listened to reason," dispersed. There was no marching through those lines while troops armed with machine guns looked the other way.

South Carolina, in this instance, gave some evidence that it is able to handle its own lynching problem. That is true of none of the states, however, in which lynchings commonly occur. In three states during the last few days there have been as many mob murders. North Carolina had one, California another—a white man in the latter case— suggesting that the evil is neither racial nor sectional. The third occurred in Mississippi, which has now accounted for six of the 11 lynchings so far this year. That state holds the record, incidentally, for the number of such crimes since 1882. It is significant that there never has been a local conviction of a lyncher there. Louisiana's Long boasted that his state could take care of its lynchers without federal assistance; two lynchings in Louisiana this year are the answer to that.

In 1932, when a federal anti-lynching law seemed likely to be enacted, lynchings stopped. In April and May of this year the threat of a similar measure was equally effective. A few Southern senators, promising to kill the bill by filibuster, once more discouraged the legislation. What have they to say now of the series of lynchings since?

Greensboro, N. C. Patriot
August 19, 1935

GOVERNOR'S OFFICE HOAXED BY 'LYNCHING MOB' WIRE

Called out by the governor's office to prevent the lynching of a negro near Epsom, on the Franklin-Vance line, Vance county officers, on Thursday found the scene of the asserted mob violence as quiet a hamlet as anyone could find in this state or elsewhere.

They are diligently trying to ascertain the identity of the hoaxer who sent a telegram urgently requesting assistance to Governor Ehringhaus, with the name of Dan T. Dickie, reputable Epsom merchant, falsely signed to the message. The hoax message was delivered to the chief executive's office Wednesday morning.

Roanoke Rapids, N. C. Herald
August 15. 1935

No chance was taken of a repetition of the Franklin county lynching of a few weeks ago in two cases in which Governor Ehringhaus called out the State Highway Patrol to accompany criminals to State's Prison last Thursday and Friday for safe keeping, after they had committed atrocious crimes. George France, alias Jake Johnson, negro, arrested in West Virginia, was brought to the State line by Sheriff Sheffield and there met by about 20 patrolmen who accompanied them to Raleigh. France, or Johnson, is charged with criminally assaulting and robbing a 65-year-old woman in Rockingham county last winter. Ross Cline, trusty who escaped from the Alexander county prison camp, was brought to State's Prison after he had, it is charged, attacked criminally two women in Alexander county, one 14 years old, after his escape. Patrolmen also accompanied Sheriff Len Mays to Raleigh with the escaped convct. It is reported that feeling was running high in both Rockingham and Alexander and that infuriated mobs sought for Cline for several hours. Goven Ward, negro, was lynched some two weeks ago by an unidentified mob after he had cut off the head of a respected farmer with an axe.

Lynch Law Misnomer; No Law in Lynching

To the Editor of The Journal:

The words "lynch law" are a glaring misnomer, and greatly misleading. Blackstone defines law as a rule of action. The action of a train wrecking mob consists of a coil of rope, a jug of whisky and torches to light up the scene. Why not use the expression "train wrecking law" or stealing law? In short, why not hyphenate any crime by affixing the word "law" thereby legalizing any crime, and call any crime some kind of law so as to legalize any crime, if committed by a mob, and thus make crimes a kind of "vox populi, vox dei," proceeding, instead of "vox diabolo?"

Lynchers attempt to justify their deeds by saying the courts of law will not punish criminals, especially criminals having wealth or influence. When by violence lynchers deprive the "lynchee" of his right to a fair trial by law and by a jury are committing a far more heinous crime than the lynchee is alleged to have committeed, however, great his crime may be, innocent or guilty. When lynchers do this, they are making war upon the United States of America, just as much as the state of South Carolina did when she fired her cannon at "Old Glory."

When the courthouse was burned down in Tennessee, we realized what an enraged whisky soaked mobocracy can and will do by way of showing their respect for lynch law. Lynching used to be done only to perpetrators of a certain crime, but now lynchers lynch anyone whom they do not like. The possibility of getting the wrong man is also a serious feature. The legal maxim says," better that ninety-nine guilty men should escape, then one innocent man should be punished." Further, lynching develops a cruelty in the hearts of men that outcrops in an increasing amount of crime. That is appalling. It kills the national murderers and criminals. Already visible signs of great moral degeneracy are observed everywhere. Mobs and whisky are by no means calculated to improve moral conditions. Judas Iscariot charged thirty pieces of silver for betraying the Master. A whiskeyite pays more than that for the privilege of betraying Him.

—P. A FONTAINE.

Kernersville, N. C.,
Aug. 19. 1935.

Jackson, Miss., News
August 19, 1935

Missionary Unit Protests State's Lynching Record

Women attending the study group of the Woman's Missionary Societies of the Jackson District, meeting recently at Galloway Memorial church, protested lynchings, and voted that a telegram be sent to authorities voicing this protest.

Terming lynchings "barbarious and unChristian," they endorsed the speech of Mrs. Eurie M. Weston, who deplored the record of Mississippi in such cases.

The group included study leaders, presidents and other members. Mrs. F. C. Hayden of Vaughan, Mrs. I. H. Sells and Mrs. W. H. Parman of Jackson, who attended the training class taught by Mrs. B. W. Lipscomb at Biloxi in July, gave the program.

Tuscaloosa, Ala., News
October 3, 1935

LYNCHING MULTIPLIES CRIME

A SOUTH GEORGIA mob lynches a negro for pointing a revolver at an officer, thus where there was a single non-capital felony chargable against one law breaker, there eventuates a capital felony, involving an uncounted number of persons.

The circumstances are exceedingly unfortunate, constituting another evidence of the widespread disrespect for law that is proving so demoralizing in many quarters. In all such cases there are two victims of mob violence—the person lynched and the law that is designed for the protection of society and which must be upheld if society is to enjoy the protection that the law affords.

The very men who join in a lynching look to the law for their own protection, both in person and in property, and should realize that when they make such an assault upon the law they are weakening the very structure that has been erected for their own defense.

Multiplying crimes never has and never will help to create a happier social condition and this is so obvious that it should be apparent to all.

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COLUMBIA, S. C.
RECORD
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LYNCHING AND INNOCENCE.

It is no province of laymen to sit in judgment on the decisions of the supreme court as they relate to the law, the law being what the supreme court says it is. And, in the light of the heretofore declared law on the subject, the justness of the decision, overturning the directed verdict in the case of Mary Green v. Greenville couty and requiring a new trial at which the issue may be submitted to a jury, is not to be questioned; it is not the important issue, except perhaps to Mary Green, herself, widow of George Green, unoffending negro who was killed in his house by a Greenville mob on the night of November 16, 1933.

But it is important that no narrow definition of what constitutes a lynching within the meaning of the state statute penalizing a county for the breakdown of orderly legal processes shall be permanently adopted. The purpose of the statute, allowing the estate of a mob victim to recover $2,000 damages from the county, is to bring home to the law-abiding citizens of the county their responsibility for the maintenance of law and order in all cases of mob violence, thereby tending to discourage any resort to mob law, not merely in certain cases.

In the instance of the slaying of George Green there is some doubt under the definitions of lynching adopted whether Green was accused of crime and whether therefore he was "lynched" or merely murdered by the robed and hooded mob. The testimony was, as the supreme court points out, susceptible of two inferences, "(1) was George Green killed by a mob by reason of his having been charged with or suspected of some crime?, (2) was he killed (by a mob) on account of the bitter feeling aroused against him growing out of his refusal to vacate the premises occupied by him." If there was any accusation of crime then it was a lynching, but if not then simply murder and no penalty upon the county.

The distinction is of course a distinction without a difference to the mob victim; in either case he is dead and if the statute is to serve its purpose of discouraging resort to mob violence no distinction should be made. It is ironic if nothing worse to penalize a county for the lynching of a person accused of murder, for example,—as Green, the victim in Greenville, was not—and to refuse damages for the lynching of a labor organizer—which Green was not—accused of nothing more heinous than a belief in the federal and state constitutions. And there is always county responsibility in any case of mob violence, whether there be some supposed law violation involved or not. The victim may be innocent, the county or state never. The slaying of Green was not the first instance of resort to mob law in Greenville county, not the first instance of the attempt by mobs to make their own law and punish for it in Greenville. And Green, it seems likely, would never have been slain—whether it be lynching or murder—if Greenville county had not acquiesced in these preceding demonstrations of the mob spirit—aimed at hotel bell boys accused of selling liquor and at labor organizers accused of being communists.

But as the law now stands it isn't a lynching unless some crime is charged against the victim, lynching being, as the court declared in the case of Kirkland v. Allendale county, "merely a descriptive phrase which 'is universally understood to signify the illegal infliction of punishment by a combination of persons for an alleged crime.'"

And this definition, which is neither new, nor even a South Carolina invention, though adequate enough for some purposes falls short of essential justice if the intent and purpose of the state constitution, Article VI, Section 6, are to be carried out, the important thing being not the $2,000 in exemplary damages but the maintenance of law and order. For it ignores what every student of mobs and their ways knows—mobs are none too careful in their selection of victims and are as likely as not to pick a perfectly innocent person, accused of no crime greater than having some idea or belief differing from the ideas or beliefs of the mob. It penalizes a good reputation.

Perhaps the trouble is with the constitution which itself limits the recovery of damages merely to those cases "of lynching where death ensues" when it should have made provision for the penalty in all cases of mob violence. If so the constitution should be amended to remedy the oversight. There is, incidentally, another curious result of phraseology in that Article VI, Section 6; it provides for the ouster of officers who through "negligence, permission or connivance" permit the lynching of "any prisoner lawfully in the charge, custody or control of any officer," which seems to indicate that an officer would not be liable to lose his office for conniving even at the lynching of a person illegally or unlawfully taken into charge, custody or control. There can be no temporizing with mobs if the states are to maintain jurisdiction. Either South Carolina will, without drawing its definitions too finely, do what it may to prevent mob violence and to punish mob members or it will eventually see the federal government step in to attempt to do what South Carolina ought to have been able to do better.

negro women at tea, with one on each side of her, and has declared with reference to the matter that: **"There will be no social distinction while I am in the White House."** We have seen from time to time the names of negro women of prominence that Mrs. Roosevelt has entertained at tea at the same time that she was entertaining white women at tea. If the negroes are good enough for social equality they are good enough to protect from mob murder.

Albany-Decatur, Ala. Daily
July 12, 1935

What Mob?

The Daily's news staff has come into contact with so many "phantom mobs" created in the minds of prejudiced or possibly just plain nervous eastern reporters that perhaps it should come as no surprise to learn from Tuesday's edition of The Birmingham Post that Sheriff Street Sandlin and a "squad of deputies" rescued a murder suspect from a potential "lynching party" near Hartselle.

Yet it does come as something of a shock to read in a reputable Southern newspaper such rubbish, such distortion of facts, such haphazard handling of the truth!

There was no mob at Hartselle nor near Hartselle. A crowd of curious persons did gather when news reached them of the discovery of the body of a woman on a creek bank. Certainly, however, by no stretch of the imagination could the gathering of these citizens (some of whom no doubt came to offer their aid to the officers and others perhaps curious) be called a "mob."

Our good friend, Sheriff Street Sandlin, is placed in an awkward position by the publicity. The Post pictures him as a dashing hero, arriving on the scene with a squad of deputies just in the nick of time to rescue the defendant from a threatening throng.

As a matter of record Sheriff Sandlin wasn't even present at the time, being engaged elsewhere in the county. The defendant was detained by Chief of Police Les Williams and later ordered arrested by Coroner Brown, who subsequently swore out a warrant charging murder.

Morgan county is just a rural county situated some miles from Birmingham and perhaps The Post will not be interested in whether or not our feelings are hurt, but we publish this protest nevertheless.

Greensboro, N. C., News
July 21, 1935

MORE EVIDENCE.

Attribute it to mid-summer madness, influence of the dog star or whatever you may, the south has been treated to three exhibitions of mobbery within the past fortnight.

Two of the lynchings occurred in Mississippi, which has had a virtual corner on rope and faggot parties for the past year, and the third was reported Friday from Florida. In all three instances the victims, alleged attackers, were taken from officers. A single deputy sheriff, obviously cognizant of the danger, had the Mississippi pair in tow, avowedly trying to spirit them to a place of safety, when a mob of 35 —so he says—overtook him. In the Florida atrocity, a mob estimated at 100 descended upon the accused negro and his escort of six deputies.

In the Mississippi exhibit, the folly of trusting two prisoners, suspected of such a crime as they were, to a single officer is patent. On the surface, it invited, if it did not cooperate for, mob action. In Florida, six deputies should have been capable of causing considerable trouble for a mob if they had been so inclined. The point to this whole piece, however, is that there was, as reported, no manifestation of resistance. Nor was there recognition, as if anybody expected it, of a single mobster. Two weeks have glided by since the Mississippi outburst and days are slipping since the Florida repetition; yet nothing whatever has been done to retrieve law and justice which were lynched along with the trio of negroes. Much vaunted state's rights, sovereignty which invariably sweeps southern congressmen to ethereal heights, have not come to anybody's rescue or protection.

All of which, of course, shows the absolute needlessness for any such federal anti-lynching measure as is now accumulating the dust of a Washington pigeon-hole.

Orlando, Fla., Sentinel
July 21, 1935

The Lauderdale Lynching

THOSE OFFICERS WHO surrendered the Ft. Lauderdale negro to a crowd of lynchers Friday evidently did not have the courage to defend their prisoner.

Criminal assault has been considered an offense punishable by lynching in the south, but an attack with only penknife wounds, hardly calls for such drastic action.

When an officer takes charge of a prisoner, he is in duty bound to give him protection, be he guilty or innocent. The law says he is to have a fair and impartial trial.

If a mob knows an officer means to hold his prisoner, it will seldom go to the extreme of having men killed, that a prisoner may be lynched.

Attorneys are partly responsible for mobs taking the law into their own hands. Delays of court trials and tricks pulled by smart lawyers, in all too many cases permit guilty persons to escape punishment.

If the courts would speed up justice, permitting no loop holes thru which culprits might slip, lynchings would diminish.

The affair at Ft. Lauderdale will remain a blot against the good name of Florida. For the investigation, if there is one, will, as they always have been, be a mere sham.

Roselyn, Va.
Chronicle
July 5. 1935

SPOOFING THE NEGRO—JUSTICE MORE IMPORTANT TO NEGRO THAN SOCIAL EQUALITY

DEAR to every negro heart is the bill in Congress against lynching, dearer to him than all pending legislation. Eminient lawyers in and out of Congress have pronounced the bill constitutional. It is aimel ot mob murder which always goes unpunished in the South if a negro, however innocent, is the victim. Leaders of the Senate and House who have voted for all of Mr. Roosevelt's unconstitutional socialist legislation, his unconstitutional N. R. A. and unconstitutional Agricultural Adjustment Act, all violative of the rights of the states, ought not to be heard in raising objections to the Anti-Lynching bill on the ground that it violates state rights, state rights to see the mob murder shall not be punished, if a negro is the victim. However innocent.

Negroes have been lynched in the South for such trivial things as walking on the side of a bridge used by white people, a negro boy tearing the dress of a white girl playmate, speaking impudently to a white woman, cursing a white man who cursed him, for claiming to be white, for making a threat, for simple assault on white men, for claiming the right to vote. Not one sixth of the negroes lynched were ever accused of rape. That is shown by a 500 page book published by the University of North Carolina Press. In 1892 there were 255 persons lynched of which number 100 were white. The 155 negroes lynched were lynched in the South. Between 1889 and 1930 there were 3,724 lynchings in the United States, and 2,980 were negroes. Of the 21 persons lynched in the South in 1930 sixteen had never been arrested for any offense and were murdered by mobs without proper evidence of identity, or that a rape had been committed.

The negroes of the South commit few serious crimes. If you do not believe this statement read the "Reminiscences" of Senator John B. Gordon of Georgia who was a Major General in the Confederate army, and the "Recollections of a Lifetime," by John Goode who was President of the last constitutional convention in Virginia.

In his speech "The New South," there came from the lips of gold of Henry W. Grady these words:

"The relation of the Southern people with the negro are close and cordial. We remember with what fidelity, for four years, he guarded our defenseless women and children, whose husbands and fathers were away fighting against his freedom. To his eternal credit be it said that whenever he struck a blow from his own liberty he fought in open battle, and when he at last raised his black and humble hands that the shackles might be struck off, those hands were innocent of wrong against his helpless charges, and worthy to be taken in loving grasp by every man who honors loyalty and devotion. Ruffians have maltreated him and rascals have misled him, but the South with the North protests against injustice to this simple and sincere people."

Time and again during this session of Congress Mr. Rooseveit could have put thru the Anti-Lynching bill but for political reasons he has done nothing. He ought to know that it is more important to the negroes of this country than entertaining members of their race at luncheons and teas at the White House. When President Theodore Roosevelt was charged with eating lunch with Booker T. Washington it was stated at once that Booker Washington was asked if he had eaten lunch to which he replied that he had eaten lunch with the Southern statesmen and newspapers went wild about the incident, but not a word comes from any Southern Senator or Member of the House when they know that it is a common practice for President Franklin D. Roosevelt to entertain negro men and negro women at luncheon where they mingle with the white guests, and that Mrs. Roosevelt has repeatedly entertained

White Press, Southern.

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St. Petersburg, Fla., Times
January 8, 1935

THE LYNCHING PROBLEM

FLORIDA WILL TAKE LITTLE PRIDE in the fact that she ranks high among the eight states in which lynchings occurred last year. Only Mississippi, with a record of six lives exacted by mob violence, exceeded Florida, and only Louisiana equalled this state's unhappy mark of two lynchings.

Alabama, Georgia, Kentucky, Tennessee and Texas each ended the year charged with one mob killing, bringing to 15 the total number of persons lawlessly executed in 1934. All of the victims were negroes, and their offenses ranged from murder and rape to talking disrespectfully and stealing turpentine, according to statistics compiled by Tuskegee Normal and Industrial institute in Alabama.

But these figures do not in themselves tell the complete story, for had not the law intervened promptly and effectively, the number of lynchings would have been much larger. In more than half a hundred instances the timely intervention of armed legal forces thwarted the murderous intentions of blood-crazed mobs. Seven of these 51 occurrences took place in northern and western states, and 44 in the south. In five attempted lynchings, armed force was used to repel mob violence, and in the 46 others tragedies were averted by spiriting the prisoners away or augmenting the number of guards to such an extent that threatened assaults upon jails and courthouses were prevented.

Black as the picture is, there is some consolation, at least, in the fact that 1934 recorded 13 fewer lynchings than did 1933. This decrease, however, it is too painfully evident, is due rather to greater alertness and efficiency upon the part of peace officers in meeting the emergencies created by attempted lynchings, than to any noticeable decline in the spirit of mob violence.

Seventy-four men and women, both white and black, were saved from ghastly deaths by rope, rifle and fire, only because armed forces of the law were superior in strength to wild-eyed mobs. In each instance, the intent to kill existed despite the fact that the bloody purpose was not carried into execution. This is not a heartening circumstance to the student who searches for signs of civilized development and progress in the human race.

And this brings us around to the recent mob spirit displayed in Shelbyville, Tenn., when, as the Memphis Press-Scimitar says in a splendid editorial, the mob was more logical than most mobs.

"They did not burn the prisoner; they burned the courthouse," the Tennessee paper comments, and continues:

"A community where a mob rules has no need of a court house. What need has a mob for trial, the judge, the jury, the careful search for truth and justice which the courthouse stands for—the law?

"The young men of Shelbyville were not slain by the soldiers, who did their manly duty of upholding the law. They were slain by the mob, which forced the soldiers to resistance to lawlessness. If they were spectators, they were murdered; if they were part of the mob, they committed suicide."

The Shelbyville incident, which cost three lives, has been a particularly illuminating demonstration of the objects, the methods and the sort of people who are responsible for mob violence.

The attack on the courthouse, in an effort to lynch a negro prisoner, was utterly needless. The prisoner was already on trial. There was every prospect that he would be legally condemned to die. There had been no miscarriage of justice, no hesitation on the part of the authorities in proceeding against him.

The mob sought to lynch him out of a mere lust for revenge and butchery—because it was drunk, or hysterical, or purely wanton.

There are persons who try to condone lynching, on the grounds that it is prompted by the delays and uncertainties of the law; by the necessity of protecting womanhood; by self-preservation on the part of southern whites, and other high-sounding reasons.

Those who have studied, or have witnessed, lynchings, know that none of these high-sounding reasons is responsible.

Mobs are made up of the dregs of the community where the lynching occurs. They are normally led by men who have little interest in the purity of womanhood or the preservation of race. They are inflamed by liberal supplies of liquor and foul talk, until hysteria takes control and mob psychology runs unchecked.

Shelbyville, Tenn. Times
January 10, 1935

The Only Salvation for Mobs

By a Rural Teacher

There is very little that can be said of the Shelbyville mob which has not already been said by people all over the world. Practically every person knows of our sorrow and shame. Yes, shameful is the way we should all feel, for we are now considered by the people of this great progressive country as a "back-woods, illiterate people," who stop at nothing short of violence to appease our passions.

I say "we" and "our" for it is every citizen who has been judged. The mass has been cast with the few and all have gone through the same mold of the public's machine and have come out in the same form—lawbreakers.

What are we to do about it? Are we to sit by and hold our hands saying there is nothing we could have done to prevent it and 50 years from now witness another outbreak of lawlessness? No! There is something that could have been done many, many years ago which would have held in check on December 19, 1934, that seething mass of crazed people who so ruthlessly destroyed our beautiful courthouse, the pride of our county. That wasn't done 50 years ago but it must be done now in Bedford county to prevent a repetition of this crime. We cannot right the wrong already committed, but we can make preparations now to teach the right from wrong in our young boys who will make the citizens of tomorrow. Shall they grow up to be lawless? May God forbid!

There is only one way in which we can manage this. It must come through a more perfect educational program. We can raise funds for a

Bedford County

50,000 courthouse, but can we raise funds to erect a new High School in which to build citizenship? That is not the question rather, can we afford NOT to do that? The financial standing of Bedford county enables us to do both.

Can we risk the chance of youth impoverished by our negligence? Can we risk the scathing criticism of the public over a catastrophe more terrible than anything the mob did—the collapse of a school building with people? This thing happened in England this year and if our present high school is carefully surveyed it will be found to have leaning walls, rooms which shake when crowds and a building justly condemned. Are we to continue daily exposing our children to this?

GREENSBORO, N. C.
NEWS
JUL 21 1935

While the conditions of the Elementary Schools of the city are hardly as dangerous, they are indeed too crowded to give any child justice. There can be nothing but group instruction which reaches only the child eager to learn.

These conditions exist in the city but when the rural schools are looked into they are in such a terrible state that the city children seem unduly favored. If you have never visited a rural school you can not appreciate those of the city.

Imagine children having to sit from 6 to 8 hours each day in a one room school which is very unattractive, (being bare walls save a few childish attempts at improvements with boxes and old tables); an old stove in the middle of the floor, which smokes; recitation benches on which the children's parents have carved their names when they were pupils at the same school; nothing new; nothing to cause a disinterested boy to even want to attend school; no library; no sandtable, in fact, nothing that the teacher doesn't buy or some person donate. The number in school range from 25 to 50 children, the first to eighth grades inclusive, with 20 to 40 classes a day ranging from 5 to 15 minutes in duration with as many as three classes in progress at once. There is no time to waste and not much time for the one teacher, who is usually a young inexperienced girl, to devote her precious time to the backward boy. As a result he drags along for a few years, in school one day and out the next, making one grade about every two years. He gets behind; feels out of place with the smaller children and at last stops, having as much "education" as his father which satisfies the family completely.

These are the criminals and lawbreakers of our county and country. Statistics show that 97% of the prisoners in the State Penitentiary have never finished the 7th grade, 9% being illiterate against 3% graduates from college. Isn't that proof enough that the only sane course to follow by which we may combat the crime wave is through education and early child training.

Many of the young criminals come from homes overcrowded and poverty-stricken and much of their time is spent in the company of bad associates. Clarence Darrow, America's greatest criminal lawyer has said, "The two greatest causes of crime are ignorance and poverty." Only through the schools can this child learn good social habits, cooperation and obedience to laws. There should be classes also for the dull child where special types of training can be devised to prepare him for a better social order.

For years teachers have taught for salaries of $50 to $70 a month, eight months in a year in rural districts. The other four months must be spent attending summer school preparing for another term. This takes more than could possibly be saved, as the teacher is expected always to be a community leader, dress neatly, read good books, travel some and keep fit in other ways which require money. What keeps them teaching when they could get work in a factory for more money a month and have a job for 12 months with no responsibility of public trust placed in them? The answer is, one class remains for the simple love of the profession. To this class, teaching is their very life. There is something about children which gets a hold on their heartstrings and makes them want to cry when they see a boy or girl fail, happy over their joys and weeping over their yielding to temptations.

The other class is much more numerous. They are teaching either to gain experience or using the profession as a stepping stone to a better job.

Why can we as a nation spend $300 a year to keep a man in the penitentiary and only $100 for a child in school? Why can we afford to spend 75c for trailing criminals to every $1.00 for children's education? Why can we have a man to supervise roads and no truant officer? Can we afford to stand in 44th place in the 48 states in the expenditure per child in average daily attendance? Isn't Tennessee among the richest of the states in Natural Resources?

Roy D. Boles, principal of Loddy High School of Chattanooga says, "Ninety-five per cent of the red cedar of the U. S. lies within four counties of Tennessee. Of the 63 known varieties of mineral wealth 57 are found within the state. The Tennessee River and its tributaries are said to have about 1-5 of the water power of the U. S. By comparison, Tennessee is richer in tangible wealth of its bordering states except Virginia and North Carolina, and ranks in 23rd place of other states." By this we can see that Tennessee has the means for more funds.

You might ask yourself, "Well, what can I do about all this?" There is much that you can do. It has been proven that where more people want better schools, better schools were obtained. Can't we demand better schools?

Our present county school budget is adopted by the County Court, some members of which think teachers draw a "pension" which should be cut to $25 a month, and then in turn expect more from the teachers toward their children than any one else. We should pay more attention to our selection of the members of the County Court and select men whom we know have high educational aspirations and who realize that when reductions are made that schools should not be the first "to fall under the axe."

Why should any parent not want their child to have better advantages than they had themselves? They can't be satisfied with an ox-cart for means of conveyance, but still a few are satisfied with schools just as much out of date. For these few the mass must see that the children go to school and hold the torch by which the others travel.

The Educators of Tennessee are trying to formulate a new method of appropriations of funds and bring about a great change in the school system. Gov. McAlister appointed a commission to study the needs of our schools and they have suggested many plans which will be made known to all Tennesseans. It will certainly be befitting for Bedford countians to heartily endorse these measures and ask our legislators to have a part in their adoption.

From the ashes of our courthouse will rise a new building and with it may our citizenship rise to have more respect for law and order. This catastrophe can become a means by which many blessings can be obtained if we take advantage as the needs present themselves and build a citizenship of moral, lawloving people of whom Bedford county can proudly say "He is One of Our Own." The schools need your support, the churches need your support, your children need it—will you give it?

Lynching Can Be Stopped

In Alabama the other day a frenzied mob clamored for the lives of three men, believed to be guilty of a robbery and murder at a filling station in the little Florida town of Laurel Hill. Members of the mob were convinced that they had sufficient evidence against the men to make no mistake in requiring their lives in return for those they were supposed to have taken. The law was too slow for these aroused citizens. They wanted to take justice and vengeance in their own hands.

By a combination of good luck and the integrity of certain peace officers the men were spirited away from the place where the mob milled about, crying for blood. Once safe in Montgomery the suspects were able to establish their absolute innocence and lack of connection with the Laurel Hill crime. Two ex-convicts, out on parole, confessed soon after the robbery and murder, and the case was cleared up. The men and women of the Alabama community had barely missed putting three innocent human beings to death in the most hideous and degrading fashion.

Such outbursts of lynch fever can be curbed if the responsible authorities want to curb them. Senator Costigan of Colorado recently pointed out that the threat of a punitive Federal law on lynching during the last session of Congress had a marked effect on the lynch record of the Nation. "For the five and one-half months in which the Congress was in session," he declares, "lynchings virtually ceased in this country. Then promptly following the adjournment of Congress, which did not enact the considered legislation, the stream of lawlessness again began to flow at the rate of approximately one lynching a week, until the whole country was saturated with its revolting recitals."

So much for the argument of the "inevitability" of lynching in some American communities. And so much, in the case of the men sought by the frantic Alabama mob, for the argument that lynching of suspects is ever justified.—Louisville Courier-Journal.

MORE EVIDENCE.

Attribute it to mid-summer madness, influence of the dog star or whatever you may, the south has been treated to three exhibitions of mobbery within the past fortnight.

Two of the lynchings occurred in Mississippi, which has had a virtual corner on rope and faggot parties for the past year, and the third was reported Friday from Florida. In all three instances the victims, alleged attackers, were taken from officers. A single deputy sheriff, obviously cognizant of the danger, had the Mississippi pair in tow, avowedly trying to spirit them to a place of safety, when a mob of 35 —so he says—overtook him. In the Florida atrocity, a mob estimated at 100 descended upon the accused negro and his escort of six deputies.

In the Mississippi exhibit, the folly of trusting two prisoners, suspected of such a crime as they were, to a single officer is patent. On the surface, it invited, if it did not cooperate for, mob action. In Florida, six deputies should have been capable of causing considerable trouble for a mob if they had been so inclined. The point to this whole piece, however, is that there was, as reported, no manifestation of resistance. Nor was there recognition, as if anybody expected it, of a single mobster. Two weeks have glided by since the Mississippi outburst and days are slipping since the Florida repetition; yet nothing whatever has been done to retrieve law and justice which were lynched along with the trio of negroes. Much vaunted state's rights, sovereignty which invariably sweeps southern congressmen to ethereal heights, have not come to anybody's rescue or protection.

All of which, of course, shows the absolute needlessness for any such federal anti-lynching measure as is now accumulating the dust of a Washington pigeon-hole.

Lynchings-1935
Discussions

White Press, Southern.

4957

Chattanooga, Tenn. News
April 5, 1935

Lynching Must Stop

FOR quite a number of years a large section of Southern leadership has been viewing with increasing concern the tragedy of lynching in these Southern States. A number of earnest efforts have been made to arouse sober Southern concern about this evil, and to cause the States themselves to instrument in an effective fashion the machinery both for preventing mob violence, and when it occurs, for insuring the punishment of those guilty of this heinous crime against an ordered society.

Progress along these lines, however, remains fearfully slow and disappointing. Commissions study the background of the situation, remedial State statutes are suggested and urged, but the inertia of legislative indifference all too often prevents anything being done. Thus year after year the South has repetitions of lynching terrors. There was the outbreak at Sherman, Texas, which ended with men burned to death and courthouse destroyed. Ocilla, Carnersville and Ailey, in Georgia, added to the shameful record. A lynch-bent mob at Shelbyville, Tenn., destroyed a courthouse. A gruesome scene at Marianna, Fla., lingers in the memory as an exhibition of the sadistic depths to which bloodthirsty mobs will sink.

With such a record, and with the ardiness of successful implementation of local legal machinery for its correction, it is little wonder that for some years important groups all over the nation have been urging Federal anti-lynching legislation. In the present Congress, Senator Wagner and Representative Costigan, both staunch Democrats of excellent record, have sponsored a bill which would permit the Federal Government, when local government does not act, to take a hand in the apprehension of the wreakers of lynch law.

The South has been opposed traditionally to Federal interposition in any type of racial relationship. The historical background behind this feeling makes it altogether understandable. Southern suspicion of Federal legislation is a legacy of the age of hate succeeding the Civil War. Its direct progenitors were the clamant Radicals of Reconstruction. These men's experience had been one of inflammatory agitation; their war-cries were of destruction. They were sophomoric in any technique of evolutionary social readjustment, had no conception of the need for cushioning the dislocations of scoial change.

At any event, they assumed that, by legislation passed in Washington, millions of ignorant freedmen could be made the rulers of the great white majority of the Southern States. Due to them, the Fifteenth Amendment was added to the Federal Constitution, the so-called civil rights amendment, and efforts were made by the Congress to implement it so as to set up, not a workable relation in the post-Appamattox South, but a hierarchy of carpetbag scalawag control. When such measures were brought before the Supreme Court of the United States, they were not sustained. In the 'Nineties similar efforts were made, largely under the leadership of Henry Cabot Lodge of Massachusetts. These were bitterly resented by the Southern leadership and were defeated by filibuster.

These particular animosities, however, have happily disappeared. No longer is the North represented in the Congress by a group of hate-filled Radicals anxious to put the bottom rail on top. The North is now represented in the Congress by members who are the grandsons and often great-grandsons of the generation which was represented by the Bloody Shirt of the Thaddeus Stevens-Charles Sumner-Zach Chandler-Ben Wade group. Certainly no charge of animus or bitterness against the South can be brought against either Senator Wagner or Representative Costigan. The Federal anti-lynching machinery they have brought forward has no such animosity back of it as the Lodge "force bills."

Changing too is the attitude of a large section of the South, as is shown by the offering of many leading Southern newspapers. For example, the Macon *Telegraph*, one of the most forceful journals of the Cotton South, in a recent discussion of the Wagner-Costigan bill, indicated that in its opinion "public sentiment in the South has about crystalized into the feeling that only by Federal intervention can we ever hope to wipe out lynching." To this it added:

There will be a certain amount of opposition to this bill here in the South, but it is a fair question to ask: What else are we to do? Lynching goes on year after year and punishment for the crime is practically unknown. One of the most revolting of these crimes was the latest to gain general attention, when a Florida mob, near Marianna, after bringing the victim from an Alabama jail, where he had been taken for safe-keeping, sent out invitations in the morning to attend the lynching, which resolved itself into slow torture, with gruesome detail hardly fit to be printed.

Members of that mob were well known to the officers of the law who, indeed, might have prevented the lynching in the first place if they had cared to do so, and yet no one was ever punished, as no one in that State has ever been punished for such a crime, although, as the women of the State themselves point out, there have been thirty lynchings.

This brutality simply cannot go on. The States have had ample opportunity through the years to do something to prevent this barbaric crime. The time has come when something must be done and the Federal anti-lynching bill appears to be the answer.

There is considerable merit to the statement of our Macon contemporary. Anyone studying the lynching record will agree that "this brutality simply cannot go on." We ourselves have hoped for the instrumentation by the States themselves of legal machinery to put an end to the tragedy of lynching. But if the States themselves will not do it, and the Federal Government can fill this vacuum of efficient law enforcement, it would seem to us that there is no recourse but for a Federal agency to do so.

It is all important, of course, that the Federal legislation to be enacted will be of a character which can be expected to work. There would be no use whatever merely putting another unenforcible law upon the statute books. But if the States themselves will not act, and intelligent and effective Federal legislation can be provided, the evils involved are certainly grave enough to warrant the introduction of the Federal corrective.

WINTER HAVEN, FLA.
CHIEF
MAY 23 1935

TWO TYPES OF LEADERSHIP— YOU MAY TAKE YOUR CHOICE!

Senator Smith, of South Carolina, staunch advocate of the highly christian(?) practice of lynching, rises to tell this enlightened twentieth century:

"LYNCHING IS NECESSARY TO PROTECT THE SANCTITY OF OUR WOMANHOOD."

Down in Atlanta, metropolis and capital of Georgia, Mrs. Jessie D. Ames, distinguished woman leader, cultured and benevolent, but apparently having a brand of Christianity quite different from that of Senator Smith, says:

"I AM OPPOSED TO SOUTHERN SENATORS USING SOUTHERN WHITE WOMEN AS A DEFENSE FOR LYNCHING."

Take your choice as to the kind of leadership you want to see developed in the South.

BAPTISTS WILL STUDY LYNCHINGS IN SOUTH

5-15-35

MEMPHIS, Tenn., May 14.—(AP)—The Southern Baptist convention opening here tomorrow will be asked to approve establishment of a bureau of social research to study the race problem, mob violence in lynchings and labor disputes, unemployment, government in business and moral standards of the church.

Establishment of the bureau will be recommended in a report to be submitted to the convention Friday by Dr. E. McNeil Poteat Jr., Raleigh, N. C., whose report says there is "an amazing confusion of the public mind on liquor, increasing laxity of moral imperatives and the changes in the ideals of the home and its increasing disappearance as a place of discipline and instruction."

Charging alcohol was a factor in 60 per cent of the accidents studied by insurance companies, the social service commission, headed by Dr. Arthur J. Barton, also of North Carolina, will ask the convention to condemn by resolution "liquor traffic in all forms."

The commission also will ask the adoption of a resolution "urging our people to use their influence to defeat ratification of the child labor amendment to the national constitution." Another resolution expressing opposition to war will be adopted.

Bamberg, S. C., Herald
May 23, 1935

Broxton Bridge Lynching Recalled

Columbia Record.

Discussion of the Wagner-Costigan anti-lynching bill in the the United States senate brings to mind to a number of the older citizens of South Carolina several outbursts of the mob spirit which resulted in lynching in this state. Of the lynchings which mar our state's history probably none stands out like the Broxton Bridge case of 1895, which gained notoriety because it was probably the first case of its kind in which a definite and strong effort was made to bring the lynchers to justice.

Those were spirited times, with feelings running high when four white men were put on trial for their lives for the murder of a young negro man and his mother. The negro who was lynched was suspected of a crime no more serious than stealing the altar Bible from a country church.

The same year that the Broxton Bridge case was tried in South Carolina 131 lynchings occurred in the entire United States. While extremely large this was not the largest number of lynchings reported in this country for any one year. In 1892 155 negroes and 100 white men died in this country by the lynching route.

Although many lynchings blot this state's history the crime is not most prevalent in South Carolina. Figures for the years from 1900 to 1929 show that of 14 southern states including Oklahoma and Arkansass, South Carolina was third from the last in the number of lynchings per negro popu-

lation. In the same period it was seventh from the bottom in the number of lynchings per white population and the same in relation to all population.

The Broxton Bridge case, so called because it was at that locality that the crime was committed, was noteworthy in another respect. It brought fame to G. Duncan Bellinger, father of the present judge of the fifth judicial circuit. He showed uncommon courage in the prosecution of the case in the face of open threats and a prevailing spirit of condonance for the lynchers, a fact which probably helped him to be elected attorney general of South Carolina a few years later.

Incidentally Judge Bellinger, who was only a boy at the time that the case was causing such widespread comment and feeling, has said that he remembers the time vividly because of the tenseness of the atmosphere in his home at the time and of the way his father was worried by the seriousness of the case.

Early in the fall of 1895 St. Michael's church in Barnwell county was broken into and a Bible with one or two pieces of church furniture were stolen. There was no clue to the theft, but several lawless acts had recently been committed in the neighborhood and Isham Kearse, a young negro of a roving disposition with no regular employment, was suspected.

According to the evidence given at the inquest, the night of December 2 four men from Barnwell rode across into Colleton county and getting two Colleton citizens to join them went to the home of Keare's mother, where he was reported to be hiding.

The negro was halted as he attempted to leave the house, his hands securely tied with a rope, which was passed around his neck and then fastened to the back of a buggy occupied by two of the party. The vehicle was started at a rapid pace to Broxton bridge, about two miles away. The unfortunate man was several times jerked off his feet and dragged over the roots and ruts of the country road. Before reaching the bridge two of the men returned to the house for the mother and wife of Kearse, the wife a 17-year-old girl with a five-months-old baby.

The negroes were questioned about the robbery of the church and all denied any knowledge of it. The three were then stripped of their clothing and the men began beating their naked bodies with buggy traces. In justice to the lynchers it should be said that they were all drunk at the time. Several times Kearse begged them to shoot him. Finally he fell unconscious and the women broke away and ran into the woods.

That was Monday night. Two days later the body of Kearse was found where he had fallen under the blows. A hundred yards away in the swamp, lying in water about a foot deep, was the body of his mother. She lay as she had fallen—face downward and arms extended

The younger woman lay for several days in a critical condition. She had told several of her neighbors about the crime the day after it happened but they had apparently been afraid to mention it.

At the inquest the names of the lynchers were brought out. All belonged to a good class of people.

Virtually the entire Walterboro bar where the case against the men was tried, before Circuit Judge James Aldrich, assisted in the defense of the men with Col. Robert Aldrich, of Barnwell, as chief counsel.

One night during the course of the trial the life of W. H. Newbold, state detective, who had worked up the case under the solicitor's direction, was threatened with violence but he showed that he would protect himself with firearms and he was not harmed.

A current newspaper account of the trial declared:

"Both sides have conducted the case with marked ability. The defense has not been strong. No effort was made to prove alibis. There seems to be no doubt in the mind of anyone as to who did the whipping and it is the generally accepted belief that they did not do it with the intention of producing death. At the same time there is a feeling in the air that there will be no conviction. There are hundreds of men in the audience which has been in attendance who would not find a verdict against these four men whatever the evidence is and it is not to be expected that the jury should not have some of that class in its composition."

After having been out about four and a half hours the jury returned with a verdict of acquittal.

And there the case was ended, although the whole thing had repercussions in later political campaigns.

There is an interesting and persistent legend to the effect that all of the principals in the case came to their death by some violent means, but this is probably just one of those stories which has little foundation in fact. It is a fact which is almost impossible to check.

NEW ORLEANS, LA.
ITEM
JUN 2 1935

Tear-Gas For Lynchers

THE Oklahoma Crime Bureau uses tear-gas bombs to rout a mob of non-union demonstraters seeking vengeance for beatings received from striking lead miners.

Local peace officers in those parts of the South where lynching is a popular all-season diversion seem to be passing up something. We hear occasionally of some determined and highly respected sheriff thwarting a mob by oratory and the example of his own sobriety, but such suasions are highly uncertain of effect.

Science gave the professional criminal a fearful weapon in the sub-machine gun, but it made up for that by giving law and order the gas bomb, which is practically useless to many classes of criminals, but still suits well the need of law-enforcers. Bombs are much less effective in the open than within walls, but even at a roadside they can cause a deal of annoyance, and they should be particularly potent against mobs, for mob action depends upon the maintenance of a highly unstable hysteria. A few sneezes and tears, and that's gone.

GREENVILLE, S. C
NEWS
Lynching Dis.
White Southern
JUN 19 1935

THE LYNCHING PENALTY

Discussing the recent Supreme Court decision remanding for a new trial by a jury the judgment for $2,000 against Greenville county for the alleged lynching of George Green, the Columbia *Record* manifests a sense of dissatisfaction at "too narrow a definition of what constitutes a lynching within the meaning of the statute penalizing a county."

The inference from our contemporary's somewhat elaborate discussion of this case is that it feels the penalty should be made applicable in any instance of "mob violence," regardless of whether or not the condition necessary to bring the act within the legal definition of a "lynching"—that is, the fact that the victim is charged with or accused of some crime—is fulfilled.

We hasten to enter a dissenting opinion. The essential distinction is one between the motive of committing an ordinary crime, directly, and that of attempting to punish a citizen for a crime outside of the established processes of justice. It is true, as our contemporary says, that the victim is just as dead whether lynched or killed by a mob bent upon crime; it is also true that he would be just as dead if shot to death by an individual. The penalty imposed upon the county in the event of a lynching which results in death is apparently based on the idea of punishing the community for what may frequently be a rather broad evidence of community connivance in or approval of an act of punishing a crime, or suspected crime, outside the processes of justice. We cannot agree with our contemporary that "there is always county responsibility in any case of mob violence, whether or not there be some supposed law violation involved or not." A gang of hoodlums may commit a murder for purposes of robbery, or gangster revenge. In such a crime we cannot see any greater "county responsibility" than in the event of a plain murder committed by an individual.

However, we do not believe that this $2,000 penalty upon a county treasury is any effective deterrent to lynchings or gang murders or any other form of mob action. We believe it would be difficult to show where any mob or group bent either upon punishing a crime or committing crime has ever been, or ever will be, caused to hesitate by the reflection that the county treasury would have to pay out a certain sum of money. The effect upon the affairs of the individual components of the mob is too negligible to be a factor. The only effective remedy—beyond the constant effort to cultivate a broader and more earnest respect for law—is to continue to seek in the most vigilant way the apprehension and adequate punishment of the individual perpetrators of all such acts, whether lynchings or ordinary crimes.

Lynchings - 1935
& Discussions.

White Press, Southern.

4958

JOURNAL
Ft. Coombs Miss.
FEB 12 1935

BLOW TO LYNCHING

Such procedure as that displayed in the conduct of the Coyner trial at Cleveland last week will soon deal a death blow to mob violence. The giant negro, guilty of a most atrocious and fiendish crime, was arraigned and tried in an orderly manner, and sentenced to hang.

While several hundred members of the State National Guard had been mobilized and sent to the scene for fear there might be an outbreak among the friends of the butchered couple, and violence done, their presence there proved unnecessary.

Mississippians as a rule are pretty sensible people. Except in rare instances will they take the law into their own hands. And then only when in their judgment it seems there is a tendency to unduly delay justice, or a probability that a fiend like Coyner might escape just punishment.

The behavior of the Delta people at the Coyner trial, which is to be commended, is only one example of how Mississippians act when justice is meted out as it should be, without any fol-de-rol, red-tape, or monkey-business. Laws are made to punish criminals, and when enforced as they should be, as in this instance, lynching will pass out of the picture.

Until, however, we are convinced future trials will be dispatched with the speed and orderliness of the Coyner case, it will not be amiss to make sure there will be no outbreak of violence to mar the fair name of Mississippi, by stationing the state militia at the scene, as was done in the Cleveland instance. Governor Conner is to be commended for his thoughtful action.

DURHAM, N. C.
SUN

FEB 5 1935

Southerners Decry Lynching not As Southerners but as Americans

People of the south are not ashamed of lynching as southerns but as Americans, Dr. Howard E. Jensen, Duke university in a talk this morning on problems confronting the nation involving the Negro. Lynching was deplored and the spotless record that is Durham's was held up as the accomplishment of good citizenship.

There are many questions in the field of race relations about which informed citizens will continue to differ for a long time to come, Dr. Jensen stated in beginning his address. These questions he held to be so complex that it is as yet impossible to get the fact necessary to answer them conclusively. The speaker stressed two matters in his presentation of his address "about which there is no difference of opinion among citizens who know the fact," namely the right of Negro children to develop and the shame of lynching.

"Every Negro child, like every white child, must have the opportunity to develop and express the best capacities within him," Dr. Jensen said, and he gave names of many Negroes who rose above their handicaps to high planes of useful living and who engraved for themselves records of outstanding accomplishments to show what can be done by members of the colored race if given an opportunity. The problem of providing for the Negro youth no longer confronts North Carolina, he said, because the state government has adopted the definite policy of equalizing educational opportunity for the races as rapidly as its resources will permit.

The speaker dwelt more at length upon the lynching evil and he declared that lynching must stop. "We must end it for patriotic reasons, if for none other," he said, further saying that "there is nothing that discredits America abroad quite so much as this." Lynching was held up by the speaker as "not a sectional matter," for "there are only six states that have never had a lynching, and although it occurs most frequently in the south and west, no state in the union is entirely safe."

The surprising thing, according to Dr. Jensen, is that lynching is not exclusively a racial matter. Nearly one-third of the persons lynched during the past 50 years were white, and in only 20 states have more Negroes than whites been lynched. Twenty-two states have actually lynched as many or more whites than Negroes, and the speaker pointed to Oklahoma where 116 whites and 44 Negroes have been lynched, as well as the situation in other states, to prove his statement.

"Therefore, we who love the south are not ashamed of lynching as southerners, but as Americans, and today the strongest stand against lynching is being taken by the most trusted leaders of our section," the Duke professor said. Leading citizens of the south from every state are petitioning congress to pass the Wagner-Costigan anti-lynching bill, which would enable the federal government to support the forces of law and order in every state of the union in controlling the crime of lynching.

"It is true that many people still justify lynching, but if they happen to live in a county like Durham that has never had a lynching, they point to the fact with pride," Dr. Jensen said in offering this county as a striking example of the attitude of an enlightened people towards crime and lynching.

BATON ROUGE, LA.
ADVOCATE
FEB 6 1935

PASSING OF HANGINGS

There was a time back a decade ago when the South was noted for its lynchings and its gory hanging tales, but those days, fortunately are passing from the present day dealings, as many of the old barbarous customs are being forgotten.

No longer does the riding of a ruthless band across hillside touch the man in jail, regardless of what crime he has committeed, or of the crime with which he is charged. Mob violence which once flared because there were no courts of law to punish the offenders is not a safe thing with which to deal. Under mob violence the innocent sufferer, and the guiltless are often known to lose their lives in the swift anger of the crowd which is banded together.

The old-time lynchings placed a strain on the name of the South which there has been much difficulty in erasing, and which is something those of us who have grown past the stage of lawlessness like to remember.

There are few children who have grown to manhood and womanhood in recent years who do not remember the gory tales of hangings which were repeated ever so often. Men were taken from their cells during the dead of night and hanged from a convenient limb or bridge. The investigations which followed in half-hearted fashion came to naught.

Times have changed and the mood of the people with them. Nowadays a man may be charged with all manner of crimes but the people of the city and the state wait for the law to take its natural course.

Atlanta, Ga. Journal
February 14, 1935

UNCLE SAM MUST STOP LYNCHINGS, MENCKEN WARNS

Others Join in Plea for Federal Act Prohibiting Mass Killings

WASHINGTON, Feb. 14.—(AP)—The United States was told Thursday by Henry L. Mencken, the writer, that "either it must make every possible effort" to stop lynchings "or suffer the scorn and contempt of Christendom."

He testified to a senate judiciary subcommittee after Senator Costigan (Democrat, Colorado) had urged approval of his bill to impose stringent penalties against mob participants, officers who fail to protect prisoners and counties where lynchings occur.

Lynching was described by Costigan as "open anarchy."

Explaining he could offer no opinion on the wisdom or the constitutionality of the bill, Mencken urged its enactment as an "experiment."

"Even if the worst comes to the worst and we find that preventing lynching is actually impossible, that discovery will at least be something," he added.

Assuming that federal action was necessary to check mob killings, Mencken said:

"The states are charged with punishing all such invasions of the common right of citizens, but some of them have failed to do so and others have not honestly tried.

"Meanwhile, lynchings continue, and though they do not increase in number, they show a tendency to increase in savagery. . . .

"No government pretending to be civilized can go on condoning such atrocities."

Senator Wagner (Democrat, New York), co-author of the anti-lynching bill, said that when "the lynchings perpetrated during the past two years are studied as separate cases they constitute almost every type of infamy that blot the record of civilization."

Representative Caroline O'Day (Democrat, New York) advocating the measure, said the United States was losing prestige as a result of lynching.

A native of Savannah, Ga., Mrs. O'Day said on a visit to South Africa she was asked about the "race problem" and the impression there was that the U. S. condoned lynching.

Later, in India, she said she found a book by a Hindu on lynching and racketeering in the United States was a "best seller."

ENTERPRISE
Rockville, N. C.
FEB 21 1935

THE "ONLY WOMAN" HANGED

Mrs. C. O. McMichael refers to a colored woman, Tilda Carter, of Rockingham county, as the "only woman ever legally hanged in North Carolina." This hanging is reputed to have taken place about fifty years ago.

The term "only" covers a lot of territory and we often assume that since we do not know of other cases, the one we have in mind is the "only" one of its kind.

Fact is that the late Frances Silver, of Burke county, has long and notoriously borne the distinction of being the first and "only" woman to be "legally hanged in the state of North Carolina." She was hanged on the courthouse square in the "western capital of the state," in 1833, for the murder of her husband. H. E. C. (Red Buck) Bryant, well known Washington correspondent of the Charlotte Observer, New York World, and other papers of years, has written a graphic story relating to the life of Frances Silver, who is credited with having written a poem which she recited just before her execution. One couplet in that poem expressed a guilty mother's fear for her surviving child:

"Now all you of Adam's race
Let this not my child disgrace."

Since both of these hangings belong to recorded history and not to legend, there seem to have been at least two women legally hanged in this state. Musty records in courthouse here and there might reveal others.—Twin City Sentinel.

GREENVILLE, TEX.
EVENING BANNER
FEB 26 1934

Judge Lynch

News that Grayson-co is to have a new fireproof courthouse recalls that blot on the escutcheon that is Grayson-co's that happened in Sherman in 1930 in the ghastly mobbing of a negro, firing the county's building and dragging the then-dead body of the victim through the streets in a paganistic, sadistic spirit.

Grayson-co, shamed, doesn't intend to have that sort of thing to happen again. Likely she won't. But elsewhere in Texas there will. All over the South there will. Dozens of them, not as bad, maybe, but nevertheless with all the disregard for public rights, American principles of the accused right to jury trial and freedom from violence.

Grayson-co moves to frustrate any attempt at recurrence of a deplorable happening. But neither Grayson-co, Hunt-co, Texas nor the South makes any move to unseat Judge Lynch.

NORFOLK, VA.
VIRGINIAN PILOT
MAR 5 1935

HER FIRST LYNCHING

From the New York World-Telegram

To any who hold that art can not be propaganda and still be true and even great art we recommend a visit to the Arthur U. Newton Galleries, 11 E. 57th St., where a distinguished exhibition of the art on lynching is now on view.

There are numbers of persons, perhaps, who might be inclined to steer away from such an exhibition as from a chamber of horrors. But here art and truth come in. A number of these paintings and drawings—by Bellows, Benton, Curry and the cartoonists and illustrators Kirby, Duffy, Fitzpatrick, Reginald Marsh—are on their merit as pure art worth a place in any museum or art gallery.

Such is their power and strange beauty of execution and idea that to many who see them it becomes tragic that museums and art galleries are so exclusively concerned with mere objective beauty and afraid of art which exposes injustice and brutality and human degradation—art which tells a moving story, stirring thought and feeling.

Unforgettable fear and pity is in the face of the beautiful little girl raised high so she can see in the hands of her frenzied mother, who amid a mob cries to another woman, "This is her first lynching."

Imperishable impression of dumb terror is in the face of the young Negro braced in a tree as a mob—dog led, afoot and on horseback—pass behind on the road in the moonlight, in the painting by John Steuart Curry, Kansan.

In these courageous artists with social zeal, combined with artistic genius, lie the finest immediate hope for art in America or the world.

Memphis, Tenn., Com'rcial Appeal
January 6, 1935

Letters to the Editor

IN OPPOSITION

To The Commercial Appeal:

Congratulations on hitting onto such an effective way of discouraging opposition to Mr. George Morris' views on lynching. A little quipare as many, and more advocates printed over such letters workand defenders of lynching in the onders in seeing to it that nobodvorth and west as there are in the south. Letters to northern newspapers after the San Jose incident disclosed that. Probably the most notorious defender of lynching is Westbrook Pegler, ex-Chicago sports writer and a constant scoffer at the south and everything it stands for.

Defenders of lynching are nothing new. The argument is centuries old, but what is significant and what is amazing is that The Commercial Appeal, thanks to Mr. George Morris, is the first public utility of any kind, north or south, east or west, to openly defend lynch law, directly or indirectly.

As a student of southern history, I happen to know that the intelligent element in the south, as distinguished from the reactionary, has always denounced lynching. This was true before the Civil War, and is true today. Governor McAlister nobly carries on that tradition. And backing him to the limit would be found the law enforcement officials of the city of Memphis.

At the attorney generals' crime conference in Washington three weeks ago I had the privilege of standing within 20 feet of the president of the United States as he denounced those who would resort to mob violence.

Of course, possibly the president and governor are wrong. Perhaps they should have taken their cue from Mr. George Morris.

Possibly even Mr. Morris would volunteer to personally examine the guilt or innocence of anyone before turning them over to a mob!

HUGH RUSSELL FRASER.

Editor's Note—This controversy in the Letters to the Editor column has been fully aired, opportunity having been given for expression of opinion on both sides. No more letters on the subject will be printed.

else dares disagree with you.

However, there is just one little point I wish to call your attention onto: the defenders of lynching are not confined to Mr. George Morris and southern reactionaries. There

STAMFORD, CONN
ADVOCATE
MAR 26 1935

THE MOB SPIRIT

The human race has to cope with many enemies in its long struggle to work out a scheme for peaceful living, but the greatest enemy of all is the mob. For a perfect picture of the way the mob acts, consider the riot that swept up and down the streets of New York's Harlem the other day.

A colored boy tried to pinch a ten-cent knife from a store counter. A floorwalker collared him and the boy, naturally enough, set up a holler. An excitable woman saw and heard just enough to touch off her motor reactions, and she ran out into the street yelling that the boy had been killed.

Up and down the streets went the cry. Out of poolrooms, lunchrooms, and workshops came angry men, milling in the streets, yelling, looking for some one to fight, afraid, suspicious and angry. A crowd of a thousand men and women swept into the store, turning things upside down, breaking things, yelling, hitting, fighting.

Police reserves came, by the hundreds. There were dozens of fights. Scores of men were cut, beaten, or slugged. More than a hundred were arrested. Thousands of dollars' damage was done to property. And the juvenile knife-stealer who unintentionally started it all managed to jerk away from his captors during the melee and vanished, utterly unharmed.

You could search the world over without finding a better example than this of the blind, panicky insanity of the mob spirit. Here was a riot of major proportions, an ugly welter of fights that spread all across a populous section of a great city—and all for what?

Not one of the rioters knew. They could not possibly have hoped to know. It started, literally, from nothing at all; and because men and women were jittery, and gave way to the combined emotions of anger and fear, there was merry Ned to pay.

Now one does not need to think very hard to draw the needed moral from all this. The mob spirit that can seize a few thousand people in one city is the same spirit that can and frequently does seize whole nations, when hatred and panic get together.

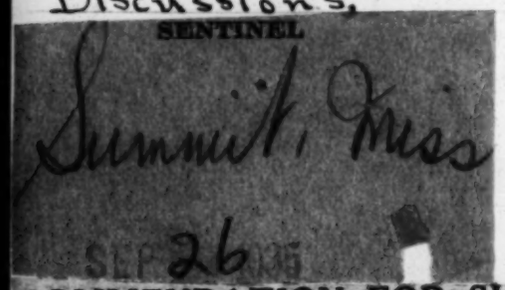
It sweeps dictators into power, causes mass executions, concentration camps, sluggings and clubbings; it fills the air with bombing planes and the fields with infantrymen and sets cruisers loose on the sea lanes; it inflicts more misery and destruction on the earth than a generation can repair.

And all, as in Harlem—for what?

Lynchings - 1935
6
Discussions,

White Press, Southern.

4959



COMMENDATION FOR SUMMITONIANS

Much has been said about Sheriff Statham's part in the almost-lynching affair in Summit last week. Without wishing to underestimate the work done by Sheriff Statham, it must be said that he did not have an unruly, restless mob to deal with. The men who gathered at the scene were, for the most part, quiet, law-abiding citizens, there in the interest of maintenance of that law. The rabble-rousers were even nicer than the average because they were not hot-headed enough to take the lives of either of the two negroes accused until they knew, BEYOND THE SHADOW OF A DOUBT, which one was guilty. That one factor was what saved Summit from witnessing a lynching, and not any particular effort on the part of officers. The men who gathered there were fair-minded and wanted to be quite sure they were dealing with the real criminal. And they deserve commendation because they stayed their hands.

We hear so many adverse remarks from the North because of our lynchings in the South: Northerners having not, and never will have, any adequate conception of the Southern negro. Take this boy, for instance: His "white folks" would unhesitatingly have sworn to his innocence. He had always been a quiet, humble, unobtrusive negro, doing his work quietly and well, and never causing any one a moment's trouble. It is logical to assume that he temporarily went crazy. And that is why Southerners distrust the negro. There is an old Southern expression which Southern men believe to the utmost: "A negro's hide can't cover the beast in him." The Southerner firmly believes that negroes are wolf-like animals, and that no amount of training will ever make them submissive or anything except wild beasts. And the North can argue against the lynchings "from can 'til can't" but the Southerner will go his way, attempting to "make examples" of those who revert to their beastly qualities.

Do not assume that this writer holds any brief for either lynchings or lynchers. All men are due a fair and impartial trial, and men who have not a respect for the law should be punished. But it does seem that, when a man has confessed himself guilty, that some of the red tape could be cut away and punishment meted the offender. It is impatience with tse slow methods of the law which causes at least nine-tenths of the lynchings in the South. The Oxford case was a fair example. The JURY STAYED OUT TOO LONG.

A LIFE IMPRISONMENT SENTENCE FOR NEGROES WHO HARM WHITE PEOPLE ISN'T DRASTIC ENOUGH TO SUIT MEN OF THE SOUTH. THEY WANT DEATH FOR THE MAN WHO CAUSED DEATH IN THE HEART OF A SOUTHERN WOMAN. THEY REFUSE TO BE SATISFIED WITH LESS.

It seems to be up to the thinking people of the South to remedy this condition. Let's make the law more drastic. Let's demand the death penalty and the mobs won't be so anxious to have murder on their hands. There MUST be a way to preserve law and order without calling out the militia every time an offense is perpetrated. It's up to us to find it.

Birmingham, Ala., Age-Herald
October 11, 1935

The Jury Wasn't Sure

Ellwood Higginbotham, the Mississippi Negro, who has been lynched within the shadow of the state university, was charged with killing a white man who had gone to his home "to have a talk with him."... The Negro had been arrested, had been tried before a white jury, with a white judge presiding and a white prosecutor representing the state of Mississippi—and yet the jury had so much difficulty reaching a verdict that it had already spent some 24 hours considering the evidence.

This is the vital fact because everyone knows that unless the jury had been in serious doubt as to its verdict—in brief, was gagging over the state's contention of cold-blooded murder — it would have convicted Higginbotham in a much shorter time.... When a jury reflects long, a reasonable question is raised as to whether the evidence against the prisoner was impressive.

Lynching the prisoner would have been indefensible if he had been as guilty as a Dillinger. But the solemn question raised by this latest example of the traditional Mississippi savagery is whether the mob killed a man whom the state's justice would have treated more leniently. In the circumstances it seems easily probable.—Norfolk Virginian-Pilot.

Guntersville, Ala., Advertiser
October 9, 1935

LYNCHING MULTIPLIES CRIME

A South Georgia mob lynches a negro for pointing a revolver at an officer, thus where there was a single non-capital felony chargeable against one lawbreaker, there eventuates a capital felony, involving an uncounted number of persons.

The circumstances are exceedingly unfortunate, constituting another evidence of the widespread disrespect for law that is proving so demoralizing in many quarters. In all such cases there are two victims of mob violence—the person lynched and the law that is designed for the protection of society and which must be upheld if society is to enjoy the protection that the law affords.

The very men who join in lynching look to the law for their own protection both, in person and in property, and should realize that when they make such an assault upon the law they are weakening the very structure that has been erected for their own defense.

Multiplying crimes never has and never will help to create a happier social condition and this is so obvious that it shoud be apparent to all.—Gadsden Times.

FAYETTEVILLE, N. C.
OBSERVER

OCT 2 1935

ECHOES OF 1870.

In 1870 at the courthouse in Yanceyville J. W. Stephens, a white man from the North who had set himself up as a leader of the newly freed negroes, was attending a negro Republican mass meeting at the courthouse in Yanceyville.

During the height of the meeting he arose as though summoned and left the room.

The next morning his body, strangled and stabbed, was found in a small room in the courthouse.

Slaying of Stephens was the signal for a strenuous effort on the part of the Federal Government to abolish the Ku Klux Klan. Martial law was declared and many suspected klansmen were arrested and the writ of habeas corpus suspended by Governor W. W. Holden, a circumstance which afterwards figured in his impeachment trial when the Democrats regained control of the State.

Charges against the klansmen finally collapsed from want of evidence, and the truth of the matter came to light only recently when Capt. John G. Lea, the last survivor of six men who took part in the killing, died in Danville.

Capt. Lea at the request of the North Carolina Historical Commission had made a deposition to the late Col. Fred A. Olds several years ago and the deposition had been placed in the commission's vaults not to be opened until Capt. Lea's death.

Stephens represented a faction of self-seeking adventurers who came South to get what they could for themselves at a time when the South was in the hands of an unintelligent electorate. These Carpetbaggers did not stop at inflaming the negro race with hatred against the whites. They did not stop at the sale of justice and the auction of public interest. They were supported by a federal government which regarded North Carolina as conquered territory which deserved the type of treatment it was getting.

Result was that the leaders of North Carolina decency finding it impossible to obtain good government through constitutionally organized channels, organized their own system of government—sub rosa.

When the regularly organized courts were unable to enforce order the Invisible Empire enforced order in its own very effective way.

In which light the slaying of Stephens appears as something short of murder. It was an enforcement of public protection in an unorthodox manner occasioned by the failure of regularly constituted agencies to protect the public, occasioned by what Governor Holden termed the "exhaustion of the judiciary."

To some degree the slaying of the tyrant Long in Louisiana might be likened to the taking off of Stephens. Long undoubtedly was tried and condemned by a secret court as being detrimental to good government. The difference was that the Ku Klux Klan acted in a body to enforce its ordinances whereas the Louisiana clique delegated one representative to play the martyr role.

In a lesser degree most of our lynchings are kin by philosophy to the Yancey county affair of 1870.

The lynch spirit springs from a fear in the breasts of the people that the law either cannot or will not punish adequately the perpetrator of some especially heinous, or heinous-seeming, crime.

Remedy for such extraordinary executions as that of the Caswell county carpetbagger, remedy for assassinations such as that of the Louisiana Kingfish, remedy for the lynchings with which our South is disgraced in singular and the rest of the country is disgraced in plural, lies in the true and speedy functioning of the courts.

More than three hundred years ago Shakespeare in Hamlet's soliloquy spoke of "the law's delay."

In three hundred years it has picked up no speed.

We live today in an automobile and aeroplane civilization and seek justice in courts still geared to ox-cart days.

And wonder why crime rages and wonder why people take the law in their own hands.

Nashville, Tenn. Tennessean—M'ng
October 19, 1935

How Mobs Behave.

The best argument against lynching is found in a news report from Georgia where a mob set out to find the negro slayer of a white man.

It was not successful, but it did not come home empty handed. Bloodlust was satisfied by the killing of another negro who had no connection with the crime.

Mobs are that way.

They are controlled by inflamed emotions and not by law or reason. In consequence, they make no fine distinctions. If they cannot get the right man, there is always the probability that they will get the wrong one.

There is no accurate data on how many innocent victims have been put to death by lynchers, but it may be conceded that the incident in Georgia is not an isolated one.

Members of the mob may hope to dismiss the affair as a "slight error," but it amounts to a great deal more than that. It is another strong indictment against the application of lynch law in the South or elsewhere, and should prove a potent factor in rallying sentiment against this old and barbaric practice.

Nashville, Tenn. Tennessean
October 19, 1935

The Wrong Negro.

A dispatch whose wording is somewhat obscure gives an account of the killing of an innocent negro by members of a Georgia "posse" out to find the slayer of a white man.

The sheriff of the county in which the negro was killed said the wounded man, who had been both beaten and shot, was being brought to the hospital at Moultrie before he knew of the killing, which he referred to, according to the dispatch, as an accident.

The negro was shot several times in the head and the chest and, according to his family, was beaten severely. This is the sort of accident which caused the death of a negro farmer who was not connected in any way with the crime which the Georgians sought to avenge.

It was not made clear in the dispatch whether the members of the posse were acting under any sort of legal authority in their hunt for the killer, whether they joined the chase as volunteers who wanted to see a murderer brought to justice or whether, as seems possible, they were merely out for excitement.

Whatever the legal status of the crowd that shot down this negro, whose only offense was that he sought to defend his home against those who were searching it, it was grossly careless in committing an accident that consisted of shooting a number of bullets into the negro's body and in his being beaten—the punishment resulting in his death a few hours later.

The negro, set upon by this posse or mob and frightened, undertook to take a gun from one of its members. That was the signal for the accident.

While the mob was dealing with the negro who was not a party to the killing of the white man the real killer escaped and has not been seen. The matter seems to have been handled in a bungling and inhuman fashion. As long as there are white men's courts operating under white men's laws, there is no excuse for the perpetuation of mob law. And when mob law is invoked against an innocent person, be he white or negro, it is certainly time to call a halt.

Charlotte, N. C. Observer
November 10, 1935

Lynched For Slapping Woman

ACCUSED OF SLAPPING a white woman, a negro was lynched in daylight near White Bluff, Tennessee, Monday by a group of five white men who took him from two officers.

The victim, Baxter Bell, about 45 years old, was seized in the business district of White Bluff, driven four miles into an adjoining county and shot through the chest. His body was thrown into a thicket.

A short time later, according to Sheriff Ed Hutton, five white men surrendered to him in connection with the lynching.

Deputy Sheriff Robert H. Williams of Cheatham county said that as Mrs. Luther Dotson alighted from a bus near Kingston Springs Sunday night the negro came up and slapped her. She ran and later had a warrant issued for him, charging assault and battery. The sheriff said the negro was arrested that night.

Monday morning, as two officers started to take him to Ashland City to turn him over to Cheatham county officers, he was seized by five white men who held up the officers in the business district with drawn guns. The officers said they chased the would-be lynchers but the negro had been shot to death before they could rescue him.

Lynchings-1935
Federal Council of Churches.

4960

15 LYNCHINGS SHOWN IN CHURCHS' REPORT

NEW YORK, March 3.—(AP)—The Federal Council of Churches reported tonight that records of its race relations department showed 15 lynchings in 1934 compared with 28 in 1933.

Despite increased agitation against the practice, however, the council reported there were only 40 states free of lynchings last year, an increase of one over the preceding year.

"After a downward trend from 33 victims in 1923 to 10 in 1929," the report said, "there has been a tendency to increase except in 1932 when there was a decrease to 8 victims. There were 28 victims of lynching in 1933 and 15 in 1934.

"There has been as much savagery in torturing victims as in former years, if not more.

"The determination and spirit of mobs have been seen in the large number of attempted lynchings prevented by officers of the law. The failures of the law-abiding citizens in many local areas to wipe out lynching point clearly to the need of national assistance to state and local officers through legislation which will bring federal power to the aid of those officers who struggle to protect life and limb of accused persons."

In a list of the states that had no lynchings last year, the following were omitted: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, Tennessee and Texas.

New York Herald-Tribune

MAR 4 1935

Drop in U. S. Lynchings From 28 to 15 Is Noted

Federal Council of Churches Hails Gain in Fight

Lynchings in the United States during 1934 decreased to fifteen, as against twenty-eight the preceding year, the Federal Council of Churches reported yesterday through its department of race relations. All the lynchings occurred in eight states, Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, Tennessee and Texas.

Dr. George Edmund Haynes, executive secretary of the department, called attention to the fact that, after twelve years of effort on the part of the Federal Council of Churches, there was only one more state on the council's honor roll than in 1923.

"The persistence of the evil and its hold upon local areas are indicated by the fact that seventeen states during ten years have fluctuated on and off the honor roll," he said. "The number of victims of the mob has shown a similar unfavorable tendency. After a downward trend from thirty-three victims in 1923 to ten in 1929, there has been a tendency to increase, except in 1932, when there was a decrease to eight victims."

Bronx, N.Y. Home News

MAR 4 1935

Church Council Reports 15 Lynchings in 1934

The Federal Council of Churches reported last night that there were 15 lynchings in the U. S. in 1934, as compared to 28 in 1933, but asserted that there was just as much savagery and torture as in previous years. Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi and Texas had lynchings last year.

NEW YORK AMERICAN

MAR 4 1935

15 Lynched in U.S. Last Year, Church Council Reports

The Federal Council of Churches reported last night that 15 persons were lynched in America last year. This was 13 fewer than in 1933, but five more than in 1929, when the lowest mortality, 10, was reached.

The report asserted that as much savagery in torturing victims prevailed last year as in other years, if not more. The Sstates descredited with lynchings in 1934 were Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi and Texas.

Lexington, Ky., Herald

March 4, 1935

LYNCHINGS IN U. S. FOR 1934 SHOW DECREASE

NEW YORK, March 3 (AP)—The Federal Council of Churches reported tonight that records of its race relations department showed 15 lynchings in 1934 as compared with 28 in 1933.

In a list of the states that had no lynchings last year, the following were omitted: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, Tennessee and Texas.

Rex Scott, 20, negro, former convict, was taken from a jail at Hazard, Ky., the night of January 24, 1934, and hanged in a graveyard in Knott county. A score or more shots were fired into his body. The negro was accused of slaying a white coal miner.

Atlanta, Ga. Journal

March 4, 1935

Lynching Decrease For 1934 Recorded

NEW YORK, March 4.—(AP)—The Federal Council of Churches reported Monday that records of its race relations department showed fifteen lynchings in 1934 as compared with twenty-eight in 1933.

Despite increased agitation against the practice, however, the council reported there were only forty states free of lynching last year, an increase of one over the preceding year.

In a list of the states that had no lynchings last year, the following were omitted:

Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, Tennessee and Texas.

New York Evening Post

MAR 4 1935

15 LYNCHED DURING 1934, DROP OF 13 FROM 1933

Fifteen persons were lynched in eight States and forty States were entirely free from "mob hangings" in 1934, Dr. George Edmund Hayes, executive secretary of the Department of Race Relations of the Federal Council of Churches, reported today.

Twenty-eight persons were lynched in nine States in 1933, the report said, attributing the "meager increase" in the number of States free from lynchings to "increased activities of the church and religious organizations, social and civic agencies, added law enforcement and the almost "united voice of the press."

Augusta, Ga., Chronicle

March 4, 1935

LYNCHINGS DROPPED DURING PAST YEAR

New York, March 3. (AP)—The federal Council of Churches reported tonight that records of its race relations department showed 15 lynchings in 1934 as compared with 28 in 1933.

Despite increased agitation against the practice, however, the council reported there were only 40 states free of lynching last year, an increase of one over the preceding year.

"After a downward trend from 33 victims in 1923 to 10 in 1929," the report said, "there has been a tendency to increase except in 1932 when there was a decrease to 8 victims. There were 28 victims of lynching in 1933 and 15 in 1934."

In a list of the states that had no lynchings last year, the following were omitted:

Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, Tennessee and Texas.

NEW YORK JOURNAL

MAR 4 1935

15 Lynched in U. S., Showing Fall in Rate

The Federal Council of Churches reported today that fifteen persons were lynched in America last year. This was thirteen fewer than in 1933, but five more than in 1929, when the lowest mortality, ten, was reached.

ELMIRA, N. Y.
STAR GAZETTE

MAR 7 1935

Only 40 States Avoid Lynchings

States entirely free of lynchings last year totaled 40, one more than in 1933 it is announced by Dr. George Edmund Haynes, executive secretary of the Department of Race Relations of the Federal Council of Churches.

"This meager result has come in the face of increased activities of church and religious organizations, social and civil agencies, increased efforts of local officers of the law to protect prisoners and the almost united voice of the press," Doctor Haynes said.

There were 15 lynchings in the other eight States during 1934, the report showed. In 1933 38 persons were lynched. The figures disclosed a downward trend from 33 victims in 1923 to 10 in 1929, since then the tendency has been upward, except in 1932, when the number of victims dropped to eight.

Doctor Haynes urged the enactment of legislation to "bring Federal power to the aid of those officers who struggle to protect life and limb of accused persons."

Lynching Decrease For 1934 Recorded

New York, March 5.—The Federal Council of Churches reported yesterday that records of its race relations department showed 15 lynchings in 1934 as compared with 28 in 1932.

Despite increased agitation against the practice, however, the council reported there were only 40 states free of lynching last year, an increase of one over the preceding year.

In a list of the states that had no lynchings last year, the following were omitted:

Alabama, Florida, Georgia Kentucky, Louisiana, Mississippi Tennessee and Texas.

United States News
Washington, D.C.
MAR 11 1935

War on Lynchings

Upward Trend in Mob Killings Brings Plea for Federal Action

AT THE same moment the Federal Council of Churches on their Honor Roll of States endorsed those States that never have had a recorded lynching. They are Massachusetts, Connecticut, New Hampshire, Rhode Island and Vermont.

There is a bill before Congress at the moment which provides stringent penalties for lynch mob participants, officers who fail to protect prisoners, and counties where lynchings occur. Senators Edward P. Costigan (Dem.), of Colorado, and Robert F. Wagner (Dem.), of New York, are its sponsors.

The Federal Council of Churches notes that "after a downward trend from 33 victims in 1923 to 10 in 1929" there were 28 victims in 1933 and 15 in 1934, with as much savagery as ever in torturing victims, "if not more."

A Federal law is urged in view of the indication that the failure of law-abiding citizens to wipe out lynching points to the need of National assistance.

Augusta, Ga. Herald
March 17, 1935

FORTY OF THE STATES HAD NO LYNCHINGS LAST YEAR

According to late reports, only one state has been inscribed on the honor roll of states free of lynching since the Federal Council of Churches began its recording twelve years ago, it was disclosed in a recent report issued by the council's department of race relations. In 1934, the disclosure shows, the total number of states free of lynching was forty, only one more than in 1923. Kentucky and Florida, which were free of lynching in 1933, lost their places on the roll last year.

In releasing the statement, Dr. George E. Haynes, executive secretary of the department of race relations said, "The persistence of the evil and its hold upon local areas are indicated by the fact that seventeen states during ten years have fluctuated on and off the honor roll. The number of victims of the mob shows a similar unfavorable tendency. After a downward trend from 33 victims in 1923 to ten in 1929, there has been a tendency to increase, except in 1932 when there was a decrease to eight victims. There were 28 victims of lynching in 1933 and 15 in 1934."

Continuing, Doctor Haynes says "There has been as much savagery in torturing victims as in former years, if not more. The determination and spirit of mobs have been seen in the large number of attempted lynchings prevented by officers of the law. The failures of the law-abiding citizens in many local areas to wipe out lynching point clearly to the need of national assistance to state and local officers through legislation which will bring federal power to the aid of those officers who struggle to protect life and limb of accused persons."

Lynchings - 1935
International Labor Defense Report

5186

ILD Names Seven Whites as Members of Lynch Party; Indictment Demanded

NEW ORLEANS, La. — The names of seven white men allegedly members of a mob which attempted to lynch Adam Joseph, farmhand, at Ville Platte, La., were presented to Gaston Porterie, state district attorney, here last week by the International Labor Defense with a demand that those accused be immediately indicted.

The ILD demands the indictment of Chack Reed, Ville Platte's chief of police, for negligence which materially assisted the lynching party. Suit for $10,000 against each of the men is also being initiated. Herman Midlo, who has handled several cases for the ILD, will represent Joseph.

Threatened for "Back Talk"

The names given to the district attorney are reported to be: Ferdinand DeVille, merchant and leader; Otley DeVille, Johnnie LeFleur, Loren Soileau, Jack Peets, Chester LeFleur, and Ferdinand Vidrine.

Joseph was employed on the farm of Mrs. P. M. Reed. On June 19, she sent him to Otley DeVille to buy some wood on credit. DeVille is said to have agreed to a week's credit, but broke into Mrs. Reed's yard on the following day and took back the wood. Joseph is said to have remonstrated with the white man for his actions and received a threat for his "talking back."

Two weeks later DeVille reported to Chack Reed, police chief, that Joseph had insulted his wife. He was arrested, but an investigation brought no evidence of his guilt. Joseph was held in jail over night for "safekeeping." During the night a mob of some twenty-five persons broke into the jail.

Left to Die in Woods

They placed Joseph in an auto, carried him about eight miles into the woods. As he stepped from the car, Joseph received two shote in the back. Each member ofthe lynch-gang then gave him ten licks with a buggy whip.

Left unconscious, Joseph was found by the chauffeur of a doctor who cared for him overnight then sent him to New Orleans. There, the Unemployment Council referred him to the ILD, which gave him medical aid and began to organize a campaign for the punishment of the hoodlums.

Lynchings-1935
Reports on.

International Labor Defense.

4520

I. L. D. LISTS 24 LYNCHINGS IN '35

Mississippi Reported as Leading With 8

1-4-36

Twenty-four lynchings were reported in the United States during 1935, according to a compilation made by the International Labor Defense,

(Ed. Note: The research division of Tuskegee Institute recorded twenty lynchings during the year.)

Of these, twenty-three were Negroes. The twenty-fourth occurred in California, where C. L. Johnson, white, was lynched at Yreka on August 3.

Mississippi had the largest number of lynchings during the year, with eight recorded. Louisiana was second with 5, Alabama third with 4; 2 were recorded from Texas and 2 from Georgia. Florida, North Carolina, California, Tennessee, and Virginia had 1 each recorded.

The list, it was pointed out by the I. L. D., is not claimed to be complete, as many lynchings occur which are not recorded in the press, and only come to light sometimes months after, if ever.

The definition of a lynching used in compiling this list was as follows: Any killing by a group of three or more, unauthorized by law and premediated, in a case in which commission of an offense was charged, and given as the excuse for the killing.

ILD SAYS 24

Figures just released by the ...rnational Labor Defense set th... reported lynchings in the ...d States at 24 for the year 1935. Of the 24, 23 were Negroes. The one white lynching reported was that of C. L. Johnson, which occurred at Yreka, California, on August 3rd.

In the I. L. D. compilation, Mississippi led in the number of lynchings with eight recorded. Louisiana followed with five, Alabama was third with three. Two each were reported in Texas and Georgia and Florida, North Carolina, California, Tennessee and Virginia ...ed one each.

This list, declared the I. L. D., however, could not be claimed as complete inasmuch as many lynchings occur which are not recorded in the press and which only come to light months after if ever. In compiling the statistics, a lynching was defined as any killing by a group of three or more, unauthorized by law, and premeditated, in a case in which commission of an offense was charged, and given as the excuse for the slaying.

ILD Lynch Report Of 24 Is Four Higher Than Tuskegee

Twenty-four lynchings were reported in the United States during 1935, according to a compilation made by the International Labor Defense, made public this week. Of the twenty-four, 23 were members of the Race. The twenty-fourth occurred in California, where C. L. Johnson, white, was lynched at Yreka on August 3.

Mississippi had the largest number of lynchings during the year, with eight recorded. Louisiana was second with five, Alabama third with four. Two were recorded from Texas and two from Georgia, Florida, North Carolina, California, Tennessee and Virginia had one each recorded.

The list, it was pointed out by the ILD, is not claimed to be complete as many lynchings occur which are not recorded in the press, and only come to light sometimes months after, if ever.

The definition of a lynching used in compiling this list was as follows: Any killing by a group of three or more, unauthorized by law, and premeditated, in a case in which commission of an offense was charged and given as the excuse for the killing.

The ILD figure of 24 lynchings for the year is four more than the total reported by the department of research and records for Tuskegee Institute last week. This variation is due to the fact that many lynchings each year are carried out so secretly that they are not disclosed.

Jerome Wilson, Franklinton, La., Jan. 11—

Wilson had been convicted of the slaying of Delos Wood, a deputy sheriff, after officers had invaded his house. The lynching took place after the State Supreme Court had ordered a new trial. Wilson was

(Continued from page 1)

shot to death in his cell; his body was taken from the jail and dumped on the road three miles north of town. Sheriff J. B. Brock said: "There wasn't any lynching. There were just six or eight business men going about their business."

Anderson Ward, Maringouin, La., Feb. 24—

Ward had an altercation with Dennis Brudroe, a white man. Brudroe drew his gun on Ward, but it failed to explode properly. Ward drew a knife to protect himself. A mob of 25 gathered to search for Ward, stormed the jail where he was locked up and killed him. He was hanged from an oak tree and his body riddled with bullets.

Ab Young, Slayden, Miss., Mar. 12.—

Young was an organizer among the share-croppers who was urging them to demand their share of the AAA funds. He was approached and threatened by Hardy Mackie, an agent of the landlords. Mackie drew a pistol and Young shot in self-defense. He was seized by lynchers, placed on top of an auto with a rope around his neck, one end was tied to a tree and the car was driven from under him. He was captured at Rossville, Tenn., and carried across the state line.

R. J. Tyrone, Hattiesburg, Miss. March 22:

Tyrone was supposed to have committed suicide, but a month later the following facts were revealed: A group of rich white plantation owners had wanted his property and had provoked Tyrone to a fight. When he defended himself the landlords organized a gang to lynch him. Three days later his body was found riddled with bullets, making the coroner's verdict of "suicide" ridiculous.

Rev. T. A. Allen, Marks, Miss., April 5

Body found shot to death and weighted with trace chains about his waist in a river near Marks. Carried literature indicating that he was interested in the conditions of the poverty-stricken sharecroppers.

R. D. McGee, Wiggins, Miss., June 22

Accused of "attempting to attack" 11-year-old white girl in a blackberry patch and of beating her in the attempt. Posse seized him in his bed and carried him to the woods, where a mob of 200 to 400 hanged him from a tree and riddled his body with buckshot wounds and bullets.

Joe Spinner Johnson, Greensboro, Ala., July 11—

Johnson was a leader of the Share Croppers Union in Perry County. Called from his cotton patch by Landlord B. J. Young and Overseer Locke Trainer, he was bound hand and foot and beaten. He was placed in the Selma jail. Inmates heard screams that night. Next morning Johnson was not in jail. His body was dumped in a secret grave near Greensboro and found and recognized by friends.

Bert Moore, Columbus, Miss., July 15—

Charged with "attack" on a white woman, Moore was seized by lynchers who took him from the deputy sheriff of Lowndes county. He was hanged to an oak tree. Deputies offered no resistance to the lynchers.

Dooley Martin, Columbus, Miss., July 15—

Lynched at the same time and under the same circumstances as Moore.

Riblin Stacy, Fort Lauderdale, Fla., July 19—

Stacy was accused of a knife attack on a wihte woman. He was taken from six deputies by a mob of masked white men, hanged from a tree and riddled with bullets.

Gowan Ward, Louisburg, N.C., July 30—

Ward had had a quarrel with a white farmer, Charlie Stokes. Stokes was killed during the dispute. Ward was turned over to the lynchers by the sheriff and his deputy on the way to the jail.

C. L. Johnson, white, Yreka, Calif., Aug. 3—

Johnson had been accused of killing Chief of Police F. R. Daw of Dunsmuir. A mob dragged him out of jail and hanged him to a tree.

Bodie Bates, Pittsboro, Miss., Aug. 5—

Bates had been accused of attempted assault on a white woman. A mob took him and another Negro from the Pittsboro county jail, lynched Bates and possibly also the other Negro. Lynchers had keys to the jail and to the cells of the two other Negroes.

Jim Press Meriweather, Lowndes County, Ala., Aug. 22—

Meriweather was a leader of the Share Croppers Union and of the cotton pickers strike. He was arrested by a sheriff's posse which took him away and killed him. The posse gave the excuse of "self defense."

Edward Bracey, Hope Hill, Ala., Sept. 3—

Bracey was shot and killed by a gang of landlords and vigilantes urging the cotton pickers strike. The gang opened fire on the house and shot Bracey as he tried to escape through the back door.

Ellwood Higginbotham, Oxford, Miss., Sept. 17—

Higginbotham was a leader of the Share Croppers Union and had aroused the anger of the landlords. He shot the landlord-leader of the lynch gang in self defense when the lynchers invaded his house. He was lynched during the trial, while the jury was deliberating.

Lewis Harris, Vienna, Ga., Sept. 28—

Mob "overpowered" sheriff who was taking Harris to jail on charge of drunkenness. Sheriff had also tried to arrest Harris' son, and Harris demanded the boy's release. Mob claimed that Harris had threatened and cursed the sheriff.

Bo Brinson, Moultrie, Ga., Oct. 17—

Band of armed men deputized and led by Sheriff T. V. Beard lynched Brinson, a tenant farmer, and then swept South to Florida state line, spreading terror among the Negro population.

Dave Hart and **Henry Freeman**, New Orleans, Nov. 2—

These two young Negroes had been accused of attacking a white woman. They were shot and killed in jail by officers of the parish.

Baxter Bell, White Bluff, Tenn., Nov. 5—

This 45-year-old worker was hanged and shot by husband and three brothers-in-law of a white woman who the Negro was reported to have "struck and insulted."

Benny Mitchell and **Ernest Collins**, Columbus, Tex., Nov. 14—

These two 16-year-old Negroes were arrested in connection with the death of a white farm girl whom they had been acused of assulting and beating to death. The youths were taken by a mob from county officials and lynched.

Unidentified, Ripley, W. Va., Nov. 13—

The body of an unidentified Negro was found hanging from a tree. The body had been burned beyond identification.

Lynchings-1935
Legal Punishment for Rape.

Alabama.

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New York
Journal of Commerce
NOV 14 1935

Scottsboro Indictments

A special grand jury in Scottsboro, Ala., reindicted the nine Negro youths whose original convictions on assault charges were overturned by the United States Supreme Court. The jury was made up of seventeen white men and one Negro. Mrs. Victoria Price, one of the two alleged victims of the assault, was a witness before the grand jury. Ruby Bates, her companion, repudiated her testimony and withdrew from the case during earlier litigation.

ALABAMA SEEKS END OF SCOTTSBORO CASE

New York Times
New York City

By New Indictments the State Hopes to Meet Supreme Court Ruling and to Conclude Trials Speedily

11/17/35

By JOHN TEMPLE GRAVES 2d.
Editorial Correspondence. THE NEW YORK TIMES.

BIRMINGHAM, Ala., Nov. 15.—New indictments found this week in the Scottsboro case point to an early resumption of all the noise, bitterness, notoriety and expense that attended the earlier trials. Alabamians still are divided on the merits of the case, but of one mind in the wish to be rid of the thing for better or for worse.

There is no present disposition in the press or anywhere else to debate the guilt or innocence of the defendants any longer. Comment everywhere runs now to regret that the ugly business must be brought forth again and to hope that this time it will be settled permanently one way or another. To meet the decision of the Supreme Court a Negro sat on the grand jury that found the new indictments.

Tom Knight, who was Attorney General at the time of the last trials and who conducted the prosecution in that capacity, has since been elected Lieutenant Governor, largely as a result of prestige won in opposing "Communists and New Yorkers" allied against him in the case. Detailed as special prosecutor for the new trials, he is said to have Gubernatorial ambitions which new triumphs in the Scottsboro case would serve handsomely. Those close to him are convinced that he believes absolutely in the guilt of the Negroes, who are charged with assaults upon two white girls.

"Outsiders" Not Wanted.

In the opinion of many Alabamians the prime thing to be considered today is whether the International Labor Defense shall be permitted to win a famous victory and exploit it to further the Communist movement among Southern Negroes. These Alabamians would be well satisfied if the defense could be taken over by some well-known Southern lawyer or lawyers and an acquittal won under such command. They do not believe acquittal would be wise if the International Labor Defense were in a position to claim credit for it and they do not believe an acquittal will be possible if the defense is conducted by this or any other group identified with what has come to be known as "outside interference in Alabama's affairs." This is in all probability the essentially realist attitude toward the case.

When the United States Supreme Court ordered a new trial in the cases of two of the defendants last April on the ground that members of their race had for years been barred from jury duty in Jackson and Morgan Counties, Alabama's Governor, Bibb Graves, took immediate steps to comply with his interpretation of the decision by having the names of Negroes placed on the jury rolls of this State's courts. Similar steps were taken in other Southern States.

But it is a long cry from a jury roll to a jury room, and thus far few Negroes have made it. Negroes are being listed in jury venires and on grand jury panels, and some of them get as far as the grand jury itself, but a Negro on a trial jury is as rare as ever in the deep South, except in Federal courts.

Lawyers Bar Negroes.

The ordinary procedure from jury roll to jury room for criminal cases is that a venire of 50 to 180 names is drawn each week from the list of those on the roll, and from this venire, by a process of letting each side strike names until only 12 remain, a trial jury is selected.

In civil cases the judge draws 24 names from a box and each side strikes 6. In both criminal and civil cases, if Negroes survive the drawing they can be—and are—easily eliminated by one or both sides through the striking privilege.

Because of the relatively small number of Negroes on the original jury rolls only a very few are ever drawn for venires. These are generally struck by both sides at once, opposing counsel advising the court that to avoid advantage or disadvantage to either side the striking is by mutual agreement.

In the selection of grand juries there is a different situation. The judge draws the 18 names from a panel of 36 and inevitably, if the drawing is properly conducted, some of the Negroes on the panel will be chosen.

At Decatur, in the same court room where the last Scottsboro trials were held, three Negroes were drawn a few weeks ago for service with 15 white men on the Morgan County grand jury. Judge A. A. Griffith administered the oath to them without comment. But when a Negro warehouse employe was qualified for trial jury duty in Jefferson County the same week he was promptly stricken from an assault case panel by Assistant Solicitor Long.

Many "Race-Conscious."

In other States of the deep South the situation seems to be much the same. Georgia and Mississippi report a few Negroes on grand juries but none on trial juries. Florida has no Negroes on any juries at all. In Louisiana a Negro was admitted to a trial jury at Grand which convicted a member of his race accused of attacking a white woman. In Tennessee Negroes are appearing occasionally on grand juries and there is report of one on a trial jury in Criminal Court at Knoxville.

In the rare instances in which Negroes are allowed to serve on trial juries in cases involving members of their race the effect must be a matter of speculation and hearsay, of course, but it is not likely that the defendant's cause is served appreciably. The Negro juror is inclined by the circumstances to be painfully race-conscious.

Southern lawyers with whom this writer has discussed the situation are convinced that the now apparently South-wide practice of placing the names of Negroes on jury rolls is legally faithful to the point made by the United States Supreme Court last April, and that their continuing absence from actual juries is something against which there can be no recourse at law now.

The Issue Raised.

They point out that even though Chief Justice Hughes mentioned "evidence that for a generation or longer no Negro had been called for service on any jury in Jackson County" he lodged his specific criticism against the fact "that, according to the practice of the jury commission, their names would normally appear on the preliminary list of male citizens of the requisite age, but that no names of Negroes were placed on the jury roll." In other words, they believe that the placing of names on the jury rolls was all the Supreme Court ordered or could order.

There is no doubt of the fact that Negroes are just about as successfully and consistently excluded from jury duty in this part of the South today as they were before the Supreme Court's decision. And there are enough legal loopholes and human ingenuities on hand to keep them excluded, apparently, for a long time to come.

The letter of the court's injunction is being served, perhaps, but its spirit will not prevail until the white men themselves are convinced that it is safe, comfortable and wise to rub elbows in jury rooms with their colored brothers.

REINDICTED



International.

Haywood Patterson, among the accused in the Scottsboro case.

Atlanta, Ga.

SCOTTSBORO NEGROES STICK TO LEIBOWITZ

BIRMINGHAM, Ala., Dec. 14.—(AP) The nine negro defendants in the "Scottsboro case" are "satisfied" with their counsel, Samuel S. Leibowitz, of New York, and believe he will serve them better than a southern lawyer.

A group of southern white men and women interested in the negroes had suggested that they might fare better with an outstanding attorney from the south.

Bronx, N.Y. Home News
NOV 14 1935

Scottsboro Youths Again Indicted by Jury Sitting With Colored Member for First Time

Scottsboro, Ala.—With a colored man sitting as a member of the Jackson County Grand Jury for the first time, that body yesterday returned 18 indictments in the famous "Scottsboro case" against the nine colored youths charged with attacking two white women four years ago.

Each of the nine colored youths named in the indictments was charged on two counts—attacking Ruby Bates and Mrs. Victoria Price on a freight train on March 25, 1931. The crime punishable by death in Alabama.

The colored Grand Jury member was Creed Conyer, chosen with 17 white men for the special jury. Another colored man drawn in the panel, Bird Hill, 74, was excused yesterday because the age limit for Grand Jury duty in Alabama is 65.

The new indictments were made necessary by a ruling of the U. S. Supreme Court, which held that colored men had been "systematically excluded" from juries when two of the defendants were sentenced to death.

Latest Move in State Fight

Impaneling of the special Grand Jury was the State's latest move in its fight for convictions, and the jury was asked to act upon warrants sworn out last summer by Mrs. Victoria Price, who alleged she was attacked by the colored youths on a freight train while she and her girl companion, were "hoboing" a ride.

Judge A. E. Hawkins, of Circuit Court, personally drew the jury, the foremanship of which went to Wiley Whitaker. After its selection, court was recessed until 1.30 p. m. It was the first time in history that a colored man had been drawn for jury duty in Jackson County.

Defendants in the case are Haywood Patterson, Clarence Norris, Ozie Powell, Willie Roberson, Andy Wright, Olen Montgomery, Charlie Weens, Eugene Williams and Roy Wright.

Patterson Convicted Three Times

Patterson three times has been convicted and sentenced to death. The convictions twice were reversed by the U. S. Supreme Court and once by an Alabama judge. The first ruling of the Supreme Court reversed the conviction of all defendants. Only Patterson and Norris were placed on trial again.

In the previous trials Ruby Bates repudiated testimony she had given earlier to corroborate Mrs. Price's story.

During the long litigation, the case grew from a relatively minor incident to international stature. Entrance of the International Labor Defense, the Society for the Advancement of Colored People and the League for the Defense of Political Prisoners attracted wide attention to the case.

New York Evening Post
NOV 14 1935

SCOTTSBORO CASE BACK TO START AS 9 ARE REINDICTED

Alabama Answers Supreme Court's Reversal on Jury Color-Line Charge

NEGRO MEMBER OF PANEL AS WOMAN TESTIFIES

SCOTTSBORO, Ala., Nov. 14 (AP).—Prosecution of nine Negroes in the Scottsboro criminal attack case was back today where it started four and a half years ago, with each indicted twice by a mixed Grand Jury impaneled to meet a Supreme Court objection to its all-white predecessor.

Death in the electric chair faces the Negroes, eight of whom were convicted previously, if they are convicted again.

Creed Conyers, Negro farmer and school board trustee, served on the eighteen-man jury which late yesterday returned the true bills charging attack.

Conyers lives at Paint Rock, Ala., near the scene of an asserted mass assault on two white girls, Mrs. Virginia Price and Ruby Bates, aboard a Southern Railway freight train March 25, 1931.

Two Negroes on Venire

He was one of two Negroes on the venire of thirty-six. Names of the jurors were drawn from a box.

Mrs. Price testified yesterday. Officers said Miss Bates, who once repudiated her prosecution testimony, could not be located.

It was not announced how the jury balloted on the true bills. A two-thirds vote is required for indictment.

Twice the Supreme Court has ruled for the defense on appeals of the convicted Negroes. First it held their counsel had been inadequate.

Last spring it set aside death sentences imposed on Clarence Norris and Haywood Patterson on the ground there had been "systematic exclusion" of Negroes from grand and trial juries in Jackson County and in Morgan County, where the hearings were held under a change of venue in 1933.

The new indictments were the State's answer. Attorneys expected a special session of the Morgan County court would be called soon for retrial of the Negroes.

Indicted with Norris and Patterson were Eugene Williams, Roy Wright, Andy Wright, Willie Roberson, Olen Montgomery, Ozzie Powell and Charlie Weems. They are in jail at Brimingham.

New York Evening Post
NOV 14 1935

9 REINDICTED IN SCOTTSBORO ASSAULT CASE

Negro on Panel as Alabama Answers Supreme Court

WOMAN TESTIFIES; OTHER IS MISSING

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BROOKLYN CITIZEN
NOV 15 1935

It appears that the Alabama officials who are convinced of the guilt of the nine Scottsboro Negro boys, charged with criminal attack, have at last overcome their prejudice and thereby have enhanced the likelihood of the boys' convictions standing up in the United States Supreme Court. Twice the highest tribunal overruled Alabama courts because Negroes were excluded from the juries. There was, for the first time in memory, a Negro, on the Jackson County Grand Jury which has just re-indicted the boys. Whether that is enough or whether it remains for Alabama to include Negroes in the petit jury panel to satisfy the Supreme Court, still is in doubt. It is hardly to be expected that any Negro in that panel would be allowed to sit in the trial jury.

Tarrant, Ala., Standard
November 26, 1935

NEGROES PLAY IN HEADLINES

Scottsboro Decision Creates Precedent

For the first time in the history of Southern newspaperdom the picture of two negroes is carried on the front page of a newspaper—that is so far as memory dates back.

The negroes are Haywood Patterson and Clarence Norris, two defendants in the now famous "Scottsboro" attack cases and the paper which carries their photos on the front page is the Jackson County Sentinel.

Also, another negro, Creed Conyers, who was a negro member of the recent grand jury which reindicted the nine defendants for an attack on Mrs. Victoria Price became a headliner in the paper.

P. W. Campbell is editor and publisher of the Sentinel which is published in Scottsboro, scene of the first trials in which death sentences were imposed on Patterson and Norris.

In Shelby County, Alex Scott, negro janitor at Alabama College served as a juror in the Circuit Court. The names of four other negro jurors were drawn for the box but were excused.

This was in compliance with the recent decision of the United States Supreme Court which reversed the decision of the court in the "Scottsboro" cases because the names of negroes were systematically excluded from the jury box.

Lynchings – 1935
Legal Punishment for Rape

Alabama

4973

This Simple Request Will Be Chief Aid To A Bitter South In Skating Around Famous Scottsboro Decision

Members of Race Are Facing Loss Of Jobs, Possible Violence If They Insist On Serving On Juries---Must Ask For Excuse

By WILLIAM WISE ELLISON

Nothing in the last 70 years has served to electrify the South more than the decision of the United States Supreme Court discouraging systematic exclusion of the Race on juries. It set bilious colonels stroking snowy beards and neurotic majors tapping walking sticks irritably while in commun-ion with cuspidors. Able jurists and blatant barristers took cognizance of the order but are manifestly doubtful whether the mandate of the highest tribunal can ever be peacefully carried out. Georgia spoke of the possibilities of seceding from the Union.

While the decision was regarded as a blanket ruling applicable to all Dixieland, the Supreme court's action in reversing death sentences of two Scottsboro defendants on evidence that names of no members of the race appeared in jury boxes or on jury rolls, naturally held particular significance for Alabama. Governor Bibb Graves, hardly seated comfortably in the executive chair for a second administration, accepted the high court's decree unequivocally and forthwith interpreted it in letters to circuit court judges and solicitors throughout the state, calling for revising Alabama's jury lists to include Race members' names.

"Holdings of the United States Supreme court are the supreme laws of the land," the governor wrote. "Whether we like the decision or not, it is the patriotic duty of every public officer to accept and uphold them in letter and spirit. . . . It is unusual and arbitrary, if not unprecedented, for the governor to undertake to suggest to the judicial department things which under our state policy are particularly under their jurisdiction. However, I have a duty to perform and an oath to abide by, and I and they are equally bound to enforce the supreme law of the land. . . ."

The decision confronts Alabama with the most serious situation it has faced in its affairs since the War Between the States. But Alabama has made little more than a gentle gesture at compliance.

After excitement attending the ruling had subsided to some extent, legal minds began picking the governor's order apart. Members of the race were not necessarily required to be placed on juries, but that their names be placed on the jury rolls in the boxes from which juries are drawn. Trial judges are permitted a certain amount of discretion in accepting or rejecting jurors. In selecting a jury from a venire, the state is permitted one strike to the defense's two until the venire is narrowed to 12 men, this in addition to the strikes for cause.

Qualifications of a juror require that he (or she) be a person of good character, good standing and good intelligence. On this theory names are admitted to the jury box. The jury commissioners of Alabama, inquiring for new names to be put on their lists, have instinctively reported only the names of white people.

Alabama law provides that a person to be eligible to vote, except in certain circumstances, must pay $1.50 annual poll tax, must be literate ad understand the Constitution.

MUST BE A QUALIFIED VOTER

In his letter to trial judges, Gov. Graves said that he would ask the legislature to enact "such legislation as will be needful along the lines of filling or refilling jury boxes." Thus, when the General Assembly convened for the first time since 1931, Senator J. Miller Bonner, of Wilcox county, rose majestically to the occasion. In offering a bill adding to already drastic statute the provision that no person's name shall be placed on the jury roll or in the jury box unless he is a duly qualified oter, the U. S. Supreme court heard a distinct echo of its Scottsboro decision.

Senator (Bone Dry) Bonner blandly announced there were no qualified voters in his, the famous Black Belt, and added, "the same situation appears generally throughout the state." He assured skeptics there was no need for apprehension that his bill might bring about the re-opening of the whole question of suffrage in Alabama. For, the solon explained, Arkansas, Connecticut, Delaware, Idaho, Indiana, Iowa, Maine, Massachusetts, Michigan, Mississippi, Nevada, New Mexico, North Dakota, Ohio, Rhode Island, South Carolina, South Dakota, Washington and Wisconsin all have similar laws.

The Senae Judiciary committee voted for a favorable report of the Bonner bill and it was hastily deposited in the legislative hopper bearing the stamp of unanimous approval. It then moved to the upper calendar and decks were cleared for introduction when suddenly the measure was recommitted to committee at the suggestion of the author. There it expired.

ELECTION LAWS ENDANGERED

The wall of silence that rose about this action was removed with the explanation that pressure for passage of such legislation might subject Alabama's election laws to litigation in federal courts. This was admittedly a dangerous procedure and one to be carefully avoided.

It was generally talked about the capital that while the nation's highest court has frequently passed on Alabama's election laws, it has never passed directly on them. There are members of the State Supreme court inclined to the belief if the elector system were established, Alabama's questionable election laws would be open to direct attack because of race discrimination, or alleged discrimination, and that they would fall under any semblance of heavy bombardment.

The world is familiar with the sordid drama that for more than four years has been the Scottsboro case. How nine Race boys, accused of assaulting two white girls after their hobo companions had been beaten up aboard a freight train, were taken off the train by sheriff's authorities at Paint Rock, Ala.; how death sentences were twice stayed by reversals of lower court judgments by the United States Supreme court. In its latest decision the high court held that Race members were systematically excluded from juries in Jackson (Scottsboro) county where the alleged crime occurred and in Morgan (Decatur) county where they were tried under a change of venue.

Complying with the decree of the nation's highest tribunal, the Alabama Supreme court issued quash orders in the cases of Haywood Patterson and Clarence Norris, two of the defendants, remanding them to Morgan county with instructions to dismiss the original indictments.

BOYS HELD ON NEW WARRANTS

This order also specified that the circuit court could make such further orders as might be deemed proper to await new indictments by a Jackson county grand jury expected to convene in September. In the event of new indictments, subsequent trials were ordered held in Morgan county. The defendants were to remain in custody "until due course of law."

Despite the change of venue, Jackson county will be forced to bear the expense of trial, the heated expostulations of angry taxpayers to the contrary notwithstanding. Legislative assistance in the form of an appropriation approximating $35,000 may be forthcoming.

After quashing of the original indictments and pending the return of others, the boys are held on nine new warrants sworn out at Scottsboro by Mrs. Victoria Price, of Huntsville, Ala., one of the two victims of the alleged attack. This, of course, was a precautionary measure to frustrate known plans of defense to liberate the defendants on bond via habeas corpus proceedings during the interim.

At the first Scottsboro trial at Decatur, in March 1933, Patterson was on the stand when Judge James Horton overruled a defense motion to quash the jury venire on grounds that Race members were

excluded from jury service. The jurist had already conceded that burden of proof of performing the duties according to law in selecting jurors was upon the state, and that the defense presented prima facie evidence that the names of Race members were not on the jury list. Every man on the Morgan county roster was white.

The Morgan county sheriff and captain of the National Guard testified they had never heard of a Race citizen serving on a jury in their county. Samuel Leibowitz, then counsel for International Labor Defense, offered testimony to substantiate his contention that no Race citizens had served on juries for the past five years, or the past 20 years. A jury commissioner was called to the stand by the state against the motion.

JURY LISTS TAMPERED WITH

"Who," he asked," would you consider to be the leading Negro citizen in Morgan county?"

"Don't know any such," was the answer.

"Isn't there a single Negro in Morgan county having qualified for jury service?"

"Not that I know of."

The books containing the jury roll for Jackson county for 1930-31 were procured for examination by Supreme court jurists. On the pages appeared names of six members of the Race. They were entered, respectfully, at the end of the precinct lists which were alphabetically arranged.

"The genuineness of these entries was disputed," the Supreme court decision reads. "It appeared that after the jury roll in question had been made up, and after the new jury commission had taken office, one of the new commissioners directed the clerk to draw lines after the names which had been placed on the roll by the preceding commission. These lines, on the pages under consideration, were red lines, and the clerks of the old commission testified that they were put in by him. The entries made by the new clerk, for the jury roll, were below these lines. . . . These names of the six Negroes were in each instance written immediately above the red lines, that is they were written after the lines had been drawn. The expert was not cross-examined and no testimony was introduced to contradict him. In denying the motion to quash, the trial judge expressed the view that he would not 'be authorized to presume that somebody had commited a crime' or to presume that the jury board 'had been unfaithful to their duties and allowed the books to be tampered with. His conclusion was that the names of Negroes were on the jury roll. . . . We think that the evidence did not justify that conclusion."

RACE NAMES USED IN JEFFERSON COUNTY

Alabama jury officials found themselves in a quandary. They held everything in abeyance pending action by the legislature. With the General Assembly going into recess without creating "remedial legislation" as prescribed by Gov. Graves, the question of dumping and refilling of jury boxes became a matter of conjecture few have ventured to fathom.

There has been a ripple of acknowledgment on the part of some court attaches and jury board members here and there obviously less obdurate than the major portion of their brethren, but hardly sufficient to disturb the state of outward tranquillity that has been characteristic in Alabama since emancipation of the black man.

The assistant county solicitor came forward with the revelation names of Race members have been on the jury lists of Jefferson (Birmingham) county for the last 10 years and members of the Race are eligible to serve on both grand and petit juries. Possibility that the Supreme court may reverse convictions in Jefferson county on grounds similar to the Scottsboro case, therefore, is remote, he declared.

The chairman of the Jefferson county jury board maintained a number of Race citizens' names were added to the jury list two years ago purposely to comply with the law that Race members are not to be excluded from the jury box. He added, too, that Race citizens have frequently been summoned to serve on grand and petit juries in his county, but invariably they have asked to be excused. Without exception these requests have been granted.

ALL NINE STILL IN CUSTODY

This summarizes the situation where at Jefferson county jail six of the Scottsboro defendants languish in cells. Two others are in Kilby prison, at Montgomery, and the ninth defendant whose age was 13 at the time of the alleged crime, was placed in custody of juvenile authorities.

For the first time since the stirring days when carpet-baggers held forth in the now dim and distant sixties, the names of Race citizens have been added to the jury list of Etowah county. To avoid future complications, the trial of a Gadsden, Ala., Race man charged with murder was postponed at the request of the circuit solicitor, the motive being to seek reindictment by a grand jury drawn from a jury box containing the names of Race citizens.

Nor is the jury service issue being confined wholly to Alabama by any manner or means. Names of Race citizens have been placed in jury boxes at Spottsylvania, Norfolk, Fredericksburg, Harrisonburg, Suffolk and elsewhere in staid old Virginia, for instance.

Race citizens have been made eligible to serve on Jefferson (New Orleans) parish juries for the first time since reconstruction days. One petition of the jury commissioners, Judge William O'Hara signed an order authorizing the commission to open the wheel of 700 names to make "a check of the names therein contained for the purpose of ascertaining whether the jury wheel as it now stands complied with the decision of the United States Supreme court in the Scottsboro case."

Commissioner of Agriculture Tom Linder became greatly perturbed over the unexpected twist things have taken. While his chief, Governor Eugene Talmadge, was absent from Atlanta shellacking the President, all alphabetical agencies and the New Deal in general, Linder was moved to enliven the usually drab columns of The Market Bulletin, official organ of the State department of agriculture:

SUCCESSION IS THREATENED

"The Democratic party is supposed to be the white man's party. . . . the United States Supreme court a few days ago reversed all the courts of Alabama in a case where some Negroes had been convicted of an assault on two white women, on the grounds that no Negroes were on the jury or in the jury boxes. . . . I notice where the governor of Alabama has ordered names of Negroes be put in the jury boxes. . . . I ask you men and women of Georgia—do you intend to submit to this kind of proposition? Do you intend to submit to the proposition that no Negro can be convicted of assault on a white woman unless Negroes sit on the jury to try him? . . . Remember no question is ever settled unless it is settled right. We still have the right to secede."

When Governor Talmadge returned to his office and loyal Democrats, shocked at Linder's suggestion of secession, stormed the capitol, he had Linder hauled on the carpet. Georgia's critical executive administered a sound rebuke for usurping the columns of a farm paper with such inflammatory copy. The publication was failing of its purpose by carrying such material for the consumption of agrarian readers.

Next issue of The Market Bulletine was back to normal—roasting Roosevelt haranguing Hopkins and walloping Wallace.

But Commissioner of Agriculture Linder, in defense of his utterances that Georgia might secede, doggedly declared that for the first time in the history of Georgia, white voters went to the polls along with Race citizens to vote on the retention of the Bankhead cotton control bill. He also, quite naturally, reiterated the inconsistency of the Scottsboro ruling.

MAILING PRIVILEGES ARE REVOKED

"No Southern white man could answer secession but one way, under the circumstances," he asserted. "No son or grandson of a Confederate veteran would hesitate to advocate secession under such conditions."

The heavy hand of the Postoffice Department fell upon Linder's shoulders at this juncture, revoking second-class mailing privileges of his publication. This move was aggravated by the commissioner's vigorous printed attack on the farm policies of the national administration, particularly the processing tax, although these have received even more vociferous attention over radio by Georgia's governor himself, whose ambitious aspirations would either have him succeed Secretary Wallace or President Roosevelt in next year's national elections.

A letter from the postal authorities cited a law enacted in 1900 requiring that publications of state departments of agriculture "shall be published only for the purpose of furthering objects of such departments," in order to be entitled to second class privileges of one and one-half cents per pound for mailing printed matter.

"In one of our issues we carried an article setting forth three planks of the Democratic platform of 1932," Commissioner Linder explained, "and in it we showed the President had carried out the principal planks of the platform of the Socialists and Republican parties."

KU KLUX KLAN WAKES UP

Resuscitated after 10 years of molding in the grave, a rejuvenated Ku Klux Klan has entered the scene to leave a trail of terror in sections of Alabama and Georgia. Brutal beating with leather straps, threats and intimidation against both whites and blacks and the burning of innumerable fiery crosses from hillsides and in front of residences, so intensified matters as to cause at least one grand jury investigation into depredations of hooded Klansmen and night riding gangs.

The inference that Governor Graves was indifferent to the acts of the Ku Klux Klan may or may not have been without foundation. Once he is said to have served as Grand Exalted Cyclops and used the backing of the organization to advantage in his gubernatorial campaign. Later, on his withdrawal the once powerful Alabama arm of the K.K.K. began to wither until a mere remnant of the original structure remained.

An appeal to Governor Graves by Attorney Samuel Leibowitz for an outright pardon for the Scottsboro defendants to bring an end to "this carcusal of hate," credited to subversive elements, was quitely declined. Request for appointment of an impartial fact-finding committee composed of outstanding state denominational leaders and heads of Alabama colleges, was also proposed without avail.

Opposition to outside intervention and interference in the case has been a factor of no minor concern in itself. A bill to give judges in the circuit and other courts of the state the authority to pass on the qualifications of lawyers from other states, is pending in the Alabama legislature. This measure is aimed specifically at attorneys sent into the state by "those who are undesirable" and follows in the wake of forfeiture of bonds for two New York I.L.D. lawyers, accused of attempting to bribe the principal witness in the Scottsboro case.

STATUS QUO IS UNCHANGED

Taken, by and large, the South will go on handling its affairs in much the same way it always has. In no Southern state is there any particular alarm over the Supreme court's ruling. Some alteration in practice may be necessary but no revolutionary changes are contemplated. It will be a comparatively easy matter for officials of Alabama and the rest of Dixie to put the names of Race citizens on the panel, but overlook them when the jury list is made up.

If that does not prove practicable, the district attorney who tries the case can throw these names out by the stereotyped process of challenging them without cause. On an actual trial proposed jurymen may be subjected to personal examinations or test of intelligence which are not commonly applied to white people.

The manufacturer, business man, plantation owner, and, in fact, anyone employing Race labor, can further complicate matters. If the simple expedient of a warning bearing the sinister signature of "K.K.K." fails to dampen the black man's passionate ardor to perform jury service, then there remains the dread of placing his job in jeopardy. It is hardly conceivable that many will incur the enmity by asking to be excused when subpoenaed to serve. Few Race citizens will enthuse over the thought of getting on a jury alongside their boss one day and absorbing his abuse in the cotton field the next day.

So, until other legislation, more specific and more drastic, is enacted by the states below the Mason and Dixon line themselves, the Race has gained little more than an empty victory through the high court's holding. Placing names in a jury box is one thing; including them on jury rolls is another.

Southerners persist in the belief that the Race prefers to entrust its fate in the hands of a white jury rather than an inter-racial jury, and the assertion is oft heard that white jurors are more sympathetic toward a Race offender than toward white men charged with the same offense.

The traditional thought of white supremacy, instilled from infancy, will prevail. And the general attitude of Southern-born whites in the matter of jury service will continue to be:

"I do not know of any Negro in my county over 21 and under 65 who is generally reputed to be honest and intelligent and who is esteemed in the community for his integrity, good character and sound judgment who is not a habitual drunkard, who isn't afflicted with a permanent disease or physical weakness which would render him unfit to discharge the duties of a juror, and who can read English and who has never been convicted of a crime involving moral turpitude."

Lynchings—1935
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Scottsboro—What Now?

THE DECISION of the Supreme Court in the Scottsboro case was a notable one in several ways. For the first time in history the Court twice reversed the lower courts in a case involving capital punishment and, by its ruling in regard to the exclusion of Negroes from Southern jury rolls, it reaffirmed a principle of justice that various commonwealths in the South have long ignored. It did not, however, contrary to general impression, write a new legal bill of rights for the Negro and will not seriously upset established legal procedure in the South. New Republic

The principle that the exclusion of Negroes from grand and petit juries solely on the grounds of their race or color is unconstitutional was established as early as 1897 in the case of Strauder v. Maryland. This ruling was upheld the following year in the case of Neal v. Delaware and again in 1903 in the trial of Rogers v. Alabama. The Scottsboro decision, therefore, is important, not because it establishes a constitutional right, but because it tells those Southern states guilty of discrimination that they have been violating the Constitution for the past hundred years and that any indictment or conviction returned under such conditions is null and void. It will doubtless be cheering to the many Southern Negroes who have been tried, convicted and put to death, to hear that they have been executed in an illegal and unconstitutional manner. 4-17-35

Nor does the decision mean that the Negro will ever sit in the jury boxes south of the Smith and Wesson line. It is quite possible for the state of Alabama, for example, to observe the absolute letter of the Scottsboro decision and thoroughly to rape it in spirit. In so far as grand juries are concerned, Negroes may be called for service and may actually serve. But, should an indictment be sought against a member of his own race in whose guilt he does not believe, any reluctant Negro juryman can be forced to concur in the indictment by the simple expedient of threatening him with violence. And, in regard to petit juries, the state, by virtue of the various challenges at its command, can easily dismiss any possible Negro juror. Not only does it have its peremptory challenges but it may challenge the unwanted Negro in other ways. The two questions, "Are you related to the defendant or any member of his family?" and "Are you personally acquainted with the defendant?" are ones that any Southern Negro, living a gregarious, communal life which brings him into close contact with nearly all other Negroes living in his neighborhood, will find hard to answer negatively.

The most important meaning of the Supreme Court's decision has not, so far as we know, been yet pointed out. It is simply that the Court has demonstrated that it will not accept the statements of petty state officials about the conduct of legal procedure in their localities but will investigate the matter itself. The Court gave the Scottsboro case as much thought and consideration as the Gold Clause case, involving hundreds of millions of dollars, and it has certainly refuted the charge that it exists in a dead and spiritless legal vacuum, devoid of all humanity and understanding.

With these facts realized, and with Governor Bibb Graves of Alabama calling for a revision of county jury lists to include the names of Negroes, the Scottsboro case is both simplified and made more complex. What will happen now? Wisdom—even the most shallow and opportunist kind of wisdom—would certainly dictate that the case be dropped now and forever. The state of Alabama must realize by now that the chances are at least twenty to one that a new conviction will meet the same fate as its predecessors. It must also realize, merely through its pride, that by continuing these useless and vengeful proceedings it is dragging itself into disgrace and ill repute.

It would have been wise for the state to quash the case and free the boys—whose innocence has long since been established before the bar of public opinion—when Judge Horton so courageously set aside the conviction in the second trial. Such a step would be even wiser now. The Scottsboro case during the last trial, was little more than a political bass-drum. The members of the prosecution and Judge W. W. Callahan, who presided, were not trying a case so much as they were making stump speeches. These gentlemen have received from the case all it can possibly give them. Mr. Thomas E. Knight, Jr., the former Attorney General, is now Lieutenant-Governor. Other members of the prosecution have also been rewarded. Judge Callahan has been returned to office. What more do they want? What more can the case give them? It is not enough, as they are unquestionably aware, to carry them to positions of greater importance and power. And if they suffer a third defeat, as seems inevitable, they will lose much of the personal and political prestige they have gained.

It would be wise, also, for Governor Graves to take the lead in moving to free the Scottsboro boys. The Governor is out to make a reputation as a "liberal." By carrying the torch of the New Deal he seeks to repudiate the light he upheld in his earlier days—the fiery cross of the Ku Klux Klan. He has spoken brave and beautiful words regarding the Court's decision. He has declared that his only ambition is to see justice done. Here is his opportunity to realize his ambition and to prove his disavowal of his past career.

Much of the future of the case depends upon the reaction of the Southern press—particularly the Alabama press—to the ruling of the Court. We can only hope that the various Southern newspapers will stand behind the Court and place before the state of Alabama the futility of further procedure. Here is a magnificent chance for both Alabama and the South to deny all charges of prejudice, passion and hatred. It is a solution that may be accepted without dishonor, with a surrender only to those principles of humanity and justice for which the South, throughout its history, has always professed to stand.

Boston United Front Rally Hails Scottsboro Victory

By a Worker Correspondent

BOSTON, Mass.—Last night I attended a branch meeting of the I.L.D. in the South End. This meeting was held to celebrate the recent Scottsboro victory. I judge about sixty persons were assembled in the hall not counting the red squad. There were speakers from many organizations including the I. L. D., Communist Party, the Garveyites, Knights of Pythias and the New England Committee for the Suppression of Lynching. Daily Worker

The speakers were received with great enthusiasm by the audience, which pledged itself to rally thousands of workers to win the release of the Scottsboro boys and to carry on broad struggle for Negro rights in the city of Boston. I particularly noted the biting sarcasm of Mrs. M. Cravatt-Simpson, chairman of the New England Committee for the Suppression of Lynching, who, in the course of her talk exposed the N. A. A. C. P. leaders as allies of the Kluxers. Mrs. Simpson reminded me somewhat of Mother Bloor for her wit and militancy.

"I believe fervently in the Lord," she said, "but while I pray, I make sure to keep my hand on the handle of my hatchet." 4-16-35

I also recall the statement of Dr. Holmes who said, "Our people have been betrayed by every political party and by all the churches in Christendom, and when we are convinced that the Communist Party means what it says, we will back it in five thousand wards in the city of Boston."

The speaker from the Garveyites hailed the Communist Party and the

I. L. D. and stated that without them the Scottsboro Boys would have been lynched a long time ago. Donald Burke, who spoke for the I. L. D., issued a timely warning against the Liebowitz inspired illusion that he (Liebowitz) would rescue the Scottsboro Boys in an airplane.

George Blake, representing the Communist Party in New England, spoke eloquently on the need for widening the Scottsboro campaign, linking it up with the local struggles of the Negro people in Boston. He concluded his speech with an appeal to carry forward the struggles in the May Day demonstration.

Chattanooga, Tenn. Times
April 6, 1935

Justice for Negroes

(New York Times.)

It is more than four years since the case of the Negro boys condemned to death at Scottsboro began to trouble the conscience of Americans in all parts of the country. It is not necessary now to recall all the circumstances of the trial. Its conduct and some of the evidence admitted were of a sort to make many doubt the real guilt of the accused, but far more important than this was the growing conviction that they had been denied their constitutional rights and made the victims of race prejudice. Largely on this ground the case was appealed to the supreme court of the United States, which held that the constitutional point was well taken—namely that the defendants had not had full opportunity to obtain counsel. For this reason the original verdict was set aside and a new trial ordered. That was had in due time, the same verdict was reached and another appeal was taken to the supreme court. Yesterday it ruled that Negroes had been systematically excluded from the jury, so that the defendants are entitled to a new trial, which the court ordered. Chief Justice Hughes said that there was no disagreement on the point at issue. It was that, when the evidence showed that Negroes eligible to jury duty were regularly excluded, the trial was vitiated in the constitutional sense and the verdict would not be allowed to stand.

The judgment shows that the highest court in the land is anxious to secure and protect the rights of the humblest citizen. The case originally seemed of comparatively little importance. But with the lapse of years it has taken on the proportions of a celebrated cause. The test under which the supreme court was placed has been trying, but the judges have met it in the finest tradition of judicial independence and integrity. They have showed that their love of justice extends to the smallest as well as the greatest. The records which they have made in this case cannot fail deeply to impress the whole country. People may well hope to be spared a renewal of the original proceedings in the lower court. Might not the governor of the state find sufficient reasons in what has already taken place for issuing a pardon in order to do substantial justice and at the same time free the courts from the duty of going on with a case which has become a public symbol of the mischief that may be wrought when prejudice is allowed to invade the place dedi-

Bowing to the Court Decision

Governor Bibb Graves of Alabama bowed gracefully enough to the recent Supreme Court decision in the Scottsboro cases. The court ruled that the trial judge was not justified in supposing the jury commissioners had shown no discrimination against the Negro race. It intimated that books had been tampered with and evidence had been manufactured.

Governor Graves moved at once when he learned of the decision. It was announced that he wrote every trial judge in Alabama to comply with the ruling by revising jury rolls before any new juries are drawn. Also that he asked that all jury boxes be emptied and refilled in accordance with the principles enunciated by the decision of the Supreme Court.

He apologetically said: "It is unusual and arbitrary, if not unprecedented, for the Governor to undertake to suggest to the judicial department things which under our state policy are peculiarly under their jurisdiction. However, I have a duty to perform and an oath to abide by, and I and they are equally bound to enforce the supreme law of the land."

The Governor also wrote to all jury commissioners and to all circuit solicitors suggesting the manner in which they can best meet the pending indictments.

People all over the South were naturally interested in what the Governor had to say, and the judges in almost every judicial circuit in every state naturally took stock.

Georgia lawyers feel that their supreme court has a clean record. It has not hesitated to reverse any judgment that was tainted with prejudice. A case in Bryan county was reported in 168th Georgia, pages 370 to 374, in which the commissioners were on record as saying they would keep out of the jury box a certain race of citizens.

The Georgia supreme court promptly said that was a gross abuse of legal discretion and the court could not escape the conclusion that jurors' qualifications had been arbitrarily decided. When the question of prejudice or discrimination has been raised in Georgia, it has been customary, so far as can be learned, to invite evidence to that effect.

More than one county, including Bibb, has used Negro jurors, though in recent years the use of them has grown less and less until some counties have not had any on a panel in a number of years.

There can be no doubt that the Supreme Court's ruling will result in precautions that have not been taken in the past. But as one Macon lawyer puts it, the question of selecting a jury is not and never should be a race question. The very best material available is none too good, and the shame of the entire country has been the lack of the right kind of material for the best jury service. Questions involving race, politics, social standing, and all matters of that kind have no proper consideration in a jury system among intelligent and upright people.

And while there can be no objection to doing everything that can promote justice and fair dealing to everybody, it stands to reason that the higher the type of jurors the more the chance of insuring justice to Negroes and white people.

Nothing can be gained by criticising the court for jerking up the public and reminding it of the jury section of the fourteenth amendment, nor should such criticism be indulged, but it is perfectly proper to say that the jury section of the fourteenth amendment to the Federal Constitution was never intended to be patriotic. It was intended to humiliate the gentry of the old South. It pretended to champion the cause of the Negro. It may have been the best product of the brains of the time, but it is not a credit to such brains.

The law was ratified by carpetbag legislatures, and the Negroes who were supposed to benefit by it were finally embittered and left among the Southern white people with whom they would have been as good friends in those days as they are in these days. The only hindrance was just such foolhardy efforts to lift them into high place before they were prepared by education, experience or intelligence.

Those who have made their way up in the scale since those gory and unhappy days are to be congratulated, and they have never had any trouble in getting patient co-operation and sympathetic hearing from Southern whites in any moves for the betterment of their race.

The Supreme Court has not upset the order of things in many communities of the South. The two races get along together now better than they ever have since the carpetbaggers ruined the peace and happiness of both through just such spirit as the fourteenth amendment so strikingly manifests.

Savannah, Ga., News
April 6, 1935

NEGRO JURORS IN ALABAMA?

Gov. Bibb Graves of Alabama evidently believes in following the rulings of the nation's highest tribunal no matter whether or not they are in accordance with sectional customs and prejudices. A dispatch from Montgomery says he announced that he had written circuit judges, solicitors and jury commissioners that the United States Supreme Court decision in the Scottsboro case meant the names of negroes must be placed in the jury boxes in the state. He said he was also going to ask the Legislature when it reconvenes April 30 to enact such legislation as may be necessary to cover dumping and refilling jury boxes in Alabama. The Supreme Court held that negroes were "systematically" excluded from jury rolls in Jackson and Morgan counties, infringing on the constitutional rights of the defendants in the Scottsboro case.

If Governor Graves' instructions are carried out, refilling jury boxes will place negroes' names on jury rolls and in the boxes for the first time since reconstruction days in many counties, unless some plan is devised to circumvent this procedure. Governor Graves says, "Holdings of the United States Supreme Court are the supreme law of the land. Whether we like the decisions or not, it is the patriotic duty of every citizen and the sworn duty of every public officer to accept and uphold them in letter and spirit."

Through the tightening and strengthening of rules governing the organization of political parties, it may be possible to continue to exclude negroes from participating in primary elections and to bar them from jury duty through lack of mental and other qualifications, but the recent Supreme Court decision and the action of Governor Graves raises questions of great import in the South, the danger being that there may be a wholesale reversal of thousands of other cases in the trial of which negroes have been excluded from the jury box and which are carried to the highest court, through the efforts of negro organizations.

Fayetteville, Tenn., Observer
April 4, 1935

SCOTTSBORO CASE RULINGS SET ASIDE

The supreme court at Washington Monday set aside the death sentences imposed on Clarence Norris and Heywood Patterson, negroes convicted of assaulting a white woman near Scottsboro, Ala., and returned both cases to Alabama courts for further action.

In the case of Norris, Chief Justice Hughes' opinion directly ordered a new trial after saying there was no controversy about the constitutional principal involved—that if negroes are excluded from jury service, equal protection of the laws to all does not result.

In a separate opinion on Patterson, Hughes returned the case for the Alabama courts to decide whether he should not be given a new trial.

While court attaches explained the Alabama court could refuse a new trial and re-sentence Patterson, they contended in this event he could return to the supreme court for a direct order for a new trial.

Houston, Miss. Post
April 11, 1935

The decision of the United States Supreme Court in the famous Scottsboro, Ala., cases seems to pretty well settle the question of whether or not negroes will have to be drawn on juries in the South and elsewhere throughout the country. In order for verdicts to stand the final test. The Governor of Alabama is reported to have advised the authorities in his state to include negroes in the jury box and it looks like that is what will have to be done by the other states. It is a deplorable condition of affairs brought about by the interference of outside agencies, but the Jackson News suggests that it will simply result in the raising of the standard of qualification for jury service. If the white jury material generally, it may prove beneficial after all.

Alabama

4975

Lynchings - 1935
Legal Punishment for Rape.

NEW YORK TIMES

NOV 17 1935

ALABAMA SEEKS END OF SCOTTSBORO CASE

By New Indictments the State Hopes to Meet Supreme Court Ruling and to Conclude Trials Speedily

By JOHN TEMPLE GRAVES 2d
Editorial Correspondence, THE NEW YORK TIMES.

BIRMINGHAM, Ala., Nov. 15.—New indictments found this week in the Scottsboro case point to an early resumption of all the noise, bitterness, notoriety and expense that attended the earlier trials. Alabamians still are divided on the merits of the case, but of one mind in the wish to be rid of the thing for better or for worse.

There is no present disposition in the press or anywhere else to debate the guilt or innocence of the defendants any longer. Comment everywhere runs now to regret that the ugly business must be brought forth again and to hope that this time it will be settled permanently one way or another. To meet the decision of the Supreme Court a Negro sat on the grand jury that found the new indictments.

Tom Knight, who was Attorney General at the time of the last trials and who conducted the prosecution in that capacity, has since been elected Lieutenant Governor, largely as a result of prestige won in opposing "Communists and New Yorkers" allied against him in the case. Detailed as special prosecutor for the new trials, he is said to have Gubernatorial ambitions which new triumphs in the Scottsboro case would serve handsomely. Those close to him are convinced that he believes absolutely in the guilt of the Negroes, who are charged with assaults upon two white girls.

"Outsiders" Not Wanted.

In the opinion of many Alabamians the prime thing to be considered today is whether the International Labor Defense shall be permitted to win a famous victory and exploit it to further the Communist movement among Southern Negroes. These Alabamians would be well satisfied if the defense could be taken over by some well-known Southern lawyer or lawyers and an acquittal won under such command. They do not believe acquittal would be wise if the International Labor Defense were in a position to claim credit for it and they do not believe an acquittal will be possible if the defense is conducted by this or any other group identified with what has come to be known as "outside interference in Alabama's affairs." This is in all probability the essentially realist attitude toward the case.

When the United States Supreme Court ordered a new trial in the cases of two of the defendants last April on the ground that members of their race had for years been barred from jury duty in Jackson and Morgan Counties, Alabama's Governor, Bibb Graves, took immediate steps to comply with his interpretation of the decision by having the names of Negroes placed on the jury rolls of this State's courts. Similar steps were taken in other Southern States.

But it is a long cry from a jury roll to a jury room, and thus far few Negroes have made it. Negroes are being listed in jury venires and on grand jury panels, and some of them get as far as the grand jury itself, but a Negro on a trial jury is as rare as ever in the deep South, except in Federal courts.

Lawyers Bar Negroes.

The ordinary procedure from jury roll to jury room for criminal cases is that a venire of 50 to 180 names is drawn each week from the list of those on the roll, and from this venire, by a process of letting each side strike names until only 12 remain, a trial jury is selected.

In civil cases the judge draws 24 names from a box and each side strikes 6. In both criminal and civil cases, if Negroes survive the drawing they can be—and are—easily eliminated by one or both sides through the striking privilege.

Because of the relatively small number of Negroes on the original jury rolls only a very few are ever drawn for venires. These are generally struck by both sides at once, opposing counsel advising the court that to avoid advantage or disadvantage to either side the striking is by mutual agreement.

In the selection of grand juries there is a different situation. The judge draws the 18 names from a panel of 36 and inevitably, if the drawing is properly conducted, some of the Negroes on the panel will be chosen.

At Decatur, in the same court room where the last Scottsboro trials were held, three Negroes were drawn a few weeks ago for service with 15 white men on the Morgan County grand jury. Judge A. A. Griffith administered the oath to them without comment. But when a Negro warehouse employe was qualified for trial jury duty in Jefferson County the same week he was promptly stricken from an assault case panel by Assistant Solicitor Long.

Many "Race-Conscious."

In other States of the deep South the situation seems to be much the same. Georgia and Mississippi report a few Negroes on grand juries but none on trial juries. Florida has no Negroes on any juries at all. In Louisiana a Negro was admitted to a trial jury at Grans which convicted a member of his race accused of attacking a white woman. In Tennessee Negroes are appearing occasionally on grand juries and there is report of one on a trial jury in Criminal Court at Knoxville.

In the rare instances in which Negroes are allowed to serve on trial juries in cases involving members of their race the effect must be a matter of speculation and hearsay, of course, but it is not likely that the defendant's cause is served appreciably. The Negro juror is inclined by the circumstances to be painfully race-conscious.

Southern lawyers with whom this writer has discussed the situation are convinced that the now apparently South-wide practice of placing the names of Negroes on jury rolls is legally faithful to the point made by the United States Supreme Court last April, and that their continuing absence from actual juries is something against which there can be no recourse at law now.

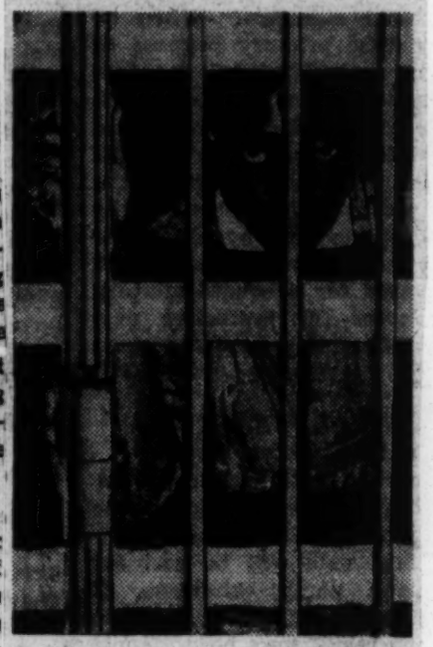
The Issue Raised.

They point out that even though Chief Justice Hughes mentioned "evidence that for a generation or longer no Negro had been called for service on any jury in Jackson County" he lodged his specific criticism against the fact "that, according to the practice of the jury commission, their names would normally appear on the preliminary list of male citizens of the requisite age, but that no names of Negroes were placed on the jury roll." In other words, they believe that the placing of names on the jury rolls was all the Supreme Court ordered, or could order.

There is no doubt of the fact that Negroes are just about as successfully and consistently excluded from jury duty in this part of the South today as they were before the Supreme Court's decision. And there are enough legal loopholes and human ingenuities on hand to keep them excluded, apparently, for a long time to come.

The letter of the court's injunction is being served, perhaps, but its spirit will not prevail until the white men themselves are convinced that it is safe, comfortable and wise to rub elbows in jury rooms with their colored brothers.

REINDICTED



International.
Haywood Patterson, among the accused in the Scottsboro case.

ANOTHER TRIAL FOR THE SCOTTSBORO BOYS



New York, N. Y.

Associated Press.

Last week new indictments were returned. Some of the defendants at a previous trial at Decatur are shown as they marched to court under guard of militiamen.

HIGH COURT REJECTS NEGRO RIGHTS PLEA

"Scottsboro" Appeal in Arkansas Fails

CLOSED JURY CLAIM 'LATE'

Two Convicted of Assault Have 15 Days to File Petition for Rehearing—Other Cases Are Decided

By The Associated Press

LITTLE ROCK, Nov. 18.—The Arkansas Supreme Court rejected today a "Scottsboro plea" presented by attorneys for Jim X. Caruthers, 19, and Bubbles Clayton, 21, negroes, and affirmed their death sentences for criminal assault.

The tribunal held that the defense plea that the negroes were denied their constitutional rights because no negroes were on the grand or petit juries could not be considered because the question was not made an issue in the lower court.

Caruthers and Clayton, convicted of assaulting a young woman at Blytheville, Mississippi County, last Dec. 21, have 15 days in which to file a petition for a rehearing.

"There is nothing in this record tending in any way to show that there were no negroes on the grand jury that indicted them or on the petit jury that tried them," the court's opinion said.

"No objection," the ruling continued, "was made to either jury on this account nor was such a ground alleged in the motion to quash the indictment nor was any motion made to quash the trial panel on this or any other grounds.

"Not Even Metioned"

"It was not even mentioned as a ground in the motion for a new trial. This question is raised for the first time in the brief for appellant's without any record to support it. It cannot be considered even though raised in the motion for a new trial for the first time. Such assignment comes too late."

The court also rejected a defense contention that the lower court erred in refusing allegedly faulty indictments because they were not signed by the prosecuting attorney or his deputy.

"It has never been the law in this state," said the court, "that the signature of the prosecuting attorney to an indictment is necessary to its validity. On the contrary, it has been continuously held that such signature is not necessary."

The supreme court affirmed the St. Francis circuit judgment holding that E. A. Rolfe, was the winner of the county judgeship in the August, 1934, runoff primary against Charles Fleming.

The tribunal upheld the lower court's decree that Fleming had failed to show he had received a greater number of legal votes cast. Fleming contended that the lower court erred in permitting Rolfe to amend his answer to the original suit setting out the votes received by Fleming which were illegal.

The supreme court said that "to reverse this case for the reason assigned would result in permitting appellant to get the benefit of all of the illegal votes cast for him."

Without Authority

The high court held that chancery courts have no authority to decide election contests in reversing a Faulkner chancery decision of J. A. Hutto against Roy Rogers.

Rogers and others brought suit in the lower court over failure of County Judge Hutto, County Clerk John Griffith and election commissioners to place the initiated county salar act tilte on the November, 1934, general election ballot.

Rogers claimed that the petition asking the vote on the salary act was filed with Griffith in August and that the clerk issued a certificate stating that the petition contained the required number of names of qualified electors. Rogers charged that on Oct. 29, Griffith issued a second certificate saying that the petition did not contain the required number of names.

Salary act supports advertised in the newspapers and told the people they were entitled to vote on the question with rubber stamps which would be furnished. The election commissioners warned on Nov. 3, three days before the election, that such rubber stamps ballots would not be counted.

In the Nov. 6 election, the rubber stamp salary act votes won with 1,187 of the 2,101 votes cast, but the election board refused to certify the result.

The lower court held that the salary act had been legally adopted and was law.

The following opinions were delivered and proceedings had in the supreme court today

JOHNSON, C. J.:
3966. James Kelly vs. State, from Crawford circuit; affirmed.
2891. Lula Little vs. Chas. I. Evans, from Lafayette chancery; affirmed.
SMITH, J.:
4032. W. B. Hammond, admr., vs. T. W. Hamby, from White circuit; affirmed.
HUMPHREYS, J.:
4082. J. A. Hutto, county judge, vs. Roy Rogers, from Faulkner chancery; reversed and dismissed, Mehaffy, J., dissents.
MEHAFFY, J.:
4149. C. R. Ledbetter vs. W. G. Hall, from Pulaski chancery; affirmed. Butler and Baker, J. J., dissent.
4049. Mutual Benefit Health and Accident Association vs. Mamie Basham, from Johnson circuit; affirmed.
M'HANEY, J.:
3944-45. Bubbles Clayton and Jim X. Caruthers vs. State, from Mississippi circuit, affirmed.
4156. Chas. Fleming vs. E. A. Rolfe, from St. Francis circuit, affirmed.
BUTLER, J.:
3953. L. T. Talley vs. State, from Mississippi circuit, affirmed.
4050. A. B. Crissman vs. W. W. Shaver, from Cross circuit, affirmed.
BAKER, J.:
3964. Ike J. Prather vs. State, from Pulaski circuit, affirmed.
4051. John L. George vs. Evan George, from White circuit, affirmed.
PER CURIAM:
3971. James O'Neal ex parte; petition for habeas corpus, writ denied.
SUBMISSIONS:
3982. Minerva E. Yelvington vs. Nancy L. Mitchell, from Monroe chancery.
3992. Wm. L. O'Connell, Gin., vs. Arthur W. Sewell, from Ouachita chancery.
4048. Sylvia Bene vs. New York Life Insurance Company, from Pulaski circuit.
4053. T. Scott Herron vs. Southern Tractor Co., from Mississippi circuit.
4054. Pearl Dennis vs. Equitable Life Assurance Society, from Pulaski chancery.
4058. Troy Stockburger vs. Neal Cruce, from Washington circuit.
4065. Continental Oil Co. vs. City of Fort Smith, from Sebastian chancery; argued orally.
ORDERS PER CURIAM:
Cr.. 3950. Jesse Dixon vs. State from Pike circuit, rehearing denied.
3996. M. H. Greer vs. Leo Keathley, from Prairie circuit, rehearing denied.
Cr. 3971. James O'Neal ex parte; petition for habeas corpus, writ denied.
4012. Harriet A. McEachin vs. Peoples National Bank, from Pulaski chancery, motion to dismiss passed for consideration until Jan. 19, 1936.
3993. W. W. McCrary vs. Clarence Schenebeck, from Lonoke circuit, rehearing granted; substituted opinion by McHenry J.; Johnson, C. J., and Baker, J., dissent.
3923. Wm. F. Hobbs vs. W. E. Lenon, from Pulaski circuit, rehearing denied.
MOTIONS, ORDERS, ETC.:
S. L. Cantley, receiver, vs. M. Danaher from Lincoln chancery, submitted on rehearing.
John Gazzola vs. J. J. New, from Prairie circuit, submitted on rehearing.
Southeast Arkansas Telephone & Power Co. vs. W. T. Allen, from Grant circuit submitted on rehearing.
H. B. Watson et al, commrs., vs. Mercantile Bank, from Craighead chancery, advanced and set for three weeks; C. B. Barnett substituted as appellee, as interest of bank has been assigned to him.
Earl R. Wiseman, commr. revenues, vs Madison Cadillac Co., from Pulaski chancery, advanced and set for four weeks.
The First National Bank vs. J. L. Godwin, from Boone circuit, appellant given two weeks from date for brief on rehearing.
Postal Telegraph Cable Co. vs. E. A. White, from St. Francis circuit; mandate U. S. Supreme Court dismissing appeal filed.
Paul S. Bauer vs. J. A. Gwaltney, from Mississippi chancery, advanced and set for five weeks.
J. F. Sims vs. J. J. Holmes, from Prairie circuit, advanced and set for three weeks.
Paving Improvement District No. 51 vs. Refunding Board of Arkansas, from Pulaski circuit, permission granted to file brief amicus curiae.
J. C. Johnson vs. Earl Page, from Pulaski chancery, permission granted to file briefs amicus curiae.
Standard Oil Co. of Louisiana vs. Marshall I. Dykes, from Union circuit, 30 days to appellant.
Ivan Williamson, Mountain View, licensed.
J. M. Bryant vs. M. L. Edgmon, from Newton chancery, two weeks for reply brief.
Jno. White vs. Blake Williams, from Pulaski chancery; three weeks to appellee.

Concord, N. C. Tribune
November 21, 1935

Scottsboro Hearing Set December 16th

Decatur, Ala., Nov. 19.—Arraignment of the nine negro defendants in the "Scottsboro case" under new indictments charging them with attacking two white women was set for December 16, today by Judge W. W. Callahan, with the trials fixed for January 6, 1936.

The new indictments, returned at Scottsboro last week by a grand jury that included one negro, Creed Sonyers, charge each of the defendants with participating in alleged mass attacks on Mrs. Victoria Price and Ruby Bates in Jackson county March 25 1931.

Lieut. Gov. Thomas E. Knight, Jr., special prosecutor, said in Montgomery on announcement of the dates, that Judge Callahan had agreed to postpone the trials in event a special session of the Legislature was called before they were finished.

Governor Bibb Graves recently announced that he would call the Legislature into special session early next year, and it generally is believed in official circles the call will be for January 14.

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ALABAMA LEGISLATURE APPROPRIATES FUNDS FOR NEW SCOTTSBORO TRIALS

Crusader 6-8-35 New York, N.Y.

MONTGOMERY, Ala. - (CNA Special) The legal machinery in Alabama, which has for four years threatened to grind out the lives of the 9 Scottsboro boys, has been oiled again.

Says Trials Will Cost $35,000

By a unanimous vote the Alabama House of Representatives on June 4th passed the O'Neal bill setting aside state funds to pay for past and future prosecutions of the "Scottsboro cases". Representative O'Neal - Scottsboro representative - estimated the cost of new trials of the Scottsboro boys to be $35,000.

He declared that Alabama should pay for the Scottsboro trials as New Jersey paid for the Hauptmann kidnapping trial.

It is estimated that previous trials of the Scottsboro boys has cost the state of Alabama over $100,000.

Schools Are Closing

Despite the fact that thousands of dollars are available to the Alabama officials for Scottsboro trials, the state is near the bottom of the lists in providing for education. Hundreds of teachers - particularly Negro school teachers - have been laid off. Schools are being closed for lack of funds.

Representative O'Neal is also the author of a proposed bill to restrict jurors to qualified voters. This measure is intended to bar Negroes from jury service. Negroes through intimidation and subterfuges by state officials are prevented from registering and voting.

Scottsboro, Ala., Sentinel
June 6, 1935

A SALUTE TO SCOTTSBORO

John Temple Graves, II, Birmingham-Age Herald columnist, writer and lecturer, on Sunday evening, May 26th, saluted Scottsboro in his regular radio broadcast over WAPI, sponsored by the Protective Life Insurance Company. The much appreciated tribute to our town and citizens was as follows:

Tonight in Northeast Alabama the 2,000 or more inhabitants of a little Tennessee Valley town are going about their business much as all the rest of us are wont to do on Sunday nights. Some are at church; some are tuned in on the radio; some are reading; some are yawning; and many are talking. Life goes on as sedately and unself-consciously in that little town as if it were not at this moment very nearly the most widely-known one in all the world. People in Vienna know it. In Berlin they recognize its name as soon as it is sounded. They know it in Tokyo, in Rome, in Vladivostok, in Rio de Janeiro, and from Rangoon to Mandalay. Foreigners who may never have heard of Birmingham, or Atlanta or New Orleans or Nashville, or Charlotte, know this town. Or rather they know its name, for its name is Scottsboro. Scottsboro, Alabama! The town where they had the first trial of the nine negroes taken from a freight train at nearby Paint Rock, accused of a crime against two white girls. The town whose name is used universally now to designate the negro defendants and the world-famed case against them. The negroes didn't come from Scottsboro and neither did the white girls; but they are known for all time as the Scottsboro negroes. The case against them has gone on in many courts and only one of them was at Scottsboro. Yet the wide world over it's the "Scottsboro Case." If there had been only one or two negroes rather than nine, their own names would have been used, as the names of Mooney and Billings are used and as were those of Sacco and Vanzetti—but nine names were too many to repeat, so they called them "the Scottsboro negroes" and the case "the Scottsboro case." If the freight train from which the negroes were taken had run only five miles further it would have entered another county—it would have been in Madison County rather than in Jackson. Only a little difference in distance and time and it might have been the "Huntsville case," they might have been the "Huntsville negroes." It's idle to speculate on such things of course, but it's interesting at any rate to consider how a mere chain of circumstances has dragged this little town to world-wide attention and made its name a synonym for one of the ugliest and most perplexing cases in all the history of courts.

And it's such a pretty little town. I was up there last week for the commencement exercises of its Jackson County High School, and I marvelled that a name associated with something so foul should belong to a community whose physical aspects are so fair. I drove in at twilight over a broad graveled and graded highway, with blue hills of the Cumberland lining all the distances and green and growing valleys rich in every vicinity. The trees were stately and heavy-laden around the court house where the first trial has held and where the troops stood guard. The lights were warm in many cheerful windows, and there was breath of mountains in the air. No negroes at all were in sight, for, strange to say, negroes are something of a rarity in Jackson County—over 92 percent of the county's 37,000 inhabitants are white. There were two hotels to choose between, one very new and modern; the other time-honored, comfortable and extraordinarily clean. They point with pride to their theatre building—the Bocanita, a beautiful little affair in English brick—and it cost a pretty penny, too, they'll tell you. There's a hosiery mill, a box factory, a bottling plant, a rug making establishment, but these items of industry are small in the great ocean of agriculture upon which the community's economic life floats; cotton, corn, hay, soy beans, livestock, poultry, and the ever more important dairy. In Jackson County the land is everything. For love of this land the Cherokees and Chickasaws fought the Shawnees in a war that lasted "five hundred moons" until the Shawnees were driven to exile over the Ohio two hundred years ago.

And it was beside Sauta Creek in this land that Sequoia, the Cherokee scholar, taught the alphabet he had worked out for the language of his tribe. With that alphabet the Cherokees were able to achieve a civilization more advanced than that of any other Southern tribe. If Scottsboro cared, it could cite Sequoia and his school by way of claiming to be one of the earliest centers of learning in the New World. But Scottsboro cares more about the present state of its learning. There were 56 graduates at the high school commence-

ment exercises last Tuesday; they marched through the auditorium crowd to the platform in stately sequences, a boy in a black cap and gown, a girl in a white, two by two until the platform was a vivid two-toned design. Some of the mothers had objected to the graduation gowns; they wanted a chance to deck their daughters in dresses that would be the envy of other mothers and daughters, but the school principal, who is a statesman as well as a schoolman, said not so. He insisted upon the leveling democracy of cap and gown, covering rich and poor in the single uniform of light and of learning. That there is light, that there is learning, he can prove with statistics of an achievement test sponsored by the Alabama state department of education and covering every high school in the commonwealth. The results of this test place the Scottsboro School at the top of the county high school list and level with the best of the big city schools. The principal's name is Browder, I. J. Browder—and he happens to be also, with any change of whiskers, the Scottsboro district's state senator. He does it without change of whiskers because he isn't the whiskered kind. He is a young University of Alabama graduate who is up-to-the minute every second, clean, broad-minded, well-informed. In the senate, where he serves on leave without pay from his school while the session is on, he is ranked with the forward-lookers, the enlightened ones. Politicians and professional lobbyists who approach him with appeals to a prejudice they seem to think a "Senator from Scottsboro" would possess, find to their sorrow that he hasn't any prejudices. He's the schoolman in politics, and his passion, is for education, and more education, in Alabama. If I seem to be making a political speech for him it's only because the man, like his community, offers such amazing contrast to what so many people all over the world would expect.

"High Jackson" they call the county over which Scottsboro presides. High for the Appalachian glories it commands, for the lifting splendors of its mountains, the stance of its long plateaus, the heights from which it looks down upon the Tennessee's mighty flood. Too high to deserve, even though it must endure, the internationally bad name that has come to its county seat.

Goodnight and pleasant dreams, ladies and gentlemen. There are measures of ugliness, dullness, bigotry and hate there as everywhere else in the world, but no one can visit it without this certain conclusion: all is not unlovely that's Scottsboro, Alabama, tonight in the South.

An I. L. D. Victory

PERSISTENT fighting by the International Labor Defense has won the removal of two of the Scottsboro boys, Haywood Patterson and Clarence Norris, from the death cell of Kilby Prison, to the Jefferson County Jail, Birmingham, where the other seven Scottsboro boys are confined.

Daily Worker

During his last two months in the death house, Patterson had to sleep on the concrete floor. He was not permitted to receive any relief money. Even his mother couldn't visit him.

6-19-35

Next steps are the hearings in July for the two youngest boys, Eugene Williams and Roy Wright, and the pleas for bail for Willie Roberson and Olen Montgomery. All four boys will be represented by I.L.D. attorneys.

Money is a vital item in the Scottsboro campaign. Only $6,634 has been received for the $20,000 Scottsboro fund, and this was eaten up by expenses for the case as fast as it came in. At least $4,000 will be needed for the July hearings.

The working class has given the Scottsboro case epoch-making support. There must be no let-down now. Complete the $20,000 drive. Demand the release of the Scottsboro boys!

Montgomery, Ala. Journal
June 15, 1935

PAIR ARE MOVED IN ATTACK CASE

Scottsboro Defendants Taken From Kilby Death Row to Birmingham Jail

Haywood Patterson and Clarence Norris, negro defendants in the "Scottsboro case," were removed from Kilby prison's death row Saturday and taken to Jefferson county jail at Birmingham where seven other Scottsboro defendants are held.

Patterson and Norris, whose sentences recently were reversed by the United States supreme court were given into the custody of Sheriff J. S. Sandlin, of Morgan county, where the men were last convicted of attacking Mrs. Victoria Price aboard a freight train in 1933.

Sandlin said he would go directly to Birmingham from here. The transfer was described as "routine" by prison officials, who pointed out that only convicted persons were held in Kilby's death row.

The death sentences of the negroes were reversed by the U. S. court on the grounds negroes were systematically excluded from service on the grand or trial juries connected with the case.

Birmingham, Ala. News
June 15, 1935

SCOTTSBORO MEN BACK

Two Negroes Here After Year In Kilby Death House

Haywood Patterson, 22, and Clarence Norris, 22, two of nine Scottsboro Negroes who have been confined in the Kilby Prison death house for more than a year, were returned to the Jefferson County Jail Saturday morning after the U. S. Supreme Court had reversed death sentences imposed upon them by a Morgan County Circuit Court jury for criminal assault on Victoria Price.

The Negroes were smiling and appeared to be happy to join the seven other Scottsboro Negroes who have been confined in jail here four years.

Patterson and Norris were brought to Birmingham by Sheriff Sandlin, of Morgan County, on order of Judge W. W. Callahan, who presided over their last trial.

They will be held here pending another trial.

LYNCH EDITOR JEERS VERDICT

Montgomery Paper Scoffs at Negro Jurors' Citation on Scottsboro

Daily Worker

MONTGOMERY, Ala., April 3.—Featuring the threat by Lieutenant-Governor Thomas E. Knight, Jr., of new indictments against the Scottsboro boys, the Montgomery Advertiser, organ of the Alabama lynch rulers in the old Confederate slave capital, in a long leading editorial yesterday derided as "a lot of baloney" the decision of the U. S. Supreme Court reversing the death verdict against Haywood Patterson and Clarence Norris, two of the boys.

4-4-35

The paper is particularly enraged over the fact that the high court ruled favorably on the fundamental questions raised for the first time in a case involving Negroes by the International Labor Defense of the violation of the constitutional rights of the Negro people through the systematic exclusion of Negroes from grand and petit juries. The Advertiser admits, with an implied "so-what?", that "generally speaking the names of Negro citizens are not in the jury boxes in counties of Alabama."

"Forgets" Mass Pressure

The Advertiser sharply criticizes the federal court for "concerning itself" with what it cynically describes as "the academic political rights' of a politically dispossessed race." In its rage against the ruling of the high court, it leaves out of consideration altogether the fact that the favorable ruling was wrested by the world-wide mass protest from the high court, which at the same time upheld the disfranchisement of Negroes by the Texas State organization of the Democratic Party of President Roosevelt.

"Race Question Rarely Raised"

The slander of the Alabama rulers and jury commissioners, declared untenable by the U. S. Supreme Court, that no Negroes are qualified by "intelligence, honesty" etc., to serve on juries, is again raised by the Advertiser with the claim that "the jury commissioners of Alabama, inquiring for new names to put on their lists, never ask whether one is black of white, brown or bronze." However, admits the paper:

"The citizens to whom these verbal inquiries are addressed, instinctively report only the names of white persons. The race question is rarely if ever raised between jury commissioners and citizens whom they question."

Then, with typical slave-drive logic and hypocrisy, it continues:

"From a strict technical standpoint Negroes are not excluded from juries; in common practice they are, of course."

It was the raising of this basic issue by the International Labor Defense together with its policy of organizing mass pressure on the Alabama courts and the U. S. Supreme Court, that evoked the furious hatred of the lynch rulers for the militant defense organization, leading to repeated, but unsuccessful attempts to drive the I. L. D. out of the case.

Jury To Reopen Scottsboro Case

Advertiser

Jackson County Venire For Probe Today Includes Names Of 2 Negroes

11-13-35

SCOTTSBORO, ALA., Nov. 12.—(AP)—From its starting point nearly five years ago, "the Scottsboro case" tonight had been moved back to Jackson County where a new grand jury tomorrow will again investigate the alleged mass attacks on two white women on March 25, 1931.

The venire of 36 from which the 18-man grand jury will be selected contained the names of two negroes, the first to be called in Jackson Circuit for many years, but whether they will serve was not known.

Montgomery

Lieut. Gov. Thomas E. Knight, Jr., special prosecutor retained by the State, said he would call as many witnesses as necessary, and would ask that true bills be returned against the nine negro defendants charging them with attacking Mrs. Victoria Price and Ruby Bates.

Mrs. Price has appeared in all seven trials in the case thus far, but the Bates girl after appearing in the first four here in April, 1931, two years later at Decatur, repudiated her previous testimony. She asserted she was not molested.

Since her dramatic appearance in the courthouse at Decatur to repudiate her former testimony partially on which eight of the nine were convicted and sentenced to death, she has dropped from sight. Lieut. Gov. Knight said the grand jury would be informed her whereabouts are unknown.

New indictments were made necessary under a decision of the United States Supreme Court last March which in effect sustained defense motions to quash the indictments on constitutional grounds.

The nation's highest tribunal held that there had been "systematic exclusion" of negroes from the grand and trial juries in Jackson and in Morgan County, where the trials were held under a change of venue.

Samuel S. Leibowitz, representing the defendants, in the trials of Haywood Patterson, thrice convicted and sentenced to death and Clarence Norris, twice under death sentence, had contended the absence of negroes from the jury rolls in the two counties violate their constitutional rights.

Since the decision reversing death sentences for Norris and Patterson the names of negroes have been placed in the jury boxes in most Alabama counties.

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NEW HEARINGS SET IN SCOTTSBORO CASES
6-[illegible]-35

I.L.D. Attorneys To Argue Petitions For Bail

Crusader News Agency

I.L.D. SEEKS IMMEDIATE RELEASE OF BOYS

NEW YORK - (CNA SPECIAL) - Another step in the four-year fight to free the nine Scottsboro boys, was taken last week when the International Labor Defense secured a date for hearings on the bail petition of Clen Montgomery and Willie Robertson, two boys now imprisoned in Birmingham jail.

Will Cite Judge Horton Decision

The hearings on the bail petitions are similar to regular trials. The I.L.D. attorneys will support their petitions for bail with witnesses brought to show the innocence of the boys. They will cite the decision of Judge Horton, and other documents.

These hearings will take place in Decatur, Alabama, before Judge W. W. ("Speed") Callahan who rushed through the trials of Patterson and Norris last year.

The bail petitions, filed by Attorney C. B. Powell of Birmingham, have been set for hearing the first week in July.

Attorney Osmund K. Fraenkel, who has been in charge of the Scottsboro proceedings since the last trial, and Attorney Powell will argue the petitions.

Bent upon holding the boys for further prosecution, Lt.-Governor Thomas E. Knight, former Alabama attorney general and special prosecutor for the Scottsboro cases, has announced that he will oppose the granting of any bail at all to any of the boys.

Death Sentence Reversed 3 Times

World wide mass protests for the freedom of the Scottsboro boys has resulted in setting aside death verdicts against Patterson and Norris by Judge Horton of Alabama, and reversals of death sentences in 1932 and again in 1935 by the United States Supreme Court. The innocence of the Scottsboro boys is now generally accepted after 4 years of pitiless exposure by the I.L.D. of the whole frame-up character of "rape" charges including the lily-white jury system under which the boys were prosecuted.

Held On False Warrants

Despite the fact that the indictments against the Scottsboro boys have been quashed, they are being held for re-indictment on the basis of new false warrants sworn out by Victoria Price.

The I.L.D. is pressing to have juvenile hearings on the cases of Roy Wright and Eugene Williams, the two youngest boys. These hearings, which are in the nature of the trial, should be conducted at the same time of the bail hearings, the I.L.D. declared last Tuesday.

I.L.D. Issues Statement

The following statement was issued by the I.L.D. last week:

"The slackening up in the Scottsboro $20,000 drive of the I.L.D. to meet the daily expenses of the campaign, and for the other heavy expenses of these hearings, is endangering the fight to free the Scottsboro boys," Anna Damon, acting national secretary, pointed out.

"A flood of protests to Gov. Bibb Graves of Alabama, at Montgomery, demanding the unconditional freedom of all the boys, and intensifying the collection of funds for the defense, which should be rushed to the I.L.D., Room 610, 80 E. 11th Street, New York," was called for.

Southern Spokesmen

Sirs: June 5-6-35

In your issue of April 15 you make this astounding statement with respect to the Supreme Court's second Scottsboro decision: "Alabamans and the Press of the entire South took that decision with a stunned and apprehensive silence."

So far from receiving the recent findings with "a stunned and apprehensive silence," editors throughout the South commented immediately, and most of those whose comments I saw not only thought the Supreme Court entirely justified in its action, but expressed gratification that the conviction had been set aside.

A wholly incomplete list of papers which approved the Supreme Court's action would include the Birmingham *Age-Herald*, published in the State where the crime occurred: the Raleigh *News and Observer*, the Norfolk *Virginian-Pilot* and the Richmond *Times-Dispatch*. The Memphis *Commercial Appeal* urged the authorities of Alabama not to try the defendants again, saying that there is too much doubt concerning their guilt. . . .

VIRGINIUS DABNEY
Chief Editorial Writer
Richmond *Times-Dispatch*
Richmond, Va.

SCOTTSBORO FUND VOTED

MONTGOMERY, Ala., June 4 (AP) While the Alabama senate today defeated a movement to reconsider the Dominick sterilization measure passed Friday, the house today without a dissenting vote passed the O'Neal bill appropriating $35,000 to defray the cost of prosecuting the "Scottsboro cases."

'SCOTTSBORO DECISION' PLEA IS TURNED DOWN

A formal decision was rendered yesterday by Federal Judge E. Marvin Underwood in the habeas corpus proceedings of Buddy Knox, negro, against H. M. Isbell, warden of the Georgia state penitentiary, for Polk county. 10-25-33

Knox had demanded his release from the Polk county penitentiary on the ground that no negro had sat on the jury that convicted him.

Judge Underwood declared this was no case for a habeas corpus, but should have been made the basis of a writ of error or an appeal. He denied the petition.

Grave Concern Over Future Fate of Scottsboro Boys and Question of Negro Jurors Is Expressed

NEW YORK, N. Y.—The full text of the letter sent Governor Graves of Alabama under date of May 20, by more than 100 nationally prominent people of both races, including congressmen and senators, setting forth reasons for effecting the freedom of the nine Scottsboro boys, follows in full:

The state of affairs which made it necessary for the U. S. Supreme Court to render its recent decision in the Scottsboro case compels us to express our grave concern.

The decision states in part: "We think that the evidence. . . established the discrimination which the Constitution forbids. . . and, upon the proof contained in the record now before us, a conclusion that their (Negroes) continuous and total exclusion from juries was because there were none possessing the requisite qualifications, connot be sustained. . . the judgment must be reversed and the cause remanded for further proceedings."

Your statement of April 5th recognized the seriousness of the situation and declared it to be "the sworn duty of every public officer to accept and uphold them (supreme laws of the land) in letter and in spirit. . . This decision means that we must put the names of Negroes in jury boxes in every county of the state."

A Difference Noted

But the U. S. Supreme Court decision deals specifically with the exclusion of Negroes from juries, not merely with the absence of their names from jury boxes. This difference is highly significant and becomes more so in view of the announced intention of Senator Bonner to propose a bill in the Alabama legislature which would restrict jury service to qualified voters only.

The words of Senator Bonner make it plain that the purpose of the bill is to maintain discrimination against Negroes in jury service in contravention of the U. S. Supreme Court decision and to rest this upon the disfranchisement of Negroes. He stated recently: "Take my county, for instance, we do not have a single qualified Negro voter."

Among other similar statements we call your attention particularly to the editorial of the Montgomery Advertiser for April 2, which was reprinted in the Jackson County Sentinel and circulated in the very county where the nine Negro boys were illegally indicted, and tried in a court surrounded and dominated by a lynch mob, and where, it has been announced, new indictments have been sought against them.

This editorial states: "Mr. Hughes' pontifical deliverance is a lot of baloney. . . we cannot see what the political rights and privileges of Negroes in Alabama have to do with the guilt or innocence of the gorillas who are charged with criminal assault upon two women." This, in spite of the testimony of Ruby Bates, Lester Carter, the examining physicians, and other witnesses at the second trial of Haywood Patterson which proclaimed the innocence of these boys before the world.

These appeals to prejudice and blood-lust are being made in the face of the decision rendered by Judge James E. Horton, in reversing the second conviction and death sentence against Haywood Patterson: "The testimony of the prosecutrix in this case is not only uncorroborated, but it also bears upon its face indications of improbability and is contradicted by other evidence, and in addition thereto the evidence greatly preponderates in favor of the defendant."

Since four years ago, when these nine unemployed boys were seized and tried at Scottsboro, we have observed numerous violations of basic principles of justice and human rights which are solemnly affirmed by the Constitution of the land and also by laws of the state of Alabama. We are aghast at the fraudulent placing of names of Negroes on the jury rolls of Jackson County, at the appeals to prejudice and denial of legal and constitutional rights by prosecuting officials and courts, at the reports of tortures inflicted upon these boys, at the lynch spirit manifested throughout.

Lynching Spirit Rises

That this lynch spirit is again rising is evident from such statements in the press as this provocative expression found in the correspondence columns of the Birmingham Post: "When you come to think of how the Scottsboro case has been dilly-dallied around. . . you can easily see that lynching would have been the lesser of two evils."

As writers, educators and other professional people, as human beings who are convinced that these boys are innocent, we urge that you use every means at your disposal to prevent reindictments and to assure the safe release of these nine boys, unjustly held in prison for over four years.

We urge also that you take requisite measures to enforce the decision of the U. S. Supreme Court affirming the right of Negroes to serve on juries and to enforce all the democratic rights guaranteed to Negroes as to all the people by the Constitution.

List of Signers of Letter Asking For Freedom of Scottsboro Boys Reads Like U. S. Roll of Honor

NEW YORK, N. Y.—The list of those who signed the letter to Governor Graves of Alabama asking for the release of the Scottsboro boys reads like an American roll of honor. The letter was drafted and circulated for signatures by the National Committee for the Defense of Political Prisoners, Room 534, 156 Fifth Avenue, New York City. The list of the signatories follows:

GERALD P. NYE, U. S. Senator; THOS. R. AMLIE, N. S. Representative; JOHN DEWEY, professor emeritus, Columbia Univ.; DR. JOHN HAYNES HOLMES, Community Church; BISHOP FRANCIS J. McCONNELL, Methodist Federation of Social Service; E. HALDEMAN-JULIUS, publisher; OSWALD GARRISON VILLARD, editor and publisher; JAMES WATERMAN WISE, writer and lecturer; PROFESSOR BROADUS MITCHELL, Johns Hopkins University; FRANZ BOAS, Columbia University; ROGER N. BALDWIN, director, American Civil Liberties Union; VAN WYCK BROOKS, poet; FRANK E. BAKER, president, State Teachers College, Milwaukee; ERSKINE CALDWELL, writer; REVEREND WILLIAM B. SPOFFORD, director, Church League for Industrial Democracy; WILLIAM SAROYAN, writer; JOHN DOS PASSOS, writer; LOUIS ADAMIC, writer.

MALCOLM COWLEY, editor, The New Republic; JOHN HOWARD LAWSON, writer; TESS SLESINGER, novelist; JOHN L. SPIVAK, writer; ALFRED KREYMBORG, poet; H. W. L. DANA, former professor at Harvard and Columbia Universities; GEORGE SOULE, editor, The New Republic; HUBERT C. HERRING, director, Council for Social Action of the Congregational and Christian Churches of the U. S. A.; ALICI HAMILTON, Md D.; DR. BERNHARD J. STERN, Columbia University; DOROTHY DUNBAR BROMLEY, columnist, New York World-Telegram; PETER WITT, Cleveland, Ohio; MARTHA GRUENING, writer; PROFESSOR ROBERT MOSS LOVETT, University of Chicago; FREDA KIRCHWEY, editor, The Natien; LEWIS MUMFORD, writer and critic; ERNEST BOYD, literary critic.

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JAMES WELDON JOHNSON, Fisk University; ABRAM L. HARRIS, Howard University; PROFESSOR ALAIN LOCKE, Howard University; PROFESSOR J. O. BAILEY, University of North Carolina; LETITIA P. RANDALL, writer, Baltimore, Md.; PROFESSOR VIDA D. SCUDDER, Wellesley College; DR. RALPH J. BUNCHE, Howard University; ELMER P. CARTER, editor, Opportunity; EDWARD A. ROSS, University of Wisconsin; GEO. CLIFTON EDWARDS, Dallas, Texas; PROF. JESSIE H. THOMAS, Swarthmore College; REVEREND ERNEST F. TITTLE, First Methodist Episcopal Church, Evanston, Ill.; ANNA M. PENNYPACKER, writer; WILLYSTINE GOODSELL, Teachers College, Columbia University; ADELAIDE CASE, Teachers College, Columbia University; ISABEL M. STEWART, Teachers College, Columbia University.

BESSIE L. GAMBRILL, Yale Graduate School; ANNA ROCHESTER, writer; GRACE HUTCHINS, Labor Research Association; MAURITZ A. HALLGREN, writer, Glenwood, Md.; MRS. KENROY MALCOMBE, Chapel Hill, N. C.; HORACE M. KALLEN, educator, New School for Social Research; PROFESSOR F. H. HANKINS, Smith College; DR. EDWARD T. DEVINE, New York; HENRY HARAP, Western Reserve University, Ohio; PROFESSOR P. F. BRISSENDEN, Columbia University; PROFESSOR READ BAIN, Oxford, Ohio; ARNOLD DONAWA, D.D.S.; REUBEN S. YOUNG, M.D.; REV. HERMAN F REISSIG, Kings Highway Church; REV. E. C. MACKLIN, Victoria Congregational Church; REV. A. J. BUTTREY, Park Ridge, N. J.; REV. JAMES K. MORSE, Hackensack, N. J.; REV. RALPH H. READ, New York.

DR. HENRY NEUMANN, Ethical Culture Society; JOHN L. ELLIOTT, Ethical Culture Society; W. RUSSELL BOWIE, Rector, Grace Church; EVANS CLARK, writer; DR. W. P. LADD, Connecticut; A. EPSTEIN, New York; HAROLD LOEB, economist; LEROY E. BOWMAN, New York; BENJAMIN GINSBURG, writer; EDWARD NEWHOUSE, writer; MARIAN MURRAY, writer; MARGUERITE YOUNG, writer, Washington, D. C.; ARNOLD WILLIAMS, University of North Carolina; MURIEL WOLFF, University of North Carolina Press; HERMAN E. SPIVEY, University of North Carolina; LORETTA CARROLL BAILEY, Chapel Hill, North Carolina; SALLIE E. SCOTT, teacher, Charlotte; CARO MAE RUSSELL, Chapel Hill, N. C.

PHILLIPS RUSSELL, writer and professor, University of North Carolina; LILLIAN LOWENFAL, New York; LEANE ZUGSMITH, journalist; LYND WARD, artist; J. ALBERT HIRSCH, publicist; PROFESSOR LEO GERSHOY, Long Island College; JEROME KLEIR, Columbia University; LISTON M. OAK, editor; EMANUEL EISENBERG, writer; JEROME SCHLOSS, New York; JOSEPH VOGEL, writer; J. L. ANDERSON, labor leader, North Carolina; GEORGE BONNER, M.D., WINIFRED L. CHAPPELL, secretary, Methodist Federation for Social Service; REV. RALPH B. URMY, Westfield, N. J.; FRANK L. PALMER, editor, Federated Press; HARRY BLOCK, editor, Covici-Friede; PROFESSOR THURMAN ARNOLD, Yale University; ARTHUR CAPPER, U. S. Senator, Kansas; THEODORE DREISER, writer.

LINCOLN STEFFENS, author; ELLA WINTER, author; PROFESSOR EDGAR DALE, Ohio State University; KATHERINE TERRILL, Council for Social Action of the Congregational and Christian Churches; MRS. FLORENCE HARRIMAN.

Wilson, N. C., Times
November 6, 1935

TWO NEGROES IN SCOTTSBORO JURY

Scottsboro, Ala., Nov. 6.—Names of two Negroes were drawn in a list of 35 from which an 18-man grand jury will be organized to consider new indictments in the international cause celebre—the Scottsboro assault case.

Presence of names of two negroes on the list was without precedent in Jackson county. The drawing of the new list followed reversal of death sentence convictions of two of the negro defendants by the United States Supreme Court on grounds members of their race systematically had been excluded from service on the jury which returned original indictments.

The two negroes are Bird Hill, negro farmer of near Bridgeport, Ala., and Creed Conyer, negro laborer of Paint Rock, Ala.

Their names were drawn from a list of 1,200 citizens by Circuit Judge H. E. Hawkins.

However, since under Alabama law only 18 men comprise a grand jury, it is possible that one or both might be disqualified before the special grand jury is empanelled on Nov. 13 and asked to return new indictments against the nine negro youths charged in the internationally-famous crime.

Although representing the first time negroes have been drawn for service in this county, negroes have been called for service in nearby Morgan and Jefferson counties since the Supreme Court ruling.

The negro population of Jackson county, however, is the smallest in the state, and the percentage of negroes on any jury list was expected to be correspondingly small.

Alabama

4478

Lynchings—1935

Legal Punishment for Rape

Birmingham, Ala. News
July 9, 1935

Relieving Jackson County Of An Unjust Burden

Simple justice has been done Jackson County by the bill, passed by the Legislature and signed Monday by Gov. Graves, appropriating $35,000 for payment of past and future costs of the so-called Scottsboro case. Representative O'Neal, of Jackson, who sponsored the measure, appealed to the Legislature to pass it on the ground that it was unfair to place the heavy expense of the trials on his county when none of the principals involved in the case was a resident of the county. The people of the state agree with him, as the Legislature did. It was merely by chance that the case originated in Jackson County.

Under the law, Jackson County stood to bear the costs of the trials even after the case was removed to the Morgan County Circuit Court under change of venue. Two or three years ago an appeal was voiced in behalf of relieving Jackson County of the great expense of the trials. It was sympathetically received at the time, and it is gratifying that it has now been definitely answered by the enactment of the O'Neal bill.

Scottsboro, Ala., Sentinel
July 11, 1935

GOOD NEIGHBORS

Jackson County is truly thankful to the members of the Alabama Legislature from all over the state for the almost unanimous passing of the bill to relieve this county of the enormous and strangling costs of the notorious "Scottsboro cases." The bill, already passed by both houses and signed by the Governor, appropriates $35,000 by the State of Alabama to pay costs of these cases and provides for future trials in the same litigation. Jackson County was a sort of "innocent bystander" in this widely publicized matter. All persons concerned, both negroes, white men and white girls, were nonresidents of this county. The stopping of the freight train at Paint Rock, only about four miles from the Western county line, brought us a lap full of trouble, expense and undesireable advertising.

Scottsboro Case Expense Bill Okeh

The bill by Representative O'Neal of Jackson County, which makes an appropriation of $35,000 to cover past and future costs in connection with trial of the "Scottsboro Cases" was signed by Gov. Graves yesterday. Trials of these cases already held have placed a heavy cost burden on Jackson County where the crime with which the defendants are charged took place, and costs in future trials will also be chargeable to that county under the law, despite the change of venue to Morgan County.

Other measures signed by the Governor yesterday included the following: S. 215, repealing the permit fee of $1 a year imposed on cotton gins and collected by the State Department of Agriculture. H. 338, authorizing building and loan associations to transfer their mortgages and the indebtedness thereby secured for less than the amount due thereon to the Home Owners Loan Corporation, or to any other corporation created by or under an Act of Congress; and to facilitate operation in the State of Federal savings and loan associations. H. 446, enlarging the duties and powers of the State Docks Commission, and providing for the employment of a Harbor Master and deputies in supervising and policing the harbor and port of Mobile.

Albany-Decatur, Ala. Daily
July 15, 1935

Four Miles

The Jackson County Sentinel, published in Scottsboro, takes occasion to thank the members of the legislature for appropriating $35,000 for expenses of the Scottsboro trials. May The Daily add: "Me too!"

Remember a good part of the money still owing for the Scottsboro prosecution is owed to persons in Morgan county. Perhaps by now they have received their checks but at any rate we feel sure the money was or will be welcome.

The Sentinel also calls attention to what a vast difference a matter of four miles means to Jackson county in that case. Not a one of the principals in this famous case was a resident of Jackson county and only the fact that the train was stopped at Paint Rock, just four miles from the western boundary of the county dumped the case into Jackson county's lap.

Morgan is equally an "innocent bystander," the cases having been transferred to this county on a change of venue petition, largely because of the fact that none of the principals were residents of this county.

The Sentinel says:

"Jackson county is truly thankful to the members of the Alabama legislature from all over the state for the almost unanimous passing of the bill to relieve this county of the enormous and strangling costs of the notorious 'Scottsboro cases.' The bill, already passed by both houses and signed by the governor, appropriates $35,000 by the state of Alabama to pay costs of these cases and provides for future trials in the same litigation. Jackson county was a sort of "innocent bystander" in this widely publicized matter. All persons concerned, both negroes, white men and white girls, were non-residents of this county. The stopping of the freight train at Paint Rock, only about four miles from the western county line, brought us a lapful of trouble, expense and undesirable advertising."

The Alabama Lynchers

THE Alabama lynchers are trying new tricks.

They have learned lessons from their previous experiences with the Scottsboro trials, in which they saw tremendous masses in organized array, putting up a fight to save the lives of the nine innocent Negro boys.

Through a series of postponements and delays, Lieutenant-Governor Thomas E. Knight, for more than four years the leading figure in the persecution of the boys, is attempting to cripple the Scottsboro defense. He wants to scuttle the preparations to back up with mass pressure the legal actions which are being taken by the attorneys of the International Labor Defense on behalf of Roy Wright and Eugene Williams, juveniles who have not yet had a hearing in the proper court, and Willie Robertson and Olen Montgomery, for whom an attempt is being made to secure bail.

The trickery of Knight must be met by a conscious drive for real action around these hearings. Protests should immediately be sent to Governor Bibb Graves, Attorney-General A. A. Carmichael and unconditional freedom for all the boys.

At the same time we must meet the $35,000 lynch-fund voted by the Alabama Legislature for prosecution of the Scottsboro boys by building a fighting defense fund to free them. Rush funds to the International Labor Defense, 80 East 11th Street, New York City.

Eufaula, Ala. Tribune
July 22, 1935

"SCOTTSBORO" OMITTED

The legislature passed a bill appropriating $35,000 for court costs in the trial of the nine negroes at Scottsboro and although the case is nationally known as the "Scottsboro" case, that name does not appear in the measure. The trial has already been a tremendous burden upon Jackson county, which appealed to the legislature for help.

Following the precedent of New Jersey in underwriting the Hauptmann trial, the legislature enacted the law "for the payment to the persons to whom originally due, their heirs, executors, or administrators, of unpaid costs and fees of jurors, officers and witnesses which are legal charges against any county fund; accrued, or which will accrue, in the prosecution of the criminal cases now pending against Haywood Patterson, Eugene Williams, Charlie Weems, Roy Wright, Ozie Powell, Willie Roberson, Andy Wright, Olen Montgomery and Clarence Norris, five O'Neal of Jackson county, where the sum of $35,000 or so much thereof as may be necessary, to be disbursed as hereinafter provided, out of any monies in the treasury not otherwise appropriated."

The act, introduced by Representa-

Scottsboro Trial Is Set In Alabama

Daily Worker

MONTGOMERY, Ala., Sept. 3.—Lieut. Gov. Thomas E. Knight, Jr., said today that new Scottsboro trials probably will begin next month at Decatur, Ala. The Morgan (Decatur) county jury rolls are being revised to include the names of Negroes, Knight said. He made no comment on the general opinion here that the State would seek to prevent Negroes from actually serving on Alabama juries.

9-4-35

As State Attorney General, Knight conducted the prosecution against Haywood Patterson and Clarence Norris, two of the boys, whose death sentences were twice reversed by the U. S. Supreme Court under pressure of world wide mass protest.

New York Daily Worker

For his rabid attacks on the defendants and the entire Negro people, Knight was nominated by the State Democratic organization for Lieutenant Governor, by way of promotion for his services to the Alabama ruling class. He has since been named special prosecutor in the Scottsboro case.

New York Enquirer

SEP 22 1935

Scottsboro Case Trial Date Set For November

MONTGOMERY, Ala., Sept. 22—The famous Scottsboro assault trials, in the courts for four years, will not be resumed until the middle of November, because of a lack of jury rolls in Jackson (Scottsboro) County, Lieutenant Governor Thomas E. Knight, Jr., announced yesterday.

Knight, special prosecutor in the cases which have gone through three Alabama court trials and have been reversed twice by the U. S. Supreme Court and once by an Alabama trial judge, previously had declared the cases would come to trial sometime in October.

A special session of the grand jury will be called to reindict the nine Negroes charged with assaulting two white girls in a railway car near Scottsboro, Ala., March 31, 1931.

The U. S. Supreme Court, in its most recent decision reversing the convictions and death sentences of the Negro youths, held that the original indictments accusing the Negroes were illegal because members of their own race had been systematically excluded from service on the grand jury.

SCOTTSBORO ISSUES Communist FACE SUPREME COURT

Arkansas Jurists Expected To Act Within Three Weeks

Appeal

LITTLE ROCK, Sept. 26.—Issues similar to those in the death sentences given seven negroes at Scottsboro, Ala., for criminal assault will be pondered this fall by the Arkansas Supreme Court in the appeal of two negroes sentenced to death at Blytheville April 9.

7-22-35

Bubbles Clayton, 21, and Jim X. Caruthers, 19, were convicted in Mississippi circuit court of attacking two young women on a freight train.

Memphis Press

Citing the Supreme Court decision in one of the Scottsboro cases, attorneys for Clayton and Caruthers claim that their clients were denied their rights to have negroes on the grand and petit juries, that a change of venue should have been allowed, that the jury was forced to return a verdict after reporting themselves unable to agree on punishment, that the negroes were improperly questioned during the trial, that identification of the negroes as the assailants was impossible, that the negroes were beaten by officers.

The case is expected to be taken under submission by the supreme court within three weeks. Scores of letters have been sent to Governor Futrell on both sides of the case.

NEW YORK DAILY NEWS

SEP 22 1935

SCOTTSBORO CASE PUSHED IN ALABAMA

Montgomery, Ala., Sept. 21 (AP).—Lieut. Gov. Thomas E. Knight, Jr., special State counsel in the Scottsboro case, said today that he would ask for a special session of the Jackson County Grand Jury in three weeks to re-indict the nine colored defendants.

If new indictments are returned, Knight said, he will seek an early trial and a change of venue to Morgan County, where the last trials were held. The men are charged with attacking two white girls on a freight train in March, 1931.

Bronx, N.Y. Home News

SEP 22 1935

New Trial for "Scottsboro Boys" Delayed to Mid-November in Absence of Jury Rolls

Montgomery, Ala.—The famous Scottsboro assault trials, in the courts for four years, will not be resumed until the middle of November because of a lack of jury rolls in Jackson (Scottsboro) County, Lieut.-Gov. Thomas E. Knight, Jr., announced yesterday.

Knight, special prosecutor in the cases which have gone through three Alabama court trials and have been reversed twice by the U. S. Supreme Court and once by an Alabama trial judge, previously had declared the cases would come to trial sometime in October.

A special session of the Grand Jury will be called to reindict the nine colored youths charged with assaulting two white girls in a railway car near Scottsboro, Ala., on March 31, 1931.

The U. S. Supreme Court, in its most recent decision reversing the convictions and death sentences of the youths, held that the original indictments accusing them were illegal because members of their own race had been systematically excluded from service on the Grand Jury.

Orders Jury Lists Revised

After the Supreme Court gave that decision in April, Gov. Bibb Graves wrote trial judges and Jury Commission foremen in the State urging them to revise their jury lists to "comply with the supreme law of the land" in seeing that colored persons were not barred from jury duty. Many counties are now revising their jury lists.

No official Jury Board has existed in Jackson County since Jan. 1, 1935. The law requires at least two members before any work can be done and in Jackson County there has been only one member of the board. Gov. Graves appointed two other members this month.

As soon as the board completes organization, Judge A. E. Hawkins will order the board to refill the Jackson County jury boxes. This procedure is expected to consume three weeks and then the special Grand Jury session will be called, with 60 days probably elapsing before the indictments will be returned.

After the indictments, the cases will go into the jurisdiction of the Morgan (Decatur) County Court, where the sentences were given. The trials were held in Decatur on a change of venue from Scottsboro.

Knight said that H. G. Bailey, Solicitor from Jackson County, and Melvin Hutson, Morgan County prosecutor, will aid him in the trials at Decatur.

The indictments will be based on warrants sworn early this summer by Mrs. Victoria Price, one of the alleged attack victims. She charges each of the nine youths with criminal assault. Ruby Bates was the other purported victim.

The accused are Heywood Patterson, Clarence Norris, Charles Weems, Ozie Powell, Willie Roberson, Andy Wright and Olen Montgomery. Two of them, Roy White and Eugene Williams, have been remanded to the jurisdiction of the juvenile courts.

SAVANNAH, GA.
NEWS

SEP 25 1935

Race Issue Comes Forward

Reports from Scottsboro, Ala., announce that the way is being cleared for a bitter legal battle on the race issue in a new trial of the famous Scottsboro assault cases. Judge Hawkins has ordered the jury commission to fill the jury box in keeping with the most recent decision of the United States Supreme Court. From this box will be drawn a new grand jury which will be asked to re-indict the nine negro defendants. New warrants were sworn out early in the summer by one of the alleged victims of the attack.

The race issue has been sharpened by a letter of Gov. Bibb Graves to all Alabama trial judges to fill jury boxes in keeping "with the supreme law of the land." Death sentences of the defendants were reversed by the Supreme Court in a ruling which held in effect that their indictments were illegal since members of their race had been excluded systematically from service on the grand jury. It is generally regarded as pure guess work to speculate on how many names of negroes may appear in the new jury lists. It has been pointed out that Jackson (Scottsboro) county has the smallest negro population of any Alabama county. It is estimated that the work of filling the jury box will take at least three weeks. When the work is completed, the jury commission will notify the judge who will take steps for drawing a new grand jury.

New York Herald-Tribune

OCT 8 1935

3 Negroes Sworn on Jury In Scottsboro Courtroom

First Since Supreme Court Hit 'Systematic Exclusion'

DECATUR, Ala., Oct. 7 (AP).—Three Negroes were sworn in on the Morgan County Grand Jury today in the same courtroom where two years ago attorneys for the nine Negro defendants in the Scottsboro case introduced evidence to substantiate a claim of "systematic exclusion" of Negroes from juries in this county.

Judge A. A. Griffith, presiding, in qualifying the grand jury and in charging it to investigate all criminal cases brought before it by the Circuit Solicitor, made no comment on the presence of Negroes on the panel.

Spectators displayed only mild interest as the three Negroes took their seats—the first in the memory of oldest courthouse employees. The Negroes are Jim Sanford, of Decatur, former railway shop employee; Arthur Stewart and Glen Sharpley, both farmers.

Evidence introduced in court showed no Negroes had served on juries in recent years and formed the basis of an appeal to the United States Supreme Court in behalf of Clarence Norris and Haywood Patterson, both convicted and sentenced to death for an attack on Mrs. Victoria Price aboard a freight train in Jackson County, March 25, 1931. The nation's highest tribunal set the verdicts aside, holding there had been "systematic exclusion" of Negroes from the juries and the constitutional rights of the defendants violated.

Lynchings-1935
Legal Punishment for Rape

Alabama.

4979

Fight Must Be Pressed for Scottsboro Boys

By ANNA DAMON
(Acting National Secretary, International Labor Defense)

We have passed one more milestone on the long road to Scottsboro freedom.

In a decision that was hailed with joy wherever men are oppressed, that was greeted by the Scottsboro boys themselves in the cells of Kilby Prison and Jefferson County Jail, with happy shouts, the United States Supreme Court was forced to reverse the death sentences against Haywood Patterson and Clarence Norris. And contained in this decision is the first uncompromising and unequivocal statement by this court in favor of the right universally denied in the South—of Negro citizens to sit as jurors. The importance of this decision can hardly be over-estimated. For the Negro people, the denial of this right has become, along with the denial of their right to vote, the symbol of their outraged status as an oppressed nation.

The decision of the Supreme Court has the effect of wiping out the indictments drawn up at Scottsboro, Alabama, four years ago. In the minds of many people not yet sufficiently aware of the determined lynch-spirit of the Alabama ruling-class, illusions have been born that the Scottsboro boys will now be set free, that there will be no attempt at re-indictments. But almost immediately came word from Alabama that Thomas Knight, special prosecutor of the Scottsboro cases, would seek re-indictments, even going to the extent of calling a special session of the Jackson County grand jury for this purpose.

The road to Scottsboro freedom is still an uphill road. There exists the possibility of smashing any attempt on the part of the State of Alabama to re-indict these boys. But this can only be done if the working-class shows more determination in the cause of Scottsboro freedom than does the Alabama ruling class in the cause of Scottsboro persecution. Thousands of telegrams and letters, pouring in at once upon Governor Bibb Graves and upon the State Supreme Court both at Montgomery, Ala., can smash any attempt to reindict the Scottsboro boys and can at last achieve the final step to Scottsboro liberation.

There are still other dangers that beset our path. There is the danger—present throughout these four long years of the Scottsboro fight, but now looming greater than ever—that the Alabama ruling-class will seek to dispose of the Scottsboro case by a rope-and-faggot-lynching. It is therefore necessary that the largest possible number of people and organizations inform the Governor of Alabama that in their eyes he is being held responsible for the safety of the Scottsboro boys.

The decision of the Supreme Court has given rise to new illusions concerning its fairness and its impartiality. To these illusions the actions of the Supreme Court itself, on Monday last, give the best answer. At the same time that the Supreme Court handed down the Scottsboro verdict, it handed down another decision, also of far-reaching consequence. In a case specifically brought as a test of the right of the Negro in the South to vote in primaries, the court decided that the Democratic Party of Texas is a "voluntary organization and competent to decide its membership"—that is, that the Democratic Party of Texas may limit participation in its primaries to its own members, and that it may refuse Negroes membership in the party. It is not without interest to know that when the Texas voting case came up before the U. S. Supreme Court two years ago, that court was forced to declare a state law, barring Negroes from the ballot, illegal, but at the same time the decision of the Supreme Court gave the white ruling group in Texas the broadest possible hint, that it could get around the decision by making the Democratic primaries an inner-party instead of a state affair. This hint the Texas rulers immediately took. Thus, while the Supreme Court with one hand affirms a fundamental right of the Negro people—to sit on juries—it takes away with the other hand another right equally fundamental—the right to vote.

How does it come about that the Supreme Court can act in such a way that its right hand knows not what its left hand is doing! Only the most naive persons will believe that these decisions are decided solely on points of law, that the Supreme Court had no interest in the political and social effects of its two decisions, but that it based itself, in an impartial, mechanical way upon the letter and precedent of the law. **The fact is that no mass campaign had been developed around the Texas case.** In accord with the well-known policy of many misleaders, white and Negro, and particularly of the leadership of the National Association for the Advancement of Colored People, the Texas case was brought before the Supreme Court, not with a demand for a fundamental right, a demand backed by the voices of indignant and determined millions. The Texas case was brought before the Supreme Court humbly and quietly, as slaves go before a master. And the Supreme Court had no hesitation in turning down the plea.

On the other hand, in the Scottsboro case, the two-fisted policy of the I. L. D., combining the greatest mass defense with the best available legal defense, has once more been proved correct. The excellent work of Osmond K. Fraenkel, constitutional attorney who was in charge of the Scottsboro appeals, the arguments presented by Walter H. Pollak constitutional expert, and the briefs in the Norris and Patterson cases, which they drew up, provided the legal hook on which the Supreme Court was forced by the mass protest to hang its decision.

The court could not help feeling the tremendous pressure, could not help hearing the loud voices of the millions determined that the nine boys should go free. During the four long years of the Scottsboro fight, the name of this little town has been written large on newspapers in every corner of the world, has penetrated into the smallest villages and into the most backward regions. J. Louis Engdahl, late secretary of the International Labor Defense and Mrs. Ada Wright, one of the Scottsboro mothers, carried the Scottsboro case across the world, and piled up for it new mountains of strength. The slogan: "The Scottsboro Boys Shall Not Die!" swelled to a roar that echoed from one corner of the world to the other. It was this, and this alone, that kept the nine boys alive for these four years, that forced from the U. S. Supreme Court two reversals of the death sentences.

We know that last Monday a great surge of happiness swept through millions of people because the Scottsboro boys had once more been snatched from the shadow of the electric chair. We know, also, that these people paused in the midst of their joy, to ask themselves: What can we do now? How can we take the final steps to bring about complete Scottsboro liberation?

The answer of the International Labor Defense, which has led the Scottsboro struggle, is this:

Flood the Alabama Supreme Court and Governor Bibbs Graves, at Montgomery, Ala., with demands for the immediate, safe release of the Scottsboro boys. Demand that there be no re-indictments. Hold greater mass demonstrations for Scottsboro than ever before. Follow the glorious victory in the Scottsboro case with demands for the freedom of Angelo Herndon, whose fate is closely linked with the fate of the Scottsboro case. The appeal of Herndon, young Negro organizer who was sentenced to a term of 18 to 20 years on the chain-gang for the "crime" of leading Negro and white workers in a demand for bread, will be heard in the Supreme Court on or about April 11.

The tasks ahead of us are great. To strengthen the fight for the freedom of the Scottsboro boys, and of all class-war prisoners, we call on all those who have participated with us in this fight, who are sympathetic with our aims, to join and help build the I. L. D.

And, once more, the I. L. D. must appeal for funds to carry on the fight. To date, the I. L. D. has spent more than $75,000 in the Scottsboro struggle. Though the goal is nearer, there is still a bitter fight to be waged, for the Alabama lynchers will not so easily give up their prey. We ask that all those who have shown their devotion in the past to the cause of the Scottsboro boys and the liberation of the Negro people and the workers, help once again to achieve final victory in this struggle.

Make your contribution today.

No new indictments against the Scottsboro boys!

* * *

Immediate, unconditional, and safe release for the nine innocent Scottsboro Negro boys.

Today Marks Fourth Year Of Scottsboro

Call for Greater Action For Their Freedom Must Resound

By Anna Damon

Acting National Secretary, International Labor Defense

Today the nine Scottsboro Negro boys will have been in jail, under the shadow of the electric chair, for four years.

By Monday, April 1, when the United States Supreme Court is expected to hand down its decision in the appeals taken by the International Labor Defense against death sentences passed on Clarence Norris and Haywood Patterson, they will have entered their fifth year in jail.

The power of world protest organized by the I. L. D. has kept them from the electric chair of the official, legal lynchers, and from the hempen rope and the burning faggot of the fascist gangs, for these four years, and it is only this power that can continue to hold off the eager hand of the executioner, that can force their complete freedom.

Four years ago these boys were arrested at Paint Rock, Ala., and taken to the town of Scottsboro for a mock trial conducted to the tune of a band that played "There'll be a hot time in the old town tonight."

4 Bitter Years in Jail

Four years ago, these boys were mere children. The youngest was only 15 when he was pulled off that freight-train. They were kids on the loose, turned out into the world to look for something to eat, a place to sleep—one of them travelling across the country looking for a clinic he had heard about where Negro boys could get glasses. He was almost blind.

Today the oldest of those boys, Haywood Patterson and Clarence Norris, have grown into manhood. The youngest is 19 years old. They have spent four bitter years, years of youth and energy, rotting in jail.

And today they sit in jail waiting for the decision of the United States Supreme Court, which has

the power to set them free; which does not want to set them free; which can be forced by the pressure of the masses to set them free.

During this time so many things have happened that have centered around the courthouse where they were tried, the courtrooms where their appeals were heard by gowned servants of the lynchers, the jails where they have been beaten and mistreated, tortured with the sight of an electric chair. Only a few weeks ago, the guards at Kilby took away Haywood Patterson's bed, leaving him only the concrete floor to sleep on, took away his little personal belongings. For what? On principle—lynch principle.

Scottsboro—A Call to Action!

During this time, the story of their case has echoed around the world, and re-echoed in the voices of millions of toilers, white and colored, demanding the freedom of these boys. Trial after trial has conclusively proven their innocence. Ruby Bates, one of the original accusers, has told thousands of people, from the lecture platform, millions of people from the printed page, how she was forced to lie. She told it to the court in the first Decatur trial of the boys, after the Supreme Court reversed the first lynch-verdicts.

Scottsboro, in these four years, has become a call to action, and the demand for their freedom a major slogan in the struggle of the Negro people for civil rights, for the right to vote, to serve on juries, and for national liberation. Scottsboro has become a cry around which white and Negro have rallied together, smashing down the barriers of prejudice and Jim-Crow set up for their division and their exploitation.

The lessons of Scottsboro have been impressed deeply into the consciousness of the toiling masses of America, and has led them to a conscious struggle for unity of black and white as an indispensable prerequisite for successful struggle against exploitation and repression. Millions of white and black have joined the struggle against lynching, because of Scottsboro.

Scottsboro, four years after the arrest of those nine Negro boys at Paint Rock, is not yet won.

Facing a decision of the United States Supreme Curt, it is necessary for the masses of people who have by their protest kept these boys alive four years, to be launched into a new and greater campaign, with the determination that long before the fifth anniversary of their arrest is reached, the Scottsboro boys' freedom will have been won.

Safe and Convenient Venue

The action of the Supreme court of the United States Monday in remanding the Scottsboro cases for trial is heartening. It shows that at the fountain head of our judiciary there is a disposition to give the proper interpretation to the War Amendments, giving black men citizenship. The action of the court Monday shows that America's conscience has advanced far from the day when Chief Justice Taney rendered his infamous Dred Scott decision.

All law and its interpretation by the courts, in the last analysis, is the positive reflection of public sentiment, and it is refreshing to know that our national sanctions have evolved out to such liberal latitudes. Justice and equity are the objectives of law. The same should be the attributes and cornerstones of government.

Alabama, however, in the Scottsboro cases, shows how utterly state sanctions have missed the mark towards which the Supreme court points. Public sentiment in Alabama does not believe that the Negro should be accorded the guarantees of American citizenship, so Negroes are excluded from juries, denied the right to vote, and consequently the equal protection of the law. It should be kept in mind that men fashion public sentiment in their various political units with their ballots. Alabama denies this fundamental right to Negroes.

It is to be regretted that under our American system the Supreme court was forced to remand the Scottsboro case to Alabama for trial. All who have discourse to reason know that with slight changes made to technically conform to the court's ruling, the cases will be retried in the same way in the mob-ridden atmosphere of prejudice, and that when the wheels of Alabama justice have returned, the Scottsboro defendants will be given the same sentences of death. It is impossible for the Scottsboro boys to secure a fair trial in Alabama.

No court, even in Alabama, would ever have convicted seven white boys to die on the testimony of two white prostitutes, where one of the prosecuting witnesses changed her testimony and complained that the whole case was a frame-up, and that no rape of their persons occurred. Regardless to the fact that national news services continue to report that the Scottsboro boys were convicted of raping two white girls, Ruby Bates, one of the original complaining witnesses, still stands firm and says no rape occurred. One of the white youths along with the girls at the same time, affirms the statement made by the Bates girl. In the face of this avalanche of truth and fact, Alabama still demands the lives of seven innocent black boys.

Some day America's conscience is going to lift to a plane where it will change such sordid, ugly conditions in our local self government. To do this will help not only Negroes, but white people themselves. Tom Mooney could not get a fair trial in the inflamed local atmosphere where he was tried. There are thousands of other white men who have been immolated upon the altar of local prejudice and hate. How can a judge and jury render a fair and impartial verdict in a case where a mob surrounds the courthouse demanding its unreasonable pound of flesh?

Some day we are going to work out a plan by which a reasonable venue will be granted to defendants charged with crimes which inordinately inflame the minds of the local community. We believe a federal law should be passed, making the presence of the mob sufficient grounds for the selection of a new haven of justice for the accused.

A fair and impartial trial cannot be meted out to any man in the few short minutes usually accorded Negro defendants charged with crimes in the South. If the mob happens not to catch the defendant, when he is charged with rape, a crazy man can guess what the verdict of the court will be when he is brought before the judge and the hurriedly impaneled white jury.

Thus we make a shambles of justice. We convert the court into a legal mob. We dismiss due process. In such an atmosphere the court sinks to the very level of the atmosphere of violence in the street. If American justice is to advance we will work out some plan by which we will refuse to allow communities to retry defendants when the records show that local self government has broken down.

SCOTTSBORO BOYS TRIAL POSTPONED

Decision Of Supreme Court Forces Reorganization Of State Jury Board

The New York Age

TRIALS IN NOV.

9-21-35

New Warrants Sworn Out Against Boys By Mrs. Victoria Price

New York N.Y.

MONTGOMERY, Ala.—New trials for the nine Scottsboro Boys will not be resumed until the middle of November, it was announced by Lieutenant-Governor Thomas E. Knight, jr., this week. The postponement of the trials, which according to recent previous announcement were scheduled to take place some time in October, has been occasion, it was said, by a lack of jury rolls in Jackson (Scottsboro) County.

The cases have already gone through three Alabama court trials and have been reversed twice by the United States Supreme Court, the high tribunal in its last decision throwing out the convictions of the youths on the grounds that their indictments had been found by juries from which Negroes were excluded

New Indictments Sought

A special session of the Grand Jury is expected to be called to reindict the boys who are charged with assaulting two white girls in a railroad car near Scottsbooro on March 31, 1931.

As a result o fthe last decision of the Supreme Court, efforts were started for the revision of the jury lists throughout the state and many counties are now revising their lists No official Jury Board has existed in Jackson County since January 1, 1935, and since the law requires at least two members before any action may be taken, Governor Bibbs Graves of Alabama has appointed two other members this month who are expected to join with the one formerly on the board and complete organization.

As soon as this is done Judge A. E. Hawkins will order the board to fill the Jackson County jury boxes, a procedure which is expected to consume about three weeks. About 60 days is expected to pass before the Grand Jury in their special session returns the new indictments, following which the cases will go in to the jurisdiction of the Morgan (Decatur) County Court where the previous convictions were obtained.

The new indictments wil be based on warrants sworn early this summer by Mrs. Victoria Price, one of the women alleged to have been attacked. She charges each of the youths with criminal assault. Ruby Bates, the second woman in the case, has long since, refuted her original charges.

Lynchings-1935
Legal Punishment for Rape.

Alabama

4980

TOLEDO, O.
TIMES
APR 3 1935

Catching Up With 'Jim Crow'

THE Supreme court looks at the facts without bias, and once again saves two colored men from capital punishment in the Scottsboro case. Two of the seven defendants were named in the decision handed down by the high tribunal. But it is likely the opinion will apply to the others as well.

The evidence itself was of little concern to the Supreme court. It looked at the fact that the constitutional rights of the defendants were abridged when they were denied the right to have sitting on the jury that tried them, members of their own race. In Alabama there are some things that have not improved much since before the war (War of the Sections, not the Great war). Among them is the constitutional rights of colored people.

Unless Alabama alters its laws and regulations to permit colored people to sit on the juries of the trial courts in that state, it is difficult to see how these seven defendants in the Scottsboro case can ever be completely convicted. For it is certain that the Supreme court, once having determined the rights of colored citizens, will not reverse its position later.

The United States Constitution takes precedence over state organic law. When the federal constitution guarantees equal rights to its citizens, those rights cannot be taken away by the several states without some time or other they run afoul of the United States Supreme court.

Alabama, among some other states of the deep South, has flagrantly denied to hundreds of thousands of honest industrious colored citizens their constitutional rights. What can southerners expect, then, when occasionally members of the colored race carry their protests to the court of last resort?

The United States Supreme court has definitely outlawed the unconstitutional Jim Crow attitude in Alabama.

SUPREME COURT SCOTTSBORO DECISION INVOKED IN NEW JERSEY CASE

Cuba clipping

ELIZABETH, N.J. - (CNA) - Citing the recent U.S. Supreme Court decision on the Scottsboro case as a precedent, Attorney Frank Cohn, white, asked the quashing of the indictment against Amos Carr on the grounds that Negroes had been barred from jury duty. Carr, Philadelphia worker, is accused of manslaughter.

4-27-35

In the Court of Common Pleas, John J. Fitzpatrick, Union County jury commissioner, admitted that no Negroes had been called for jury service during the past twenty years. He claimed that there was only one Negro in Union County who could meet the jury qualifications. Despite Fitzpatrick's admissions, Judge Thompson denied the motion for the dismissal of charges against Carr.

The world-wide protest rallied by the International Labor Defense forced the U.S. Supreme Court recently to reverse the death sentences against Haywood Patterson and Clarence Norris, two of the Scottsboro boys, on the basis that Negroes had been systematically excluded from Alabama juries.

Scottsboro Campaign Takes Spurt With $266 Pledged in New York

Daily Worker 4-18-35 New York, N.Y.

The $20,000 Scottsboro defense fund campaign of the International Labor Defense took a spurt yesterday with total contributions of $266.13 from organizations in New York district, which have raised more than half of the $2,302.18 received since the drive began.

The total of $325.68 received yesterday is still far below the amount needed for daily expenses in important legal steps that are being planned and carried through by the I.L.D. to press forward to complete the victory won in the reversal by the United States Supreme Court of the convictions of Clarence Norris and Haywood Patterson, Anna Damon, acting national secretary of the organization, said.

The development of the campaign for the immediate, unconditional, safe release of the Scottsboro boys and of Angelo Herndon also demands not only constant expenditure, but a real spurt of protest activity, directed to Governor Bibb Graves and Lieutenant Governor Thomas E. Knight in Montgomery, Ala., in the Scottsboro case, and to the United States Supreme Court in the Herndon case.

Outstanding among the contributions from New York district organizations yesterday were:

From a group of teachers, $55.13; Section 10, Communist Party, $32.95; and Professional Workers League, $25.

Total received yesterday: $325.68.
Total received in drive: $2,302.18.
Still to be raised: $17,797.82.

Rush funds for Scottsboro defense to the International Labor Defense, Room 610, 80 East 11th Street, New York City.

COMMON SENSE AND THE SCOTTSBORO CASE

Comment

With the filing last week of another complaint against the nine Scottsboro boys by Victoria Price, the dreary ritmarole starts all over again. 5-11-35

It is to be regretted that this case is still with us. It should have been disposed of years ago with the acquittal of the nine boys, who are unquestionably innocent.

But, on the one hand, Alabama has sought in this case to re-fight the Civil War and, on the other hand, the Communists have tried to use it as a lever for revolution. Neither side has won; only the boys have lost.

All except the professional agitators who view such cases as meal tickets would like to be rid of it. Alabama and white supremacy are certainly gaining no ground by its prolongation.

The effort of Attorney Samuel Leibowitz to get Governor Graves of Alabama to grant an outright pardon is therefore to be applauded. By one stroke of the pen Governor Graves can end this nonsensical routine of appeal, trial and appeal. He ought to have the courage and good common sense to do it.

Carrollton, Ga., Times
May 2, 1935

CASE OF THE ALABAMA NEGROES

A great deal of comment is heard, pro and con, in the case of those Alabama negroes charged with outraging two white girls on a freight train some two or three years ago, especially as relates to the decision of the U. S. Supreme Court in remanding one of them recently for retrial, for the reason that no negroes were on the trial jury.

We have not read the decision of the court, nor do we know just what were the grounds for the appeal; but we do know that from the evidence as disclosed by the newspapers concerning the circumstances surrounding the case, there is very general belief that there was not sufficient grounds to justify a death penalty for any of the negroes, indeed we believe that but for the offensively officious meddling of the outsiders the courts of Alabama would not have permitted any of them to hang.

This opinion may not be well founded nor is it based on actual knowledge of the case save that obtained through the newspaper reports. Much concern is expressed over the court's ruling on the negro jurors and what it may mean for other southern states.

Under the system of selecting jurors in Georgia, there need be no fear of court interference, unless there be some flagrant failure of justice. In this state the jury commission meets every two years and selects a limited number of names from the tax lists from which the courts select a given number of jurors for each court. It is entirely within the discretion of the commission as to what names are to be selected.

From the list thus provided the court selects a given number as jurors for each subsequent term of court. Then when a case comes on for trial the opposing counsel selects the jury to hear and determine all cases at bar, hence there need be no special concern in this state over any class of jurors.

The editor of the Times has seen negroes serve on grand juries along with the whites and no serious objections were raised. In Arkansas some of the counties really preferred to have and often seletced two or three of the staid and settled negroes to serve on the grand jury, saying that they were valuable in ferreting and running down criminals of their own race.

Scottsboro, Ala., Age
May 2, 1935

Asks New Warrants In Scottsboro Case

Mrs. Victoria Price, Prosecutrix, Appears at Scottsboro Presaging First Step by State to Place Nine Defendants on Trial Again

Mrs. Victoria Price, of Huntsville prosecutrix in the "Scottsboro case," Wednesday swore to nine warrants charging the nine Negro defendants with attacking her aboard a freight train in Jackson county, March 31, 1931.

The swearing of the warrants was the first step in the state's effort to reindict the Negroes and bring them to trial on the attack charge, a capital offense with death as the maximum penalty.

The move followed by a day the appeal of Samuel S. Leibowitz, of New York, retained as chief of counsel for the Negroes by the American Scottsboro Committee, to Gov. Bibb Graves for an outright pardon.

Leibowitz' appeal carried with it as suggestion, that a fact finding committee be appointed to investigate the now world known case, and that he for one would agree to abide by its report.

Mrs. Price came here accompanied by Ben Giles, former sheriff of Madison County, and went to the offices of County Solicitor H. C. Hayes, where the new warrants were drawn.

Whether they would be turned over to Sheriff M. C. Thomas, of Jackson County for service, or would be mailed to the sheriffs of Jefferson and Montgomery counties where the Negroes now are held was not announced.

Solicitor H. G. Bailey, at Boaz, original prosecutor in the case, said Wednesday he did not know when a Grand Jury would be called to investigate the evidence. and probably return new true bills.

"Some legislation will have to be enacted before we can move,' the solicitor said, indicating that the jury rolls would be revised before any legal steps for retrial were taken.

The legislation already has been started in the capitol at Montgomery, where Tuesday Senator J. Miller Bonner introduced a bill to amend the present statutes to limit jury service to qualified voters.

This was planned after the United States Supreme Court had reversed death sentences in two cases. holding that Negroes were systematically excluded from juries in Jackson County where the original indictments were returned and in Morgan County, where the Negroes had been convicted after change of venue.

The decision brought from Gov. Bibb Graves a statement in a letter to circuit judges and solicitors that this means the names of Negroes must be placed on the jury rolls in every county in Alabama.

In the same letter Gov. Graves suggested that jury rolls and boxes be made to conform to the decision.

The Negroes involved are Haywood Patterson and Clarence Norris, confined at Kilby Prison in Montgomery; Roy and Andy Wright, brothers, Glen Montgomery, Willie Robertson, Ozie Powell, Charles Weems and Eugene Williams.

In addition to charges of attacking Mrs. Price the Negroes were indicted originally on charges of attacking Ruby Bates, companion of the woman, who since has repudiated her testimony in the first trials. and said the case was concocted by the older woman.

Ozark, Ala., Star
May 15, 1935

WHAT DOES LEIBOWITZ KNOW ABOUT AMERICAN IDEALS?

Samuel Liebowitz, council for the defense in the famous "Scottsboro Case," has made a formal request to Governor Graves to pardon the nine negroe defendants, thus bringing to an end "this carousal of hate," and saying "subsersive elements" originally instrumental in popularizing the case are seeking to "tear down our form of government" and substitute "the bolshevism of Moscow" for "our cherished American ideals and traditions."

In the first place, we would like to know what a man with Samuel's last name would be expected to know about American ideals and traditions—we feel sure that he knows a lot about "the bolshevism of Moscow."

We are strongly in favor of giving every defendant (white or colored) in every case, a fair trial, and it is horrifying to us to think of our courts administering severe punishment to an innocent person, of any race, but it is our impression that in altogether too many cases our courts, our judges and our juries—are too sympathetic and too soft, and that mercy instead of justice, is too often shown. This is without doubt largely responsible for the wave of lawlessness and crime that has swept over the entire country in the last decade.

It seems that the only question involved in the famous case referred to above, is whether negroes are systematically excluded from juries in Jackson county. Mr. Leibowitz would have the defendants excused, not because they have been shown to be innocent, but because there were no negroes on the numerous juries which have found them guilty.

In other words, we are forced to believe, from his conduct as well as his name, that Samuel really belongs to that heard of "shister" lawyers who seem to take peculiar delight in trying to defeat justice on all occasions, thereby "seeking to tear down our form of government"—the most dangerous type of "public enemies."—Andalusia Star.

Lynchings - 1935
Legal Punishment for Rape.

Alabama

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Lake City, Fla., Reporter
April 12, 1935

The U. S. Supreme Court freed Scottsboro negroes because the state prohibited negroes from serving on the jury. The Tampa Tribune thinks it is going to be difficult to convict a woman in Florida because no member of their sex can serve.

Williamson, W. Va., News
April 16, 1935

JUSTICE FOR THE NEGRO

Although the state law of Alabama does not discriminate against negroes serving on juries, it has winked at the practice of local officials excluding them .It was for that reason the Supreme Court ruled the indictments against the nine negroes in the 4-year old Scottboro case invalid.

Negroes have been systematically barred from jury rolls in Jackson county, Alabama, where the case was tried, and in many southern states as well. The practice has done more to incite race prejudice than any other agency. The Supreme Court decision which sets aside the death penalties of the young Alabama negroes charged with assault on two white girls, will go a long way to correct an injustice that has prevailed in southern states. It will at least insure the prisoners a fair trial.

Legislatures in the south will now be asked to enact laws covering the dumping and refilling of jury boxes. And these bodies will obey the order of the high court to better the condition of enfranchised citizens made subservient because of color.

ST. LOUIS, MO.
GLOBE DEMOCRAT
APR 5 1935

MORGAN COUNTY INDICTS ITSELF.

As to why no Negro jurors were called in the Scottsboro case, and also in other cases in Alabama, one of the Jury Commissioners of Morgan County was quoted in the Supreme Court showing as follows:

I do not know of any Negro in Morgan County, over 21 and under 65, who is generally reputed to be honest and intelligent and who is esteemed in the community for his integrity, good character and sound judgment, who is not an habitual drunkard, who is not afflicted with a permanent disease or physical weakness which would render him unfit to discharge the duties of a juror, who can read English and who has never been convicted of a crime involving moral terpitude.

Obviously some of the legal qualifications for jury service are recited in this statement. However, citizenship obligations include other and even more important obligations than occasional jury service. If this statement to the court is not overdrawn, how are these other citizenship obligations being performed by Negroes? Of course, the statement applying to a county in the state that has the Tuskegee Institute is grossly overdrawn in the light of facts cited by Chief Justice Hughes. If it is true only in small part, however, the state itself has a duty which it is fully qualified to perform but which it is not performing. Physical infirmities can be combated by medical resources, ignorance by education, moral delinquency by encouragement rather than oppression and the underprivileged status by an approach to equality before the law at least.

Alabama has 944,834 Negroes and 251,095 illiterates. Assuming that all the illiterates are Negroes, also an overdrawn assumption, it must have 693,739 literate Negroes.

RETAIN FAITH IN LEIBOWITZ

Scottsboro Boys Cling to Defense Attorney, Dr. Haynes Reports

7-27-35

Unswerving faith in Samuel S. Leibowitz on the part of the Scottsboro boys is reported by Dr. George E. Haynes, executive vice-chairman of the American Scottsboro Committee, who spent two days in Alabama last week visiting the imprisoned youths.

At Kilby Prison, Montgomery, he talked with Clarence Norris, whose case was won by Attorney Leibowitz in the decision of the Supreme Court which recently reversed the death sentence on the ground that Norris had been denied his constitutional rights because Negroes were excluded from grand and petit juries, which indicted him and before which he was tried.

At the Jefferson County Prison in Birmingham, Dr. Haynes met Andy and Roy Wright, Olen Montgomery, Ozie Powell, Willie Robinson, Eugene Williams and Charles Weems. According to Dr. Haynes the boys said they were still being approached by representatives of "radical organizations."

Speaking for the group, Dr. Haynes reports, one of the boys said: "When these representatives asked us to sign papers we told them that if they would go and bring Mr. Leibowitz and if he advises us to sign these papers we will sign them."

The committee is seeking a defense fund of $10,000, for which contributions were received last week from Hampton Institute; Church of the Good Shepherd, Chicago, and Walnut Chapel, A. M. E. Z. Church, Summit, N. J.

Montgomery, Ala. Journal
April 8, 1935

REGRETS—A lot of people r... gret that the Scottsboro cases were ever taken so seriously. You can find many white people who doubt that the negroes should ever have been convicted. Judge James E. Horton, of Limestone, who presided at one of the trials, is among that number. Judge Horton sacrificed his seat on the bench because he didn't believe the evidence was sufficient to warrant conviction. When the negroes were arrested feeling against them was high. The lapse of time has tempered the populace and you can find many persons now openly advocating the dismissal of the cases. It is probable that his would have happened a long time ago had not the I. L. D. with its propaganda sought to capitalize on the arrest of the negroes and to advance its own purposes by attempting to make the impression that it was interested in the welfare of the negroes.

FAILURE TO AID DOOMED BOYS SCORED

Journal & Guide

Joint Meeting I... Danville Proves Successful

5-18-35

MADISON REELECTED

Norfolk Va.

Special Session To Be Held Next October

Special to Journal and Guide

DANVILLE, Va.—A bitter attack on the Baptist churches in America for failing to aid the Scottsboro cases and a strong indictment of white churches for condoning lynching, jim-crowism, racial segregation and remaining silent in the midst of hunger, distress and misery among our population, and a fervent appeal to return to the old landmark of the Christian faith, were highlights of the messages delivered to the delegates and visitors at the 69th and 41st annual sessions, respectively, of the Virginia Baptist State Educational and Missionary Convention of Virginia which were held here at High Street Baptist Church, May 8 and 10.

These messages were heard by about 400 delegates and 600 visitors representing local associations and about 1,500 churches in Virginia, Western Pennsylvania, New York, New Jersey, the District of Columbia, and other states.

were heard by about 400 delegates and 600 visitors representing local associations and about 1,500 churches in Virgiina, Western Pennsylvania, New York, New Jersey, the District of Columbia, and other states.

Hits Modern Tendencies

The most challenging message at the convention was delivered, perhaps, by Dr. W. H. R. Powell, president, Virginia Theological Seminary and College, at the evening session of the two bodies Thursday. Using for his subject "The Revolutionary Hour in the History of Organized Christianity," Dr. Powell asserted that 3,000,000 Baptist Churches had missed a great opportunity in failing to champion the cause of the Scottsboro boys.



Dr. Madison

The college president also hit the tendency of modern churches to substitute politics and economics schemes for Christian principles. "No science or modernism scares me," Dr. Powell said "We need a religion of the heart in place of an empty intellectualism."

Officers Elected

The elections were as follows: Men's body, Dr. C. P. Madison, Norfolk, president; the Revs. W. E. Sanderlin, P. L. Harvey, L. W. Wales, and A. A. Spencer, vice presidents; Dr. W. R. Ashburn, recording secretary; the Revs. C. E. Jones, corresponding secretary; W. M. Gilbert, treasurer; E. T. Brown auditor; and M. C. Allen, editor.

Women's body, Mrs. C. E. Jones, Newport News, president; Mesdames C. A. Bagley, Rosa E. Loving, Rose Gentry, Maggie Arrington, and Ellen Obey, vice presidents; Mrs. M. B. Hicks, recording

secretary; Mrs. M. Waller Richardson, corresponding secretary; Mrs. Millie J. Thompson, treasurer; and Mrs. M. E. Gordon, chairman, executive board.

All officers in both bodies were relected except Mrs. Esther Marshall, fifth vice president, who was succeeded by Mrs. Otey.

Both the men's and women's bodies adopted The Expected, the monthly religious magazine founded and edited by the Rev. M. C. Allen, as their official organ.

A special session of the convention will be held at Virginia Theological Seminary and College in late October and the next annual session will be held May 13-15, 1936, at Hill Street Baptist Church, Roanoke, Va., with the Rev. D. R. Powell and his congregation as hosts.

The two bodies raised $1,010 for Virginia Theological Seminary and College. More than $600 was raised by the two groups for foreign missions, state missions, ministers' relief, church edifice, and convention expenses.

Deplores Condition

The Rev. J. H. Jackson, of Philadelphia, who succeeds Dr. J. E. East as secretary, Foreign Mission Board, National Baptist Convention, deplored the lack of interest in foreign missions in our churches. He asserted that our churches have an indefinite program. "There is something fundamentally wrong with the Christian Church today," he said, "for we are taking our cue from social trends instead of following Christian principles set in the Bible.

Rev. Mr. Jackson's sermon in the afternoon on Wednesday gave more emphasis to the strong annual sermon delivered by Dr. C. C. Scott of Richmond, at noon. Dr. Scott had admonished the delegates to be living examples of the Christian faith.

Dr. C. P. Madison, of Norfolk, president of the men's body, and Mrs. C. E. Jones, of Newport News, president of the women's body, delivered their annual address at 8 p. m. Wednesday. Mrs. Jones warned the delegates against permitting other agencies to take the place of the family altar in the ethical and moral training of our children. Dr. Madison made a ringing appeal for a return to Christian principles in our daily lives.

Release Sought For Two Scottsboro Negroes

Habeas Corpus Petition Filed By Attorneys Seeking Bail

Copies of habeas corpus petitions seeking the release on bail pending retrial of Willie Roberson and Olen Montgomery, two of the Negro Scottsboro case defendants, and orders of the Morgan Circuit Court setting the petitions for hearing at Decatur on May 31, were submitted yesterday at the office of Atty. Gen. Carmichael by C B. Powell, Birmingham attorney, representing O. K. Fraenkel, of New York, International Labor Defense counsel for the negroes.

The copies will be turned over immediately to Lieut. Gov. Knight, special prosecutor for the State in these and companion cases. The Lieutenant Governor said last night that the State will resist the habeas corpus petitions when the hearing is held at Decatur.

Test For Other Cases

These petitions, it is believed, are in the nature of test proceedings under the recent ruling of the United States Supreme Court, reversing judgments of convictions of Alabama's courts in the cases of Heywood Patterson and Clarence Norris, co-defendants with Roberson and Montgomery, and on the outcome of these actions will depend whether or not like petitions will be filed on behalf of the other accused.

On the basis of the status of all the pending cases since the swearing out of new warrants for each of the defendants several weeks ago by Mrs. Victoria Price, of Huntsville, star prosecuting witness for the State and one of the victims of the crime with which they are charged, it is believed the habeas corpus actions have little chance of accomplishing their objective, namely, the freeing of Roberson and Montgomery pending retrial. Even if they are admitted to bail, it is understood, they can be promptly rearrested on the new warrants and recommitted to jail.

To Ask New Indictments

Lieut.-Gov. Knight announced some time ago that he will ask the returning of new indictments by a Grand Jury in Jackson County where the assault with which the defendants are charged, took place. Just when that action will be taken was not definite last night, but it was believed he will make the request as soon as the Legislature recesses, which will be some time during the latter part of June.

By virtue of his office, the Lieutenant Governor is presiding officer of the State Senate, the duties of that position requiring his presence in Montgomery while the Legislature is in session.

Montgomery and Roberson, in whose behalf the habeas corpus proceedings have been filed, are confined at the Jefferson County Jail in Birmingham, together with all the other Scottsboro case defendants with the exception of Patterson and Norris, who are held at Kilby Penitentiary.

Noted Persons Protest New Scottsboro Moves

105 Sign Letter to Alabama Governor Demanding Release of Boys, Protest Against Plan to Re-Indict Innocent Boys

Senator Gerald P. Nye, James Weldon Johnson, John Haynes Holmes, Bishop Francis J. McConnell and Van Wyck Brooks are among 105 prominent writers, educators and other professional people, who yesterday protested to Governor Bibb Graves of Alabama against the plans of Alabama officials to re-indict and prosecute innocent Scottsboro boys.

They were signatories to a letter sent yesterday by the National Committee for the Defense of Political Prisoners to the Alabama executive. The letter reviewed the recent decision of the U. S. Supreme Court upholding the contentions of the International Labor Defense and its attorneys that the constitutional rights of the boys and of the whole Negro people were violated by the systematic exclusion of Negroes from Alabama juries.

Review Proof of Innocence

The letter also reviewed the overwhelming proof of the innocence of the boys, including the testimony of Ruby Bates that Victoria Price and herself had been coerced by Alabama officials into falsely charging the boys with "rape." Ruby Bates repudiated her original testimony and has since toured the country in defense of the boys.

The letter placed particular emphasis on the decision rendered by Judge James E. Horton in reversing the second verdict against Haywood Patterson, one of the defendants:

"The testimony of the prosecutrix (Victoria Price) in this case is not only uncorroborated, but it also bears upon its face indications of improbability and is contradicted by other evidence, and in addition thereto the evidence greatly preponderates in favor of the defendant."

Many Noted Signatures

Signatories to the letter are:

Gerald P. Nye, U. S. Senator; Thomas R. Amlie, U. S. Representative; John Dewey, Professor Emeritus; Dr. John Haynes Holmes, Community Church; Bishop Francis J. McConnell, Methodist Federation of Social Service; E. Haldemann-Julius, publisher; Oswald Garrison Villard, editor and publisher; James Waterman Wise, writer and lecturer; Professor Broadus Mitchell, Johns Hopkins University; Franz Boas, Columbia University; Roger N. Baldwin, Director, American Civil Liberties Union; Van Wyck Brooks, poet; Frank E. Baker, president, State Teachers College, Milwaukee; Erskine Caldwell, writer; Reverend William B. Spofford, director, Church League for Industrial Democracy; William Saroyan, writer; John Dos Passos, writer; Louis Adamic, writer.

Senator Arthur Capper, Theodore Dreiser, novelist; Lincoln Steffens, publicist; Ella Winter, writer; Prof. Edgar Dale, Ohio State University; Mrs. Florence Harriman, and Katharine Terrill, of the Council for Social Action of the Congregational and Christian Churches.

Malcolm Cowley, editor, The New Republic; John Howard Lawson, writer; Tess Slesinger, novelist; John L. Spivak, writer; Alfred Kreymborg, poet; H. W. L. Dana, former professor at Harvard and Columbia Universities; George Soule, editor, The New Republic; Hubert C. Herring, director, Council for Social Action of the Congregational and Christian Churches of the U. S. A.; Alicia Hamilton, M. D.; Dr. Bernhard J. Stern, Columbia University; Dorothy Dunbar Bromley, columnist, New York World-Telegram; Peter Witt, Cleveland, Ohio; Martha Gruening, writer; Professor Robert Morss Lovett, University of Chicago; Freda Kirchwey, editor, The Nation; Lewis Mumford, writer and critic; Ernest Boyd, literary critic.

James Weldon Johnson, Fisk University; Abram L. Harris, Howard University; Professor Blaine [illegible] University; Professor J. O. Bailey, University of North Carolina; Letitia P. Randall, writer, Baltimore, Md.; Professor Vida D. Scudder, Wellesley College; Dr. Ralph J. Bunche, Howard University; Elmer P. Carter, editor, Opportunity; Edward A. Ross, University of Wisconsin; George Clifton Edwards, Dallas, Texas; Professor Jesse H. Holmes, Swarthmore College; Reverend Ernst F. Tittle, First Methodist Episcopal Church, Evanston, Ill.; Anna M. Pennypacker, writer; Willystine Goodsell, Teachers College, Columbia University; Adelaide Case, Teachers College, Columbia University; Isabel M. Stewart, Teachers College, Columbia University.

Bessie L. Gambrill, Dept. of Elementary Education, Yale Graduate School; Anna Rochester, writer; Grace Hutchins, Labor Research Association; Maurits A. Hallgren, writer, Glenwood, Md.; Mrs. Kenroy Malcombre, Chapel Hill, N. C.; Horace M. Kallen, educator, New School for Social Research; Professor F. H. Hankins, Smith College; Dr. Edward T. Devine, New York; Henry Harap, Western Reserve University, Ohio; Professor F. P. Brissenden, Columbia University; Professor Read Bain, Oxford, Ohio; Arnold Donawa, D.D.S.; Reuben S. Young, M. D.; Rev. Herman F. Reissig, Kings Highway Church; Rev. E. C. Macklin, Victoria Congregational Church; Rev. A. J. Butterey, Park Ridge, N. J.; Rev. James K. Morse, Hackensack, N. J.; Rev. Ralph H. Read, New York; Dr. Henry Neumann, Ethical Culture Society; John L. Elliott, Ethical Culture Society; W. Russell Bowie, Rector, Grace Church; Evans Clark, writer; Dr. W. P. Ladd, Connecticut; A. Epstein, New York; Harold Loeb, economist; Leroy E. Bowman, New York; Benjamin Ginsberg, writer; Edward Newhouse, writer; Marian Murray, writer; Marguerite Young, writer, Washington, D. C.; Arnold Williams, University of North Carolina; Muriel Wolff, University of North Carolina Press; Herman E. Spivey, University of North Carolina; Loretta Carroll Bailey, Chapel Hill, North Carolina; Sallie E. Scott, teacher, Charlotte, Virginia; Cabo Mae Russell, Chapel Hill, N. C. Phillips Russell, writer and professor, University of North Carolina; Lillian Lowenfel, New York; Leane Zugsmith, journalist; Lynd Ward, artist; J. Albert Hirsch, publicist; Professor Leo Gershoy, Long Island College; Jerome Klei, Fine Arts Staff, Columbia University; Liston M. Oak, editor; Emanuel Eisenberg, writer; Jerome Schloss, New York; Joseph Vogel, writer; J. L. Anderson, labor leader, North Carolina; George Bonner, M. D.; Winifred L. Chappell, secretary, Methodist Federation for Social Service; Rev. Ralph B. Urmy, Westfield, N. J.; Frank L. Palmer, editor, Federated Press; Harry Block, editor, Covici-Friede; Professor Thurman Arnold, Yale University.

Lynchings- 1935
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Birmingham, Ala., Age-Herald
April 6, 1935

Graves Meets The Issue

Governor Graves has acted promptly, decisively and courageously to the end that Alabama jury practice shall be in conformity with the recent ruling of the United States Supreme Court in the Scottsboro cases holding systematic exclusion of Negroes from jury rolls is unconstitutional.

"Without in any manner assuming or intimating," the governor has written all circuit judges, "that the contents of your jury boxes in any way fail to conform to this Supreme Court opinion, I write to suggest that in the event there be any non-conformity in this regard, that you speedily take proper steps to remedy any such defects."

The state's chief executive called attention to the 1931 jury law, declared he would ask the Legislature to enact the legislation needful in the filling or refilling of jury boxes and suggested that "in any case in which this question is injected into the pleadings, the case be passed, continued or, if need be, nol-prossed until a new indictment may be presented by a Grand Jury to which this objection will not apply."

Copies of the governor's letter were sent all solicitors.

In a public statement, the governor said in part:

I have received the Supreme Court's decision in the Scottsboro case, holding in effect that when there is systematic exclusion of Negroes from juries, it is discrimination against the race in violation of the United States Constitution.

This decision means that we must put the names of Negroes in jury boxes in every county in the state.

Alabama is going to observe the supreme law of America.

The governor is the chief law enforcement officer of the state and the conservator of all laws. All laws, of course, include the supreme laws of the land.

It is unusual for the governor to undertake to suggest to the judicial department things which under our state policy are peculiarly within its jurisdiction. However, I have a duty to perform and an oath to abide by.

"In the exercise of this power," the governor's statement explained, he sent his letter to the judges.

The Age-Herald already has expressed its conviction that the state should and must accept the plain implications of the Supreme Court ruling. It has voiced its concurrence in the theoretical, legal and moral soundness of that ruling. It now commends the governor for a brave, intelligent and forthright meeting of the issue.

It seems to this paper that, while it might have been possible for a chief executive to evade such a direct and personal facing of the situation and his responsibilities as characterizes the action of Governor Graves, the Alabama executive has proceeded in accord with a high conception of his duty that is well within the bounds of the prerogatives of his office and state leadership. His suggestions and recommendations surely cannot be rightly regarded as constituting an invasion of judicial functions.

Governor Graves has set an example for all the officials and citizens of the state in their attitude toward the Supreme Court ruling. If that example is generally adopted—as this paper believes it will be—Alabama can look forward without alarm to a successful solution of whatever problems the ruling may raise.

While these problems now may rise on a broader scale than in the past they will hardly be different in kind from those already overcome in this state.

It would seem undoubtedly to be the highest wisdom to deal with any such difficulties separately as they come up, to avoid the anticipation of troubles that may never occur and to suppress fears based on vague possibilities and generalities in the situation as a whole.

There is no reason to believe that the governor does not mean exactly what he says concerning his attitude. In their cooperation with him, *The Age-Herald* hopes that officials, legislators and citizens will so construe his purposes and spirit and act accordingly.

Goodwater, Ala., Enterprise
April 11, 1935

People Not Agreed On Matter Of Negro Jurors

The reversal of two "Scottsboro" cases by the United States Supreme Court last week and the consequent discussion of the matter shows that the people of Alabama are not at all agreed as to the right course to pursue in regard to putting the names of negroes on the jury lists of the state.

Gov. Graves, immediately following the court's decision reversing the cases on the ground that negroes were barred from jury service in Jackson County, issued an order to circuit court judges ordering them to empty jury boxes and to place the names of negroes in all jury boxes in every county in the state.

Protests, censure and criticism at once arose regarding the Governor's order. Lawyers and even some judges protested that it was out of the jurisdiction of the governor to issue such an order. Others have upheld the Governor's action and say there is nothing to do but to take action such as he has directed in order that cases in future may not be turned down by the Supreme Court for the same reason.

What the outcome will be is quite uncertain at the present moment.

Huntsville, Ala., Times
April 5, 1935

Negroes On Juries

Governor Graves took courageous action today in advising trial judges and solicitors that the names of properly qualified negroes should be placed in the jury boxes of every county in the state.

He cited the recent opinion of Chief Justice Hughes in the Scottsboro case, holding that exclusion of the names of negroes from county jury rolls is discriminatory, and therefore violative of the Constitution.

The whole question of service of properly qualified negroes upon juries has, it seems to us, been vastly magnified beyond its importance.

Most people have confused it with the issue of social equality, a vastly different issue, and one upon which there can be no compromise.

Jury service is a matter of intelligence, of good citizenship, of proper qualification.

The issue of equality is no more raised in jury service than in ordinary business transactions between the two races, wherein each buys or sells to the other, trades lands or mules, or engages in the thousand and one transactions that require contact between their members.

Negroes have been eligible and called for service on federal juries in this state, and nothing has been thought of it, though, it is true, it is a rare thing that this has taken place.

The fact is that proper qualifications for negroes to serve on juries in state courts will confine the number of those eligible in each county to a very small number.

Once the cstom that has prevailed since Reconstruction has been abolished—made necessary by the decision of the U. S. Supreme Court—it will be found that fundamental relations between whites and negroes will not be altered.

NEWARK, N. J.
EVENING NEWS
APR 2 1935

Justice

FOR the second time the Supreme Court of the United States has insisted upon fair trials for the Negroes condemned to death in the celebrated Scottsboro case. The State of Alabama should know by this time that the high court means business and is determined to uphold the fundamental rights of this country's citizens, be they white, yellow or black.

The issue before the court was the exclusion of Negroes from juries. The constitutional principle of the right of citizens to serve on juries regardless of their race was not in question. It was the application of the principle. The court swept aside as not sustained the contention that the reason why no Negroes were called to jury duty was because none could be found qualified by intelligence, experience and moral integrity. In one case it ordered a new trial and, in the other, referred the case back to "further proceedings," which means a new trial or the Supreme Court will be heard from again.

Savannah, Ga., News
April 2, 1935

THE SCOTTSBORO CASE

Sternly condemning barring of negroes from jury service, the United States Supreme Court struck down the conviction of two defendants in the famous Scottsboro assault cases. Terms of the decision apparently will make it necessary for them to be re-indicted and may result in the ultimate release of all the negro defendants. The court, in an opinion by Chief Justice Hughes, found that negroes had been systematically excluded from the jury rolls of Jackson county where the defendants were indicted. The court held this was sufficient to make the indictments invalid.

The two cases before the court involved Clarence Norris and Haywood Patterson, both of whom had been convicted a second time and sentenced to death. Five other defendants are still awaiting their second trial. They probably will not be tried again on the present indictments, because all the defendants were named in true bills by the grand jury at the same time. It begins to look as though the prolonged criminal proceedings are drawing to an end. In the past the Supreme Court has held that deliberate denial of jury places to negroes in trials of negro defendants is a violation of the rights guaranteed by the Constitution.

KNOXVILLE, TENN.
NEWS SENTINEL
APR 3 1935

Justice

EIGHT U. S. SUPREME COURT justices united in striking down the conviction of two Scottsboro defendants. The Court held that Negroes had been illegally barred from acting as jurymen in the trials. Alabama now must either dismiss the famous case or re-indict and retry the defendants with Negro jurymen on the panels.

This is the High Court's second rebuke to the prosecutors of these Negro youths and their companions. In November, 1932 the Court ordered retrials on the ground that Alabama had denied the defendants due process on other grounds.

In these two opinions the Supreme Court has done much more than save the lives of obscure boys. It has done more than hearten the faith of 15,000,000 American Negroes in their country's courts. It has helped re-enforce the very foundations of the republic.

In his first inaugural address Jefferson said that equal and exact justice to all men of whatever state or persuasion, through trials by juries impartially selected, forms the surest bulwark against anti-republican tendencies. This is even truer today than in 1801.

Scottsboro Drive Must Be Speeded

Daily Worker

Contributions to the $20,000 Scottsboro defense fund of the International Labor Defense fell to an alarming new low yesterday, when only $72.50 came in from the I. L. D. districts, and from the I. W. O. 4-17-35

A contribution of $15.50 from the poverty-stricken workers of Birmingham, taken up a penny at a time, and sent to the national office of the I. L. D. through the Birmingham district of the organization, was the outstanding contribution, in contrast to those districts which have so far failed to respond to the urgent appeals of the Central Committee of the Communist Party, and the National Executive Committee of the I. L. D.

Expenses are mounting daily, and thousands of dollars are needed immediately to carry on the campaign and take the necessary legal steps to save the Scottsboro boys from the new legal lynch trial being prepared by the Alabama courts to save Angelo Herndon from the chain-gang, Anna Damon, acting national secretary of the I. L. D. said.

She urged all the districts of the I. L. D. and the Communist Party, all trade-unions and mass organizations not to wait until they have a substantial sum, but to rush in all funds as fast as they are collected, to meet the daily, pressing needs of the campaign.

Besides th Birmingham I. L. D. district contribution, among the contributions which went toward raising the total received in the past ten days to $1,976.50, were a contribution of $10 from the I.L.D. branch in Erie, Pa., and $5 from Branch 521 of the International Workers' Order in New York. $19,023.50 must still be collected.

Rush funds for Scottsboro $20,000 fighting fund to the International Labor Defense, Room 610, 80 East Eleventh Street, New York City.

Savannah, Ga., News
April 7, 1935

A dispatch from Augusta points out that the Scottsboro case could not have arisen from the Richmond County Superior Court, as negroes serve regularly on juries in that county. It is further stated that in one of the most celebrated cases there, the trial of a woman for the murder of her husband, two negroes sat on a jury which freed her after an earlier conviction had been set aside, and in another case a negro juror helped to convict a member of his own race on a criminal attack charge. The dispatch adds that negroes have not served on the grand juries, however.

PHILADELPHIA, PA.
RECORD
APR 10 1935

Alabama Bows to the Court

Governor Bibb Graves, of Alabama, deserves the nation's applause for heeding the ruling of the United States Supreme Court and ordering that the names of Negroes be included on the jury rolls of every county in his State.

If the court's decision in the Scottsboro case shows a proper regard for constitutional rights, Governor Graves shows an equally laudable regard for law. It is not hard to imagine a Southern Governor defying the court in so inflammatory a case.

But it may be noted that the mere fact of including Negroes on jury panels does not guarantee the right of the Scottsboro boys to have a few Negroes on the jury which hears their case. The Orphan Jones case in Maryland will illustrate.

There the Supreme Court of Maryland ruled that Jones must be retried because the exclusion of Negroes from juries constituted a violation of due process. Negroes were then included in the panel drawn for the retrial.

But attorneys for the State, exercising their right to challenge certain jurors without expressed cause, merely challenged all the Negroes picked for the new trial jury. No Negro sat on the jury that tried Orphan Jones and finally sent him to the chair.

Bristol, Va., Herald-Courier
May 3, 1935

New Move In "Scottsboro Case."

Mrs. Victoria Price of Huntsville, Alabama prosecutrix in the famous "Scottsboro Case," has sworn nine new warrants charging the nine Negro defendants in the case with attacking her on a freight train between Chattanooga and Scottsboro on March 31, 1931.

Two of these Negroes have twice been convicted and sentenced to death for this alleged crime, but each time the case has been carried to the United States Supreme Court, which tribunal has granted the defendants a new trial, the last time on the ground that Negroes were barred from Alabama jury lists.

The swearing of the new warrants is the first step in the State's effort to reindict the Negroes and bring them to trial for criminally assaulting the woman. Presumably, in the next trial the jury list will contain the names of Negroes, since otherwise another trial would be useless. In the light of the Supreme Court's ruling, a verdict of guilty would not stand.

This issue has now been raised in North Carolina for the first time. Counsel for a Negro physician charged with second degree murder in the death of a young white woman from an alleged illegal operation has asked that the indictment be quashed on the ground that Negroes were excluded from the grand and petit jury lists.

All States had as well recognize the fact that in cases of Negroes accused of crime members of their race must be included in the jury lists, and govern themselves accordingly. The States thus will save themselves much trouble and expense. Alabama has had the "Scottsboro Case" on its hands for more than four years.

Selma, Ala. Times
May 7, 1935

WHAT DOES LEIBOWITZ KNOW ABOUT AMERICAN IDEALS?

Samuel Leibowitz, council for the defense in the famous "Scottsboro Case," has made a formal request to Governor Graves to pardon the nine negro defendants, thus bringing to an end "this carousal of hate," and saying "subsersive elements" originally instrumental in popularizing the case are seeking to "tear down our form of government" and substitute "the bolshevism of Moscow" for "our cherished American ideals and traditions."

In the first place, we would like to know what a man with Samuel's last name would be expected to know about American ideals and traditions—we feel sure that he knows a lot about "the bolshevism of Moscow."

We are strongly in favor of giving every defendant (white or colored) in every case, a fair trial, and it is horrifying to us to think of our courts administering severe punishment to an innocent person, of any race, but it is our impression that in altogether too many cases our courts—our judges and our juries—are too sympathetic and too soft, and that mercy instead of justice, is too often shown. This is without doubt largely responsible for the wave of lawlessness and crime that has swept over the entire country in the last decade.

It seems that the only question involved in the famous case referred to above, is whether negroes are systematically excluded from juries in Jackson county. Mr. Leibowitz would have the defendants excused, not because they have been shown to be innocent, but because there were no negroes on the numerous juries which have found them guilty.

In other words, we are forced to believe, from his conduct as well as his name, that Samuel really belongs to that heard of "shister" lawyers who seem to take peculiar delight in trying to defeat justice on all occasions, thereby "seeking to tear down our form of government"—the most dangerous type of "public enemies."—Andalusia Star.

HARTFORD, CONN.
COURANT
MAY 7 1935

THE SCOTTSBORO CASE

Mr. Black Is Convinced That The Negroes Are Guilty

To the Editor of The Courant:—

I have read the reply to my recent letter by Robert Linn of New Haven. He claims to know a great deal about the Scottsboro case, but in reality knows so little that he does not even give the name of one of the three principal witnesses. He narrows the case to three eye-witnesses, "Leslie Carter, Ruby Bates and Victoria Price." He is correct except that the name of the white boy was Orville Gilley, who was assaulted and held a prisoner along with the girls. The other six white boys were thrown off the train by the Negroes. This Gilley boy testified in the first and last trials (he could not be found for the second trial—why?) and identified each one of the Negroes as having taken part in the crime. As for this Leslie Carter who, Mr. Linn says, was kept from testifying, if he ever existed he could know nothing of the case, as he was thrown off the train. And if he was such an important witness why did not the defense put him on the stand? Nothing could have kept them from doing so.

He says that one of the girls, Ruby Bates, testified against these Negroes for fear of prosecution for vagrancy. She could not be found at the beginning of the second trial, but made a dramatic appearance a few minutes before its close, dressed in the height of fashion. She claimed to have just returned from a trip to Brooklyn. This doesn't look very much like vagrancy to me. Perhaps Mr. Linn could tell us where all this sudden wealth came from. But she has sworn out warrants against these Negroes a second time and will be one of the prosecutors at their next trial. Does this look like she knows they are innocent?

As for the last of the three, Victoria Price, Mr. Linn fails to even mention the recent attempt to bribe her for $1000, for which two of the defense attorneys were arrested and put in jail.

W. J. BLACK.

Hartford, May 5, 1935.

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In Scottsboro Case



The recent decision of the U. S. Supreme Court, holding that the indictments in the "Scottsboro case" should have been quashed because no negroes appeared on the jury rolls, puts Judge A. E. Hawkins, original trial judge, in the case again. Under present plans, the State will ask new indictments of the nine negro defendants on charges of attacking two white girls. The indictments must be sought in the county of orriginal jurisdiction, Jackson, over which Judge Hawkins presides. Judge Hawkins sentenced eight of the negroes ot death after the first trials at Scottsboro.

Victoria Swears To 9 New Warrants

First Step In State's Effort To Reindict Negroes In Scottsboro Attack Case

5-2-35

SCOTTSBORO, ALA., May 1.—(AP)—Mrs. Victoria Price, of Huntsville, prosecutrix in the "Scottsboro case" today swore to nine new warrants charging the nine negro defendants with attacking her aboard a freight train in Jackson County, March 31, 1931.

The swearing of the warrants was the first step in the State's effort to reindict the negroes and bring them to trial for attacking the woman, a capital offense with death as the maximum penalty.

The move followed by a day the appeal of Samuel S. Liebowitz, of New York, retained as chief of counsel for the negroes by the American Scottsboro Committee, to Gov. Bibb Graves for an outright pardon.

Mrs. Price came here accompanied by Ben Giles, former sheriff of Madison County, and went to the office of County Solicitor H. C. Hayes, where the new warrants were drawn.

Whether they would be turned over to Sheriff M. C. Thomas of Jefferson County for service, or would be mailed to the sheriffs of Jackson and Montgomery Counties where the negroes now are held was not announced.

Solicitor H. G. Bailey, at Boaz, original prosecutor in the case, said today he did not know when a Grand Jury would be called to investigate the evidence, and probably return new true bills.

"Some legislation will have to be enacted before we can move," the solicitor said, indicating that the jury rolls would be revised before any legal steps for retrial were taken.

The negroes involved, are Haywood Patterson and Clarence Norris, confined at Kilby Prison in Montgomery; Roy and Andy Wright, brothers, Olen Montgomery, Willie Roberson, Ozie Powell, Charles Weems, and Eugene Williams.

The issuance of the new warrants, it is understood, is a precautionary measure to block release of the defendants during the interim that will elapse between receipt by the Alabama Supreme Court of the mandate of the Supreme Court of the United States, giving formal notice of that tribunal's ruling, and the returning of new indictments by a Jackson County Grand Jury.

Efforts may and probably will be made by defense counsel to obtain release of the prisoners on habeas corpus proceedings, but such action cannot be filed until jurisdiction in the cases is returned to the State courts. New York attorneys for the defendants have, in fact, already drawn habeas corpus petitions and have them ready to submit if they decide to do so, after the mandate comes through from Washington.

Leibowitz Asks Pardons For 9

Calls On Graves To End Scottsboro Case With Exercise Of Clemency

5-1-35

Samuel Leibowitz, of New York, counsel for the defense in the "Scottsboro Case" submitted a formal request in writing to Gov. Graves yesterday, that he pardon the nine negro defendants. Asking that the pardons be issued "forthwith" to an end "this Frankenstein of hate." Leibowitz declared "subversive elements" originally instrumental in popularizing the case are seeking to "tear down our form of government" and substitute "the bolshevism of Moscow" for "our cherished American ideals and traditions."

The request was contained in a letter dispatched to the Chief Executive by Leibowitz by special messenger, in which the suggestion was made that a fact-finding commission be appointed composed of prominent citizens of the State, to investigate the case and report its findings—in the event pardons should be denied the defendants. Gov. Graves said last night he had not replied to the letter and had no comment to make at the present time regarding the communication.

The negroes, two in Kilby Prison, the other seven in the Jefferson County Jail at Birmingham, are charged with attacking Mrs. Victoria Price and Ruby Bates, Huntsville mill workers, aboard a Southern Railway freight train in Jackson County on March 25, 1931.

The United States Supreme Court on April 1, set aside death sentences imposed on two of the defendants, Heywood Patterson and Clarence Norris, holding that negroes were systematically excluded from the juries in the counties where they were indicted and where they were tried.

Leibowitz in his letter to the Governor reviewed the history of the case, the first convictions at Scottsboro, when the case took its name, with subsequent reversals in the United States Supreme Court.

He also called attention to the action of Judge James E. Horton, who presided in the first retrial of Patterson, under a change of venue in Morgan Circuit Court, in setting the death sentence aside and ordering a new trial.

"A reading of this learned jurist's opinion," Leibowitz wrote, "can lead to but one conclusion. Here spoke the trial judge before whom appeared all of the witnesses for both sides, and who was familiar with every ramification of the evidence in the case. His opinion is an indictment of the prosecution of these defendants as a dastardly frame-up. . . ."

Referring to the International Labor Defense, that first took up the defense of the negroes, Leibowitz wrote, "this scheming crowd had been using the Scottsboro case among the negroes of the South to gain recruits of their political banner.

"If you should deem it appropriate, I would be most happy if you saw your way clear to appoint an impartial fact finding committee, composed of such men as Bishop McDowell (Bishop W. G. McDowell of the Alabama Episcopal Diocese) and some of the heads of colleges of the State. I, for one, would be ready to abide by the decision of such a group."

MACON, GA.
NEWS
APR 21 1935

Bowing to the Court Decision

Governor Bibb Graves of Alabama, bowed gracefully enough to the recent Supreme Court decision in the Scottsboro cases. The court ruled that the trial judge was not justified in supposing the jury commissioners had shown no discrimination against the Negro race. It intimated that books had been tampered with and evidence had been manufactured.

Governor Graves moved at once when he learned of the decision. It was announced that he wrote every trial judge in Alabama to comply with the ruling by revising jury rolls before any new juries are drawn. Also that he asked that all jury boxes be emptied and refilled in accordance with the principles enunciated by the decision of the Supreme Court.

He apologetically said: "It is unusual and arbitrary, if not unprecedented, for the Governor to undertake to suggest to the judicial department things which under our state policy are peculiarly under their jurisdiction. However, I have a duty to perform and an oath to abide by, and I and they are equally bound to enforce the supreme law of the land."

The Governor also wrote to all jury commissioners and to all circuit solicitors suggesting the manner in which they can best meet the pending indictments.

People all over the South were naturally interested in what the Governor had to say, and the judges in almost every judicial circuit in every state naturally took stock.

Georgia lawyers feel that their supreme court has a clean record. It has not hesitated to reverse any judgment that was tainted with prejudice. A case in Bryan county was reported in 168th Georgia, pages 370 to 374, in which the commissioners were on record as saying they would keep out of the jury box a certain race of citizens.

The Georgia supreme court promptly said that was a gross abuse of legal discretion, and the court could not escape the conclusion that jurors' qualifications had been arbitrarily decided. When the question of prejudice or discrimination has been raised in Georgia, it has been customary, so far as can be learned, to invite evidence to that effect.

More than one county, including Bibb, has used Negro jurors, though in recent years the use of them has grown less and less until some counties have not had any on a panel

The Supreme Court has not upset the order of things in many communities of the South. The two races get along together now better than they ever have since the carpetbaggers ruined the peace and happiness of both through just such spirit as the fourteenth amendment so strikingly manifests.

their race.

in a number of years.

There can be no doubt that the Supreme Court's ruling will result in precautions that will insure justice to Negroes as the law was ratified by carpetbag legislatures, and the Negroes who were supposed to be reason. The moretures, and to benefit by it were finally embittered and left among the Southern white people with whom they would have been as good friends as they are in these days. The only hindrance was just such foolhardy efforts to lift them into high place before they were prepared by education, experience or intelligence.

Those who have made their way up in the scale since those gcry and unhappy days are entitled to be congratulated, and they have never had It may any trouble in getting patient co-operation and sympathetic hearing from Southern brains, whites in any moves for the betterment of

Macon lawyer puts it, the question of selecting a jury is not and never should be a race question. The very best material available is it of the jury section of the fourteenth amendment none too good, and the shame of the entirement, nor should such criticism be indulged country has been the lack of the right kind but it is perfectly proper to say that the jury of material for the best jury service. Question of the fourteenth amendment to the tions involving race, politics, social standing, Federal Constitution was never intended to and all matters of that kind have no proper consideration in a jury system among intelligent and upright people.

have not been taken in the past. But as one white people.

Nothing can be gained by criticising the court for jerking up the public and reminding those days as they are in these days. The amend-only hindrance was just such foolhardy efforts to lift them into high place before they the jury were prepared by education, experience or into the telligence.

champion the cause of the Negro. It may fair dealing to everybody, it stands to reason

And while there can be no objection to have been the best product of the brains doing everything that can promote justice and the time, but it is not a credit to such brains

BIRMINGHAM, ALA.
AGE HERALD
MAY 1 1935

A Scottsboro Proposal

Samuel Leibowitz has not so conducted himself as defense attorney in the Scottsboro case as to endear himself to the people of Alabama, or to gain their admiration for his tact and diplomacy in handling delicate situations. Any suggestion coming from him would naturally be questioned to an unusually close degree even by those Alabamians who do not automatically see red whenever the Scottsboro case is mentioned. The tendency in the state is and probably will continue to be a feeling of fear of the Greeks bearing gifts. Nevertheless, Mr. Leibowitz made a suggestion Tuesday that seems to *The Age-Herald* to offer happy possibilities of disposing of this unsavory litigation in a way to save the state of Alabama and its people from further embarrassment.

Mr. Leibowitz proposes to the governor that he appoint a fact-finding commission consisting of men of the character and intelligence of Bishop McDowell and the presidents of some of our colleges; that both sides agree in advance to abide by the results of such a non-partisan inquiry by distinguished Alabamians. Furthermore, he pledges himself so to abide by the results of the study by such a commission.

It will be easy for the governor to take the technically correct position that he must not interfere with the judiciary, that a commission, such as Mr. Leibowitz proposes, would have no legal status and that the courts could not be bound in advance to accept its findings. In taking such a position Gov. Graves undoubtedly would have the soundest basis in law and precedent for his action. On the other hand, would not the creation of an extra-legal commission of the type suggested serve the best interests of the state? While the courts could not be pledged to abide by its findings, would not the mere fact that such an inquiry was being made by Alabamians of the highest character and intelligence result in an almost automatic willingness on the part of the executive and judicial departments to use the resultant findings as a guide?

The long history of the Scottsboro cases would seem to indicate that all of right and justice cannot be on one side. There have been three trials and three convictions carrying the death penalty. The first was reversed by the Supreme Court of the United States; the second was reversed by Judge Horton, the trial judge, on the ground that the evidence did not justify and sustain the verdict; the third was reversed by the Supreme Court of the United States. Judge Horton's opinion granting a new trial at the conclusion of the second hearing was a calm, deliberate review of the evidence by that able and distinguished Alabamian who had heard all of the testimony and was better prepared than any man in Alabama to say whether or not it was sufficiently strong to justify a conviction and the death penalty.

In the light of this brief resume of the Scottsboro cases and their history in the courts, is not Mr. Leibowitz' suggestion a possible way out for a people that must have grown tired and worn out with all the agitation over the fate of the Negro defendants? *The Age-Herald* earnestly suggests to Gov. Graves that he give this matter full consideration and, if he finds it a practicable and feasible way to handle an involved and complicated trouble, that he accept it at face value and carry it out.

Formal Scottsboro Mandate Received

Getting underway of legal processes that will again bring to trial each of the seven negro Scottsboro case defendants was in immediate prospect last night following receipt at the office of the clerk of the Jackson Circuit Court of the mandate of the Supreme Court of the United States giving formal notice of reversal of judgments of conviction in two of the cases, those of Clarence Norris and Heywood Patterson. Both were under sentence of death.

As Chief Justice John C. Anderson of the State Supreme Court is out of the city and there are a number of routine matters to be disposed by the court this week, Justice L. D. Gardner said that there will be no action taken on the mandate before next Monday.

It is understood, the Scottsboro cases will be remanded to the Jackson Circuit Court where original indictments will be quashed and new ones asked for. Immediately after the original indictments are quashed, it was learned, new warrants issued at Scottsboro some days ago by Mrs. Victoria Price, of Huntsville, charging the defendants with criminal assault, will be served on them, and they will be held on these warrants until other indictments are returned by a Jackson County Grand Jury. Setting and holding of trials will follow.

In reversing judgments in the Norris and Patterson cases, the U. S. Supreme Court held that under the evidence negroes had been systematically excluded from jury rolls from which both grand and trial juries in the cases were drawn.

Birmingham, Ala., Age-Herald
May 1, 1935

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Scottsboro Cases Ordered Quashed

Complying with the mandate of the Supreme Court of the United States, the Alabama Supreme Court yesterday reversed judgments of the State courts in the cases of Haywood Patterson and Clarence Norris, two of the negro so-called "Scottsboro" defendants, and remanded them to Jackson County with instructions to quash the original indictments in accordance with the decree of the Nation's highest tribunal.

Order of the Alabama Supreme Court specifies that the circuit court may make such further orders as may be deemed proper to await new indictments by a Jackson County grand jury. It is further specified that in the event of new indictments, subsequent trials shall be held in Morgan County; and that the defendants are to remain in custody "until discharged by due course of law."

After the original indictments have been quashed, and pending the returning of others by a Jackson grand jury, the negroes will be held on new warrants sworn out at Scottsboro several weeks ago by Mrs. Victoria Price, of Huntsville, one of the two victims of the assault of which they were found guilty.

Indictments Against Two Of Scottsboro Boys Quashed

MONTGOMERY, Ala., May 17.—Acting on the mandate of the United States Supreme Court, handed down on April 1, the Alabama State Supreme Court yesterday ordered the indictments against both Haywood Patterson and Clarence Norris, Scottsboro defendants, quashed.

Although no indictments now exist against Patterson and Norris, they were ordered held for further proceedings on the basis of new false warants sworn out at Scottsboro by Victoria Price.

The indictments still stand against five of the boys, while Roy Wright and Eugene Williams, the two youngest boys, are awaiting hearing before the juvenile court. In the last two mentioned cases, the International Labor Defense has been pressing for the setting of a date for the hearing, which will have all the character of a trial.

Special Jury Term Seen

Unless a date is set within the next few days, the I. L. D. has announced, it will seek a writ of mandamus to force Probate Judge B. L. Malone, of Decatur, Ala., to set such a date.

Strong intimation that a special term of the grand jury at Scottsboro will be called to bring new indictments against all the boys—which move would be preceded by quashing in the circuit court of the remaining five indictments — has been given by the authorities there. The next regular term of the grand jury is not until fall.

The present action of the State Supreme Court follows upon the decision of the United States Supreme Court, handed down April 1, that the indictments and convictions were illegally obtained, before grand and petit juries from which Negroes were systematically excluded.

To Put One Negro on Panel

Jackson county officials, voicing their determination to continue their efforts to burn the Scottsboro boys at all costs and regardless of evidence, have announced that they would follow the mandate of the U. S. Supreme Court at least technically, by placing a Negro on the panel from which the grand jury is drawn to re-indict the Scottsboro boys—though showing quite clearly that they have no intention of permitting any Negroes actually to serve.

Under Alabama law, Clarence Norris and Haywood Patterson should have been moved from the death cells they have occupied for more than a year in Kilby Prison here to Jefferson County jail, in Birmingham, where the other seven boys are now held, as soon as the appeal proceedings were begun.

Lynchings-1935
Legal Punishment for Rape

Alabama.

4984

Dothan, Ala., Journal
April 12, 1935

THE RACE PROBLEM

The Supreme Court's decision in the Scottsboro case has provoked universal comment but it has done no good except to emphasize the fact that those in the East who propose to improve the Negro's opportunity in the South know less about him and his problems than anybody.

All the courts in the land cannot solve race problems. If relations between the white man and the black are to be improved in the South, then the South must take the initiative; otherwise the situation will be aggragated. Southerners are sensitive about the Negro. all learned editorials to the contrary notwithstanding and will resent interference.

A few Negroes may serve on Houston county juries sometime in the future as a result of the recent Supreme Court decision, but it is our impression that this privilege will be gained at the expense of the race as a whole. The Society for the Advancement of the Colored Race may call it progress but we call it retrogression.

There was a time when the cry for swift justice where Negroes were involved was answered only by lynching, but in late years, as relations between the races improved, the public has come to rely with more confidence on the courts. That has been to the advantage of the Negro. But if the Supreme Court decision is applied literally, we may expect a relapse that will again rob the colored man of some of his human rights.

Scottsboro, Ala., Sentinel
April 11, 1935

Probable Procedure In New Negro Trials

Definite announcements have not been made regarding the future course of the State in the matter of prosecution of the negro cases, but it is presumed from the statement of Governor Graves regarding the necessity of placing names of negroes on jury rolls, that this will be done in Jackson County and then a grand jury summoned to hear the charges again and pass on whether or not the blacks are to be again indicted. According to the ruling of Hughes, the matter will have to go back to the very beginning with the grand jury indictment.

If the new grand jury found indictments, then it is likely a change of venue would be sought and the case tried at Decatur or elsewhere.

Up to this time, P. W. Campbell, who has been chairman of the Jackson County Jury Board since January 1st, this year, has had no official notice regarding any change in the Jackson County jury roll or box.

TWO BLACKS GET NEW TRIALS BY U. S. COURT RULING





The above is a picture of Haywood Patterson (top) and Clarence Norris (lower) who have been under death sentence for three years for the offense against Mrs. Victoria Price, a white woman.

Montgomery, Ala., Advertiser
April 30, 1935

LEIBOWITZ CHATS WITH CARMICHAEL

Nothing Important, 'Say Counse For Scottsboro Negroes And Prosecution

Samuel Leibowitz, of New York, counsel for the Scottsboro case defendants held an extended conference yesterday afternoon with Atty. Gen. Albert A Carmichael, Lieut. Gov. Thomes E Knight, Jr., special prosecutor for the State, and Asst. Atty. Gen. T. S. Lawson, who aided the Lieutenant Governor then Attorney General, in trial of the cases.

At the conclusion of the conference the only information made public concerning what transpired while it was in progress was contained in a brief statement issued by Mr. Carmichael. He said: "Mr. Leibowitz came to my office today and talked with me, Mr. Knight and Mr. Lawson about the Scottsboro cases. The conference was not of unusual importance or significance. We merely discussed those matters and things which lawyers on the opposite sides of cases usually discuss. I do not attach any importance or significance to this more or less routine conversation."

Mr. Leibowitz himself had no comment to make regarding his talk with them. To inquiries as to whether he planned habeas corpus proceedings for release of the defendants, and whether he intended to go to see them he replied, "I don't know." He said he came to Montgomery yesterday morning from Atlanta where he had called on a personal friend; that he would spend last night here, and that he might "have something to say" this morning. Later he stated "there might be developments of considerable purport" he would announce either here or in Birmingham today. He planned to confer with Gov. Graves yesterday, but failed to do so. He did not say whether he would renew his efforts to talk with the chief executive today.

Up to late yesterday, the Supreme Court of Alabama had not received from the U. S. Supreme Court the formal mandate officially advising that body of its action of some weeks ago, reversing the judgments of the Alabama courts in the cases of Clarence Norris and Heywood Patterson, two of the seven Scottsboro defendants, who were convicted of criminally assaulting two young white women, and sentenced to death.

Until the mandate is received, jurisdiction in the cases will not be returned to this State and habeas corpus petitions if filed now could not, therefore, be acted upon. When jurisdiction is returned, the State, through Mr. Knight as special prosecutor, will ask for new indictments of all defendants by a Jackson County grand jury.

Heywood Patterson and Clarence Norris are at Kilby Prison. The other five defendants are confined in the Jefferson County Jail at Birmingham. Liebowitz since severing his former association with International Labor Defense attorneys for the defendants, has announced he is representing all of them as counsel, with the exception of Patterson.

Scottsboro, Ala., Sentinel
April 18, 1935

No Development In New Negro Trial

The Sentinel is receiving daily inquiries as to the present status of "the Scottsboro case," and as to what steps will be taken in the matter and when the case will be brought before another grand jury in Jackson County.

Up to going to press Wednesday night the local Jury Board has had no word or order from any authority to make any changes in the jury roll in this county, or to make a report on the present roll.

The present jury roll in Jackson County is a brand new one so far as books are concerned. The old records were carried to Washington as evidence in the U. S. Supreme Court appeal.

P. W. Campbell, editor of The Sentinel, was appointed chairman, or president of the present Jackson County jury commission last December and officially entered the work in January this year. This board was composed of two members and clerk at its last session, Ernest Rush being the other member, and D. F. Fennell the clerk. The third member of the board, Felix Trice had turned in his resignation to the Governor last Fall when he entered another job and a jury commissioner cannot hold two appointive jobs.

Under the law, two members and clerk are legally able to function in the selection of jurors. In the pres-

ent box and on the present new roll there are about 800 names of men deemed qualified to serve as jurors. In this county there are estimated to be about 8,000 white men between the ages of 21 and 65, of age for jury service, so far as age is concerned. For example, only one out of every ten men is placed on the jury roll in this county. There are many items on the disqualification list, a part of these being exemptions of different kinds from jury service if the person should ask for exemption. Of course, it is a big saving to the county to eliminate this useless cost of summoning men who under the law would be automatically excused from jury duty. The present commission, at the added insistence of the judge, endeavored to make a roll that would be eligible and free from statutory exemptions.

NEW YORK TIMES

MAY 7 1935

Scottsboro Ruling Plea Fails in Newark Court

Special to THE NEW YORK TIMES.

NEWARK, N. J., May 6.—The recent decision of the Supreme Court of the United States in the Scottsboro case was the basis for a challenge on the method of selecting a jury in the trial of Elijah Drew, a Negro, on a murder charge, which opened today before Common Pleas Judge Walter D. Van Riper. Osie M. Silver, defense attorney, charged that Negroes were excluded from the panel.

Judge Van Riper overruled the objection and the selection proceeded, after Under Sheriff Alfred C. Walker and George Flammer, clerk to Jury Commissioner William Hildebrand, had testified that jurors were selected from registry lists without knowing whether or not they were Negroes. They also denied they avoided picking names from Negro-populated sections of the city.

The Scottsboro Decision

IN its recent review of the famous Scottsboro cases, the U[S] Supreme Court found that the testimony showed that Ne[groes] had arbitrarily and systematically been barred from jury service and that it "established the discrimination which th[e] Constitution forbids." Governor Graves of Alabama, the stat[e] most immediately concerned, at once stated, "Whether we lik[e] the decisions or not, it is the patriotic duty of every citizen an[d] the sworn duty of every public official to accept and uphol[d] them in letter and spirit."

In hailing the decisions as "a victory for southern Negroes," it must be borne in mind that the court stated no new rule but merely applied a principle clearly laid down in earlier cases. Further, Negroes in the South have not been excluded from juries by law, any more than they have been excluded by law from the ballot. They have just been excluded. Many of the southern editorials gathered by the Information Service of the Federal Council of Churches, discount the decision. Thus the Wilmington, N. C., Star:

. . . it does not follow that Alabama will rush to the fore with mixed juries. . . . Alabama is too deep in the South to permit of that, and even should it insert the names of Negroes in the jury boxes for the purpose of complying with the Supreme Court, ways will be found to continue the jury service as at present and within the law.

At this writing, it seems clear that Alabama authorities propose to continue their efforts to execute the seven Negroes, who have been in prison charged with rape since 1931. But after the trials already held, the reversals of the verdicts, the increasingly sharp racial issues raised, the local resentment over the communist propaganda based on the case, it is open to question whether the Scottsboro boys can be fairly tried there, no matter what kind of jury is in the box.

Andalusia, Ala., Star
May 2, 1935

WHAT DOES LEIBOWITZ KNOW ABOUT AMERICAN IDEALS?

Samuel Leibowitz, council for the defense in the famous "Scottsboro Case," has made a formal request to Governor Graves to pardon the nine negro defendants, thus bringing to an end "this carousal of hate," and saying "subsersive elements" originally instrumental in popularizing the case are seeking to "tear down our form of government" and substitute "the bolshevism of Moscow" for "our cherished American ideals and traditions."

In the first place, we would like to know what a man with Samuel's last name would be expected to know about American ideals and traditions—we feel sure that he knows a lot about "the bolshevism of Moscow."

We are strongly in favor of giving every defendant (white or colored) in every case, a fair trial, and it is horrorfying to us to think of our courts administering severe punishment to an innocent person, of any race, but it is our impression that in altogether too many cases our courts—our judges and our juries—are too sympathetic and too soft, and that mercy instead of justice, is too often shown. This is without doubt largely responsible for the wave of lawlessness and crime that has swept over the entire country in the last decade.

It seems that the only question involved in the famous case referred to above, is whether negroes are systematically excluded from juries in Jackson county. Mr. Leibowitz would have the defendants excused, not because they have been shown to be innocent, but because there were no negroes on the numerous juries which have found them guilty.

In other words, we are forced to believe, from his conduct as well as his name, that Samuel really belongs to that heard of "shister" lawyers who seem to take peculiar delight in trying to defeat justice on all occasions thereby "seeking to tear down our form of government"—the most dangerous type of "public [illegible]"

Scottsboro, Ala., Sentinel
May 2, 1935

Mrs. Victoria Price Comes To Scottsboro To Swear Out New Warrants For Negroes

Mrs. Victoria Price, of Huntsville, accompanied by her bodyguard, Mr. Tiller, and former sheriff, Ben Giles came to Scottsboro Wednesday afternoon and swore out warrants against the nine negroes in the "Scottsboro Case." The warrants were against the negroes originally arrested, tried and convicted on charges of rape.

The warrants were sworn out before County Solicitor H. C. Hayes, presumedly at the orders of the state officials in charge of the prosecution. It is supposed that this new warrant move is a preliminary step for the further prosecution of this case. It is probable the grand jury investigation will not occur until the September term of the Circuit Court, by which time there may be some changes on the jury roll. Up to this time, however, the local jury commission has not been ordered to make any changes in the Jackson County rolls.

Lynchings-1935
Legal Punishment for Rape

Alabama.

4985

Ft. Payne, Ala., Journal
April 24, 1935

The Scottsboro Case

The United States Supreme Court has again reversed and remanded the trial of those Negroes who were convicted of having assaulted two white women in Jackson County a few years ago. This reversal by the highest tribunal in our land is not any surprise to a student of our Constitution, and said tribunal should not be censored for its decision. It merely upheld a certain part of the Constitution—the Fourteenth Amendment. It should be remembered that the Supreme Court is a court of law and its duty is to construe the meaning of the Constitution—to say whether or not any of it has been violated. In this particular case the court based its decision on the first section of the Fourteenth Amendment under the "equal protection" clause. In giving the opinion, Chief Justice Hughes stated that the absence of Negroes from the jury rolls should have caused the trial court to quash the indictments, that there is no justification for excluding qualified Negroes from the jury rolls. To one who is clothed with the highest robe and sitting a thousand miles away from the scene of such atrocious crimes, that sounds reasonable in light of the Fourteenth Amendment, but to us, who are Southerners, it presents a complex situation. But, as citizens of this great country, it is our duty to accept and obey the law of the land.

Since this decision, and in keeping with the spirit of obedience to law, Governor Graves has ordered that Negroes' names be placed on the jury rolls throughout the State. Whether or not this act will solve the situation is yet to be seen. Whatever the result may be it should be remembered that Governor Graves merely did what the highest law in the land said should be done.

Since this case happened so near us, and since it is a problem that confronts the South in particular and since some of our Republican friends, (Mr. Norman C. Wilkes and the Editor of the DeKalb Times) have tried to make it appear that the Democratic party is responsible for the Negro being on the jury rolls, it seems to me the public should be informed as to why the highest court in our land has twice reversed the lower courts in this case. I have answered one part of this question already. The first reversal was based on the "due process" clause of the Fourteenth Amendment, and the second reversal was based on the "equal protection" clause of the same Amendment.

So the reversal of the death sentence of those Negroe criminals is not the fault of the United States Supreme Court, but rather the fault of that Negro Amendment to the Constitution which was proposed by a radical Republican Congress in 1866 and ratified by radical Republican States in 1868. It is the fault of that Amendment that was forced on the South by the Republican party, that Amendment that made Negroes equal to the Whites in the eyes of the law, that Amendment that allowed Negroes to sit with the "Carpet Baggers" in the Legislature of Alabama and squander our State resources.

Being a teacher, Mr. Wilkes should know the above facts, but being a Republican politician and living in the South, I doubt if he wants to know them. If you don't know these facts, Mr. Wilkes, in justice to the pupils you teach, read a little history. Then you will not ask a Democrat how he will feel sitting in the jury box beside the Negro, when any sensible Democrat or Republican will know that the presence of a Negro in a jury box will have been caused by the acts of the Republican party. And being a teacher I think you should get better informed on the immigration question. Do you know that it was a Democratic representative from this Congressional district that fought in a Republican Congress for years for a bill that would limit the number of immigrants? Your eleventh hour phrase is interesting. I am reminded here of the sacrificial eleventh hour message you sent to Montgomery—you repented at the eleventh hour, but now you haven fallen by the wayside again.

Now, Mr. Editor of DeKalb Times April 11th issue, I haven't much to say about your editorial on the Scottsboro cases. Being editor of a

REGISTER
HUDSON, N. Y.
APR 6 1935

WHY NOT FREE THEM?

More than four years ago nine negro youths were charged with having criminally assaulted two white women on a freight train in Alabama. While mobs raged around the courthouse eight of them were tried, convicted and sentenced to death, all within 48 hours.

Later two witnesses for the state including one of the white women involved, confessed that their evidence had been perjured. Eventually a large number of people became convinced that the accused were innocent. Now most Northerners, at least, feel that the Scottsboro defendants were victims of race prejudice in its most virulent form.

The original verdict of guilty was set aside by the United States Supreme Court on the ground that negroes are systematically excluded from Alabama juries. A similar verdict in the second trial was set aside by the presiding judge as being based on insufficient evidence. Monday the highest tribunal in the land ruled that Patterson and Norris, the only two actually tried for the third time, had again been deprived of their constitutional rights.

Perhaps the most significant aspect of the decision is not the reversal of the death sentence, which was more or less expected, but the fact that for the first time the court made an unequivocal statement as to the illegality of barring negroes from jury service.

Clearly the Supreme Court's decree presents difficulties. Not only must new indictments be found against the accused but negroes must technically be drawn to serve on grand and trial juries if those youths who have languished in prison since early in 1931 are to be tried for a fourth time. It would seem more advisable to turn the Scottsboro boys loose than to try to revolutionize Southern methods and temperament.

THE "MONTGOMERY ADVERTISER" AGAIN

We are again compelled to take official notice of another editorial appearing in the "Montgomery Advertiser" of recent date. This one bears the caption, "Governor Graves' Letter About Negro Jurors." This one is the same type as the one previously answered; the only difference, if any, may be found in its more uniform contempt for truth and fair play.

The "Montgomery Advertiser," still chafing under the sting of Chief Justice Hughes' rebuke in the Scottsboro case, now attempts to hide its cowardly conscience by charging that the colored citizens of Alabama are so void of their proper responsibility as not to desire to sit as jurors.

In an effort to state their case for them the editor makes this confession, "Everybody knows that there are hundreds of Negroes in Alabama who are qualified by native intelligence and personal character to serve on a jury drawn to hear any cause." This editorial statement serves to stamp the jury commissioner of Jackson County, when the jurors were being qualified to try the then pending Scottsboro case in the criminal court of that county, as a liar and perjurer.

The jury commissioner of that county upon his oath—and it is presumed that this oath was taken before the properly constituted authorities—swore that there was not a colored man in the county of sufficient intelligence and of sound mind and body qualified to act as a juror. Now the fact is that somebody was lying.

Journalistic courtesy prompts us to give the benefit of the doubt to the editorial writer of the "Montgomery Advertiser." If the weight of evidence and reliance for truth and veracity is to be placed on the side of the Fourth Estate, then the jury commission of Jackson County in thus swearing has committed a crime for which the law-enforcing agencies of Alabama should prosecute him.

In addition to this admission upon the part of the "Montgomery Advertiser" that the Jackson County jury commissioner was a perjurer and a liar, the "Advertiser" has this to say "The Advertiser will here say upon its own responsibility that the great majority of Ne-

Opelika, Ala. News
April 17, 1935

FROM SCOTTSBORO

The following article is from the Scottsboro Sentinel, edited by P. W. Campbell, and gives an idea of that section's reaction to the recent decision of the United States Supreme Court:

"The editor of The Sentinel finds himself in a peculiar position at present insofar as "editoralizing" on the Scottsboro case and its latest turns. I am the new chairman of the Jackson County Jury Board and have been in that position since January 1st this year. Under the circumstances comment would be inadvisable.

"It is my opinion that Governor Graves in his declaration regarding putting names of negroes on the Alabama jury rolls, pulled a master stroke, as he left the Northern critics and agitators wide-mouthed and astonished. They did not want that sort of answer from Alabama. What they wanted was for our State officials to buck and snort and cuss and refuse to agree with anything. But Graves, as well as other state leaders, took the thunder away from the agitators and left them nonplused without ammunition to shoot with. Graves also drew the praise of the press that will now for the first time wonder if we really did go out every morning and kill a negro for amusement!

"The suggestion of the Governor is not alarming, especially to a people who knew a time called "Reconstruction" and survived it fairly well."

groes in Alabama do not desire to be called for jury service."

On this point it may be observed that there are always some would-be leaders, hat-in-hand type, surrenderers of privileges and rights of the Race, who can always be called upon to serve the vicious purposes of a certain white constituency of the South, who live and exist upon the sale and barter of the interest of black people. We still have faith, however, that even in Alabama, where the civic and moral spirit of the state is still steeped in the putridity of a slave oligarchy, that there are men of black skin who will stand for and insist upon enjoying and receiving all the responsibilities imposed upon them by citizenship rights.

We do not believe that the editor of the "Montgomery Advertiser" speaks the truth when he expresses views otherwise. Even the "Advertiser" may as well realize that hope, liberty, freedom and justice at last discern a way and method of obtaining those rights which they deserve and that there will arise in Alabama black men of sufficient courage and manhood to stake everything, even life itself, upon the permanent establishment of freedom and liberty for themselves and descendants, the "Montgomery Advertiser" to the contrary notwithstanding.

Tolerance Within Limits

A FEW YEARS ago the editor of the *Montgomery (Ala.) Advertiser* received the PULITZER award for having achieved the best thing in journalism for the year, viz., waged a successful fight against intolerance and bigotry as represented in the Ku Klux Klan in Alabama.

Paradoxically the same paper has been the chief fire-brand behind the frantic efforts of the Alabama kluxers in their desire to legally, or illegally, lynch the nine Scottsboro boys.

The *Advertiser* hailed the Supreme Court's decision, delivered by Chief Justice HUGHES, in the following language:

"... Otherwise, we wish to say that Mr. Hughes's pontfical deliverance is a lot of baloney. It seems to The Advertiser that if the Supreme court presided over by Charles Evans Hughes had a more sensitive regard for the victims (actual and potential) of felonious assault and less regard for the politically dispossessed in the home State of the victims it would not devote an entire opinion to an academic political question, but would offer some comment on the evidence by which the gorillas aforesaid had been convicted."

Tolerance, we apprehend, is a virtue that may reside transiently in the minds of some people, and may be subject to certain limitations, one of which, as manifested by the Alabama Pulitzer Prize Ku Klux Killer, is inability to see eye to eye with the United States Supreme Court. It was up to the Alabama courts to properly evaluate the evidence and give the accused a fair trial. The U. S. Supreme Court has twice held that they did not.

Marianna, Fla., Courier – Daily
April 18, 1935

TO A BRIGHT YOUNG MAN IN KANSAS

(Dothan Eagle)

UNDER the heading, "A Lynching Thwarted," the following editorial appears in the Emporia (Kan.) Gazette, written by W. L. White, associate editor and son of the famed William Allen White:

Right back where it started from—to the state courts of Alabama, the federal supreme court has sent the famous Scottsboro case. In the mass of legal verbiage, the federal court said what everyone knows—namely that a negro accused of sexual offense against a white woman cannot get a fair trial in the South under present conditions.

The technicality which the federal court hit upon was the fact that no negroes are drawn for jury duty in Alabama. Now if Southern public opinion were not diseased with hysteria on the negro question, it would still be possible to have a fair trial.

But the mind of a Southern juror in such a case runs like this: "Well, maybe he didn't do it. But if we let him off, lots of folks will think maybe he did, and niggers will get the idea they can get away with such crimes."

So, just to be safe, they stick him, which certainly was the case in the Scottsboro trial. In Kansas, in Missouri, in Nebraska, in New York or New England, a negro accused of this offense would have had fair consideration from a jury of twelve white men. But this is impossible in the deep South.

The federal supreme court has stopped this legal lynching. Until the South will give the negro his civil rights, which include trial by a jury of his peers, the innocent victims of the Scottsboro frame-up are safe from the electric chair.

All of which is interesting enough, but hardly informative, as young Mr. White was born and raised in Kansas, later to dwell in the elevating atmosphere of Harvard long enough to complete his education. Thus a Southerner may be pardoned to question the young man's second-hand opinions of conditions in the South, whether they be social or otherwise.

It would be easy for the inelegant and unimaginative mind to invite young Mr. White to take a flying leap to hell—or else remain in Kansas, which amounts to practically the same—but in the interest of improving at least one member of the human race, it would be more clubby to invite him to toss aside his copy of Uncle Tom's Cabin and visit Alabama for a deal of first-hand information regarding negroes and whites in general, and the case of the Scottsboro babies, muling and puking in their mothers arms, in particular.

In the meanwhile, we trust the gentleman will indulge us long enough to inform him that his statements stink. They smell, in fact, well-nigh as revolting as those issued by Samuel Leibtwitz, the political belled buzzard of Harlem, in his nobler moments. Which, take it from us, is rotten plenty.

British Press Lauds Scottsboro Ruling

WASHINGTON, D.C. (CP)—The Scottsboro Decision by the United States Supreme Court received prominent display in the British press. Many of the most widely read carried long detail stories of the decision on the front page.

The Scottsboro mandate by the nation's highest tribunal was featured as "the biggest news of the day" in The Liberal News Chronicle. In addition to featuring the Scottsboro decision reversing Alabama's court decrees, The Liberal News Chronicle carried a leading editorial which asserted, "The Supreme Court struck a tremendous blow for the rights of the American Negro generally."

Since the recent reversal, British people have been following closely the reaction of Alabama and the South as relates to what steps they will take either to obey it or to disregard it and evade it. The Texas primary decision which upheld the Democratic party in excluding Negroes from voting also came in for much comment throughout Great Britian.

Lynchings - 1935
Legal Punishment for Rape

Alabama

4986

Auburn, Ala. Plainsman
April 10, 1935

Scottsboro Again

Unusually obtuse is the latest attitude taken by the *Montgomery Advertiser* toward the loudly-bruited and by-now-quite-wearisome Scottsboro Case. The latest wrinkle our erring contemporary is exhibiting is a childlike perverseness in urging the prosecution to do its damndest and hound these felons to the gallows, even if it "takes a hundred years." There seems no doubt in the mind of the editorialist as to the guilt of the defendants, though one Alabama judge smashed his own political career because he had the courage to question; but then, to admit of doubt would bring up the rather annoying insinuation that an Alabama court might be wrong. Of course that would never do. After all, sixty forthright, God-fearing Alabama citizens have said the defendants were guilty, and if the United States Supreme Court says they may not be, or says that the trials were unfair, why, the highest tribunal is just wrong, that's all.

We, the young, in our simple idealism, are prone to question the ethics and mental soundness of an editorialist who lets childish state pride and race prejudice lead him to such depths of perversity.

We are not qualified to say whether or not the defendants are guilty of the felony for which they have been indicted; we like to think that the verdicts of our state courts should be upheld and declared valid, but we are not going to sulk and insist on our own rightness if such proves not to be the case. And we are inclined to think that simple justice, not discrimination against a Southern state, actuated the decision of the Supreme Court.

Finally, we believe that the next hearing of the case should be simply a trial of a case at criminal law, not a stage for class warfare, as defense counsels have sought to make it. Moreover, we feel it would be well to forget this die-hard chauvinism that insists that the State of Alabama is on trial; thence springs much of the perverse rhetoric weighting down many an Alabama editorial page.

The Supreme Court has said that the trials were not conducted fairly, and Mr. Justice Hughes has pointed out the reasons for this decision. The jurisprudence of the Court has been met by the statesmanship of Governor Graves who has acted immediately to rectify the conditions which made the trial seem unfair. Let us hope that one more revolution of the wheels of the law will settle this issue once and for all and that Alabamians take on a more sober attitude toward the issue.

Raising chickens in their rooms is the latest fad of students at Marshall College (Huntington, W. Va.)

Macon, Ga., Telegraph
April 21, 1935

Bowing to the Court Decision

Governor Bibb Graves of Alabama bowed gracefully enough to the recent Supreme Court decision in the Scottsboro cases. The court ruled that the trial judge was not justified in supposing the jury commissioners had shown no discrimination against the Negro race. It intimated that books had been tampered with and evidence had been manufactured.

Governor Graves moved at once when he learned of the decision. It was announced that he wrote every trial judge in Alabama to comply with the ruling by revising jury rolls before any new juries are drawn. Also that he asked that all jury boxes be emptied and refilled in accordance with the principles enunciated by the decision of the Supreme Court.

He apologetically said: "It is unusual and arbitrary, if not unprecedented, for the Governor to undertake to suggest to the judicial department things which under our state policy are peculiarly under their jurisdiction. However, I have a duty to perform and an oath to abide by, and I and they are equally bound to enforce the supreme law of the land."

The Governor also wrote to all jury commissioners and to all circuit solicitors suggesting the manner in which they can best meet the pending indictments.

People all over the South were naturally interested in what the Governor had to say, and the judges in almost every judicial circuit in every state naturally took stock.

Georgia lawyers feel that their supreme court has a clean record. It has not hesitated to reverse any judgment that was tainted with prejudice. A case in Bryan county was reported in 168th Georgia, pages 370 to 374, in which the commissioners were on record they would keep out of the jury box a certain race of citizens.

The Georgia supreme court promptly said that was a gross abuse of legal discretion, and the court could not escape the conclusion that jurors' qualifications had been arbitrarily decided. When the question of prejudice or discrimination has been raised in Georgia, it has been customary, so far as can be learned, to invite evidence to that effect.

More than one county, including Bibb, has used Negro jurors, though in recent years the use of them has grown less and less until some counties have not had any on a panel in a number of years.

There can be no doubt that the Supreme Court's ruling will result in precautions that have not been taken in the past. But as one Macon lawyer puts it, the question of selecting a jury is not and never should be a race question. The very best material available is none too good, and the shame of the entire country has been the lack of the right kind of material for the best jury service. Questions involving race, politics, social standing, and all matters of that kind have no proper consideration in a jury system among intelligent and upright people.

And while there can be no objection to doing everything that can promote justice and fair dealing to everybody, it stands to reason that the higher the type of jurors the more the chance of insuring justice to Negroes and white people.

Nothing can be gained by criticising the court for jerking up the public and reminding it of the jury section of the fourteenth amendment, nor should such criticism be indulged, but it is perfectly proper to say that the jury section of the fourteenth amendment to the Federal Constitution was never intended to be patriotic. It was intended to humiliate the gentry of the old South. It pretended to champion the cause of the Negro. It may have been the best product of the brains of the time, but it is not a credit to such brains.

The law was ratified by carpetbag legislatures, and the Negroes who were supposed to benefit by it were finally embittered and left among the Southern white people with whom they would have been as good friends in those days as they are in these days. The only hindrance was just such foolhardy efforts to lift them into high place before they were prepared by education, experience or intelligence.

Those who have made their way up in the scale since those gory and unhappy days are to be congratulated, and they have never had any trouble in getting patient co-operation and sympathetic hearing from Southern whites in any moves for the betterment of their race.

The Supreme Court has not upset the order of things in many communities of the South. The two races get along together now better than they ever have since the carpetbaggers ruined the peace and happiness of both through just such spirit as the fourteenth amendment so strikingly manifests.

Birmingham, Ala. News
April 18, 1935

COUNTY OFFICIALS WAIT LEGISLATION

Judges Are Cautious About Placing Negroes' Names On Qualified List

BY T. M. DAVENPORT
Associated Press Staff Writer

Alabama courts and jury commissioners Wednesday moved slowly to revise jury rolls to conform to the United States Supreme Court's decision in the "Scottsboro Case," which many said meant the names of Negroes would be entered on jury rolls.

So far as a survey showed Wednesday, none had actually begun revision of the rolls in conformity with a suggestion from Gov. Bibb Graves that they take steps to make the rolls meet the requirements of the law.

The United States Supreme Court in reversing the death sentences imposed on two of the nine Negro defendants in the "Scottsboro Case" held that the absence of Negroes from the rolls in Jackson County where they were indicted violated the constitutional rights of the defendants.

Immediately on receipt of a copy of the official opinion, Gov. Graves wrote circuit judges and solicitors, suggestions on the Supreme Court decision. "This means we must put the names of Negroes on the jury rolls in every county in Alabama."

The governor suggested that immediate steps to make the jury rolls conform be taken, if they did not already do so.

Judge Paul Speake, of Madison Circuit Court, said Wednesday he had given notice to the jury board that it will be called into session immediately after the May term of

Approves Governor's Stand

Solicitor John McEachin, of Madison, said new indictments would be asked against the nine defendants.

"The Legislature must pass a law authorizing the dumping and refilling of the boxes,' Judge Hawkins said, 'as the law now plainly states be done until the authority,' us Hawkins, who prescribes the manner in which the boxes are Circuit Court filled, and then are refilled only and who once pro- after they become exhausted."

Jackson County rolls were of the prosecution, sides over the Circuit Court, said Wednesday that it will be called into session Gov. Thomas E. Knight, Jr., special assistant attorney general in charge of the prosecution, said he asked against the nine defendants. "The Legislature has been taken authorizing the dumping and refilling of the boxes,' Judge Hawkins be done until the authority,' said, 'as the law now plainly states us Hawkins, who prescribes the manner in which the boxes are Circuit Court filled, and then are refilled only and who once pro- after they become exhausted."

Jackson County rolls were of the prosecution, said he asked against the nine defendants. "The Legislature has been taken authorizing the dumping and refilling of the boxes,' Judge Hawkins be done until the authority,' said, 'as the law now plainly states us Hawkins, who prescribes the manner in which the boxes are Circuit Court filled, and then are refilled only and who once pro- after they become exhausted."

Jackson County rolls were

remade by the jury commission in January due to the existing books having been taken to Washington in connection with the appeals in the "Scottsboro Case."

P. W. Campbell, president of the board, said no action toward dumping the jury boxes and making up new jury rolls would be taken until Judge Hawkins ordered it.

Out of 8,000 to 9,000 adult males in Jackson County, Campbell said the board had qualified approximately 800, or about 10 per cent, for jury duty.

Small Negro Population

"Our Negro population is one of the lowest in the state," he said, "as there are only about 1,500 out of 35,000 inhabitants Negroes."

In the Fourth Judicial Circuit, Judge John Miller said no immediate action was contemplated, although he recently postponed indefinitely the Spring court term in Wilcox County because of the uncertainty that might obtain about some cases, due to the "Scottsboro Case" decision.

No further court terms are scheduled in his district, lying in the Black Belt (so named for the black soil that prevails), until May.

In Etowah County, James L. Herring, chairman of the Jury Board, said the list would be revised, as "we expect to make our jury rolls fully measure up to the requirements, probably in time for the criminal trials, early in May."

In Houston County, J. F. Beall, member of the board, said no authority to revise the rolls had been given, and no action would be taken until such authority was issued, but added the name of one Negro was on existing rolls and had been for eight years.

Judge D. C. Halstead, who presides over the circuit, has declined to comment on the decision, but Solicitor Hubert Farmer said, "Negroes good enough to be qualified as jurors will be good enough to ask that they be excused from serving on juries."

Generally the judges have moved with caution, many holding they were without authority to move, since so far as they knew the lists conformed to the requirements of the law.

Legislative action, when the Legislature reconvenes, April 30, was certain, however, with the probability that the jury laws will be completely revised.

Many legislators are known to favor such a move, with the new law probably limiting jury service to qualified male electors.

NEW YORK TIMES

APR 7 1935

Scottsboro

"No State shall * * * deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws," says the Fourteenth Amendment to the United States Constitution.

On the ground that Clarence Norris, one of the Negroes convicted in the Scottsboro case, had been denied the equal protection of the laws the Supreme Court last week reversed his conviction by the State of Alabama and opened the way for a new trial. The court gave a parallel decision in the case of Haywood Patterson, another of the Scottsboro defendants.

The Scottsboro case has been in the courts since March, 1931, when two white girls reported that they had been attacked by a crowd of Negro youths while riding in a freight car through Jackson County, Ala. Subsequently, eight Negroes were convicted and sentenced to death.

Numerous organizations, Negro and white, interested themselves in behalf of the defendants. A test appeal was taken to the Supreme Court in the case of Ozzie Powell on the ground that he had not been furnished proper defense counsel. The Supreme Court decided against Alabama.

Subsequently Norris and Patterson were retried. Samuel Leibowitz, New York criminal lawyer, headed defense counsel, and he found himself a very unpopular man in Alabama, where he was criticized as an interfering Northerner. Ruby Bates, one of the women involved, changed her testimony, saying that the entire story of the attack had been fabricated, but the Negroes were convicted again.

The appeal to the Supreme Court from that conviction was based on the contention that Negroes had been excluded from the grand jury which returned the indictment and from the trial jury. The Supreme Court last Monday agreed that, in excluding Negroes, the State had denied the defendants equal protection under the laws.

When Norris heard of the court's ruling, he said: "That shore is good news."

Patterson said: "You must think I'm drunk if I believe that."

On Friday Governor Bibb Graves wrote to circuit judges and solicitors throughout Alabama suggesting that they revise jury lists to include Negroes. He announced that he would ask the Legislature to take action to achieve that end.

Columbia, S. C. State
April 19, 1935

"THE SOUTH'S DILEMMA," AND WOMEN HOBOES.

It is bad enough when boys run away from home. Infinitely worse is it when girls leave their homes and go upon the roads. They set out as "hitchhikers" and are likely to become hoboes.

Acute concern in this tramping by girls and young white women in the South is not confined to their families. Communities, states, society are involved. Society in the South, rightly or wrongly, assumes a responsibility to protect young women who tramp around the country, hobo in freight cars and freely expose themselves to those dangers against which decent women take every precaution. And yet sentiment here demands that society protect them from insult, regardless of their manner of life and conduct which society condemns.

Some future historian may cite two young women hoboes as primarily responsible for bringing about radical changes in jury methods and court procedure in the South. What those changes may be cannot now be known. But more than one Southern governor and legislature is disturbed about the situation.

What is now known as the Alabama "Scottsboro case"—the trial and condemnation of a group of Negroes for assault upon young women "hoboing" in freight cars—has now, through a decision handed down by the United States supreme court, forced this section where the names of no Negroes go into the jury boxes, to face what The Boston Transcript terms "The South's Dilemma." And that is a fact. The Virginia attorney general says: "If the supreme court has held it is necessary to have Negroes on juries, chances are we shall have to take cognizance of it."

The supreme court has not held it "necessary to have Negroes" on juries, but it seems to have held that they must have fair opportunity to get upon juries, and with a determined fight against evasion, it is going to become increasingly difficult to evade the spirit of the constitutional principle.

In one part of his opinion in the Scottsboro case, Chief Justice Hughes said: "Although the state statute defining the qualifications of jurors may be fair on its face, the constitutional provision affords protection against action of the state through its administrative officers in effecting the prohibited discrimination." And again the chief justice: "For this long-continued, unvarying and wholesale exclusion of Negroes from jury service we find no justification consistent with the constitutional mandate."

The North Carolina attorney general said this decision "gives us pause for thought." And one of the thoughts is that under the supreme court's ruling the way is open for appeal to that court to set aside any verdict rendered in any state where it is claimed the names of qualified Negroes are not placed in the jury boxes. Where financial means are procurable the avenue is open for endless litigation. And whenever there is a sensational case, like that of Scottsboro, financial means will be provided.

There will be plans without number proposed to meet the letter but evade the spirit of the constitution, but with the supreme court unanimous in its stand on this issue, it is going to be difficult, if not impossible, successfully to sustain the opposition. States like Virginia and North Carolina may not make serious fight against meeting the spirit of the supreme court's interpretation. As a matter of truth, a fight now would not be made for the "integrity of juries."

Had those young women not turned tramps, this issue might not have been raised for another 25 years.

HUTCHINSON, KANS.
NEWS
APR 2 1935

BACK TO BEGINNING

After four flurried years of litigation the celebrated Scottsboro, Alabama, case is back exactly where it started. Justice, it would seem, is still thwarting popular prejudices in the far south.

In the spring of 1931 nine young Negroes were arrested on the charge of raping two young white girls who were their traveling companions in a box car on a night journey across Alabama. Eight of the nine were found guilty and sentenced to hang, the ninth being excused on account of his youth. The Alabama supreme court upheld the convictions. The supreme court of the United States overruled them on the ground the defendants had not been adequately defended. The case went back to the lower court and the second trial aroused almost as much national interest as the immortal monkey-evolution proceedings at Dayton, Tennessee.

Certain of the defendants were convicted a second time at Scottsboro, despite the fact that one of the complaining witnesses repudiated her original testimony. Again the state supreme court affirmed the verdict. And yesterday for a second time, the supreme court of the United States held the conviction was unjustice and ordered yet another trial.

Alabama must be admired for its persistency. It is staying firm in its ancient idea that in an affair of this kind, whatever the evidence or lack of it, the accused must be hanged if only as an example. It is remaining unmoved by any notions other parts of the country may have about right or justice. At the end of four years of controversy, however, it appears that the federal supreme court is equally adamant. In the end Scottsboro presumably will either have to give up or fall back on the old southern custom of lynching.

Lynchings-1935
Legal Punishment for Rape

Alabama

4987

May Day in the Deep South Shows Growing Unity of Negro and White

Resistance of Masses Meets New Drive By Roosevelt Regime

Daily Worker

By NAT ROSS

The big drive of Roosevelt and the bosses against the living standards of the toilers and against the trade unions is being carried out with more vigor in the lower South than perhaps in any other section of the country. This drive is being met by a growing united resistance on the part of the southern masses, large sections of whom have been spurred on and galvanized by the recent partial, but great victory in the Scottsboro fight. Such, in a word, is the situation in Alabama, Tennessee, Mississippi and Georgia as May Day, 1935 approaches.

May Day New in South

Only a few years back, May Day was relatively unknown to the southern workers. However, in the past few years, with the beginning of work by the Communist Party in the South, large sections of workers and farmers have become acquainted with this first international day of struggle. This was particularly seen on May Day, 1934, where thousands of workers took part in May Day actions in such important cities as New Orleans, Birmingham, Atlanta, Norfolk, etc.

The southern masses in participating in May Day help to revive the finest traditions of the American people, and of the working masses and oppressed people of the whole world. At the same time, the toilers of the South bring forth again the traditions of the remarkable and courageous struggles led by Negro slaves against chattel slavery, as well as the splendid activities of the abolitionists. On May Day, we in the South pay our fighting tribute to the hundreds of thousands of white and Negro workers and farmers who gave their lives in the Civil War to destroy chattel slavery. On this day we are reminded of those great words of Karl Marx, uttered in 1867. "Labor in the white skin cannot emancipate itself while labor in the black skin is branded," and of the tremendous impetus given to the American labor movement as a result of the smashing of chattel slavery.

Civil War Background

It was the defeat of chattel slavery that helped give rise to May Day as a day of struggle for the eight-hour day in the United States. So today we can say that a powerful united struggle for the liberation of the Negro people will be a tremendous help for developing a broad and fighting labor movement which can successfully move forward toward a Soviet America.

On this May Day the workers and farmers of the South will honor the memory of Ralph Gray and other fallen sharecroppers who gave their lives in order that the oppressed farming masses of the South and of the Black Belt in particular, might organize their ranks. We pay our tribute to the score and more of white and Negro union men who gave their lives on southern picket lines under the regime of the New Deal. Truly we can say that for the toilers in the South, May Day represents a day of furthering the common interests of the white and Negro toilers, of deepening their solidarity, of broadening and uniting their ranks, whereas the reactionary ruling class in the South encourages every move toward fascism, and tries to intensify the lynch spirit.

It is for this reason that the advanced white workers are duty-bound to break down the feeling of white chauvinism and other backward moods among the white workers, and they themselves must boldly come forward in the struggle for equal rights for Negroes. At the same time the advanced section of the Negro population must carry on a daily struggle to break down the distrust for the white workers that the Negroes accumulated as a result of decades of Jim-Crowism and persecution, and these revolutionary Negroes must struggle on all fronts to bring the Negro masses in close harmony with their class brothers, the white workers.

Scottsboro Brings Unity

There is no question that among the proletarian masses there is a growing feeling of unity, as shown above all in the numerous strike struggles in the South in the past year. This whole spirit is brought to a higher plane as a result of the recent victory in the four year Scottsboro fight, which makes it possible to bury more deeply all the nonsense about Negro inferiority, as well as the cursed rape frame-ups. In the recent weeks Scottsboro has stirred the entire South. The decision has aroused practically the entire Negro population, and the four year struggle has literally opened the eyes of thousands upon thousands of white workers.

The ruling class received the Scottsboro decision as a "body blow," in the words of Solicitor Bailey of Jackson County, Alabama. And Governor Graves declared in his recent statement that "Whether we like the decision or not" the names of Negroes must be placed in the jury boxes. However, the main reaction of the Alabama ruling class is to find ways and means of actually keeping Negroes from serving on juries, with the exception of a few Negro professionals here and there. Already Senator Bonner, of Wilcox County, plans to introduce a bill in the Alabama Legislature, allowing only qualified voters to serve on juries. In the Black Belt this means not a single Negro will be qualified to serve, and very few will be qualified in other parts of Alabama.

In Birmingham, Assistant Solicitor Macadory declares that the jury rolls are satisfactory, despite the fact that John Altman, attorney for the State Federation of Labor, has published facts to show that not only are Negroes excluded, which is known to everybody, but tens of thousands of white union men and other white workers are prevented from jury service. As a result of the Scottsboro decision the reactionary ruling class is intensifying the lynch spirit. Representative Tunstall comes out against the proposed bill to limit poll tax payment to two years, on the ground that Negroes will pay their poll tax and may qualify. Commissioner Downs refuses a May Day permit for Capital Park in Birmingham, on the grounds that the Scottsboro fight has made the Negroes too insistent on their rights.

At the All-Southern United Front Conference for Trade Union and Civil Rights, to be held in Chattanooga, May 26, one of the major questions will be the struggle for the right of Negroes and white workers to sit on juries and to vote. Such a movement is also proceeding in many cities of the South, largely as a result of the victory in the Scottsboro fight. The movement for the right to vote and sit on juries, which directly affects a majority of the white workers and poor farmers and the whole Negro population, is also helping to deepen the struggle for civil rights in the South, and against the rapid growth of lynch terror and fascism.

Drive Against the Unions

The drive against the unions was launched on an intensified scale with the fake company union elections in the Birmingham steel mills of the Tennessee Coal and Iron Company (U. S. Steel), on March 5. It was clear that the attack on the weak Amalgamated Association was to be the spring-board from which the powerful U.M.W.A. and the Smelter Union would be attacked. In fact, it was the signal for the attack on all the unions in Birmingham and on the working conditions. This is seen in the laundry strike, in which approximately 1,200 workers, mainly Negro women, are asking for a small increase over their present wage of sixteen and two-thirds cents an hour. The laundry owners refuse to have any dealing with the union representatives since their intent is to smash the union altogether. Most of the plants are operating with a small force of scabs, brought in mainly by the police and the White Legion.

Although some strike leaders agreed to discontinue mass picketing, the laundry strikers, with the help of the coal miners, have recently made a determined resistance to bringing scabs into the plants, and are prepared in the next few days to close the plants down by real mass picketing. The help that the coal miners are giving the laundry strikers is one of the most remarkable acts of solidarity witnessed in the South, and results primarily from the appeal made by the Communist Party, and in spite of the open sabotage of Bill Mitch, District President of the U.M.W.A.

Just before April 1, it was clear to all that the 21,000 coal miners were ready to strike. This was prevented at the very last minute by the desperate actions of Bill Mitch. The miners are now at work under a temporary agreement, but the operators are insisting on a lower wage. At the District Convention of the U.M.W.A. just held, Bill Mitch was compelled to speak about higher wages and shorter hours, although immediately after the close of the convention he is already pussy-footing. The convention went on record as opposed to the N.R.A. wage differential for southern workers, and against the Street Sedition Bill. The leading officials at the convention declared war against the Communist Party, which created dissatisfaction among a number of delegates.

Another important event in the Alabama labor movement is the annual convention of the State Federation of Labor, to be held May 13. A number of burning questions face the rank and file at this convention. No doubt the most important question that the rank and file must raise is that of the trade unions of Alabama officially going on record for building a broad mass labor party as a further weapon in the hands of the toilers for better conditions, and against the traditional support to the Democratic party, as well as a weapon against the phenomenal growth of influence of the fascist demagogue, Huey Long.

May Day in Other Cities

In District 17, the Communist Party has called for united May Day meetings in many cities. In Birmingham, while it was decided not to go to Capital Park, a number of open meetings will be held in different sections of Birmingham, and the suburbs, such as Tarrant, Ensley, Pratt, Fairfield and Bessemer. In the Alabama Black Belt, meetings will be held in the Montgomery section, in Selma, in the Tallapoosa area and in other sections of the cotton fields. In Georgia, meetings will be held in Atlanta; in Tennessee, meetings will be held in Chattanooga, Memphis and in other cities; and in Mississippi, meetings will be held in Oxford and in other cities.

There is no doubt that May Day, 1935, will be a day of united struggle in the South, against the Roosevelt New Deal, for the unionization of the South, for the complete freedom of the Scottsboro boys, for the growing solidarity of the Negro and white toilers. It will be a further step in the whole struggle for a Soviet America.

Boston Sets Scottsboro Defense Day

Communist Party Calls for Support of Tag Day May 5

Daily Worker

BOSTON.—District One of the Communist Party has called upon I.L.D. District Office, 5 Harrison Avenue, Boston, Mass. All I.L.D. members are being mobilized for this tag day, and the Party has pledged full support, and urges all units to mobilize all their members and members of workers' organizations in every city of Rhode Island, Massachusetts (Eastern half), New Hampshire, Maine and Vermont to take part in a house to house collection on Sunday, May 5, for the Scottsboro defense.

Collection cans, badges and credentials may be obtained from the

Roanoke, Ala., Leader
April 10, 1935

Alabama Is Called Upon To Deal With A New Problem

The Roanoke Leader has purposely kept its columns free of the voluminous and nauseating accounts of the trials of a band of young Negroes in North Alabama charged with a heinous capital offense. Indeed, it would have been much better for Alabama had there been far less publicity in this case, which has been before the public for fours years. Particularly unfortunate has it been that so much publicity has been given the matter in the North, where rabid and uncalled for criticism has been unleashed, tending to breed discord and trouble between the two races in the South and ill will between the sections.

Now, however, after many legal delays and two trials, resulting in the death sentence being passed upon two of the nine accused who have had a second trial and since the Supreme Court of the United States has declared the verdict of the state court void because of alleged systematic exclusion of Negroes from juries in Jackson county an entirely new issue is presented, one that cannot be ignored.

The situation is not one that calls for criticism of the high court, but for sane and considered action on the part of the people of this state, and other states, in the light of the decision which is the final word of authority. It is conceivable that hasty and ill-tempered action might lead to serious consequences. On the other hand, it is reasonable to conclude that sober and judicial thought will find a way to a proper adjustment of the matter.

All good citizens, white and colored, will wish and work for an outcome that will make for the most of amity and justice for all concerned. Already the Governor has issued an appeal to our court officials to comply promptly with the law as handed down by the Supreme Court.

Following this development, it is proper to say that the wisdom and resources of our leading thinkers in both races should be brought to bear upon this delicate problem so as to reach an accord that will be satisfactory to all reasonable minds. Considerable latitude is reserved to the courts within the limits of the decision in question. The state can and does define the qualifications of voters, and it is suggested that it can also limit jury service to those who are eligible to vote. The first act is constitutional. Why should not the second be also?

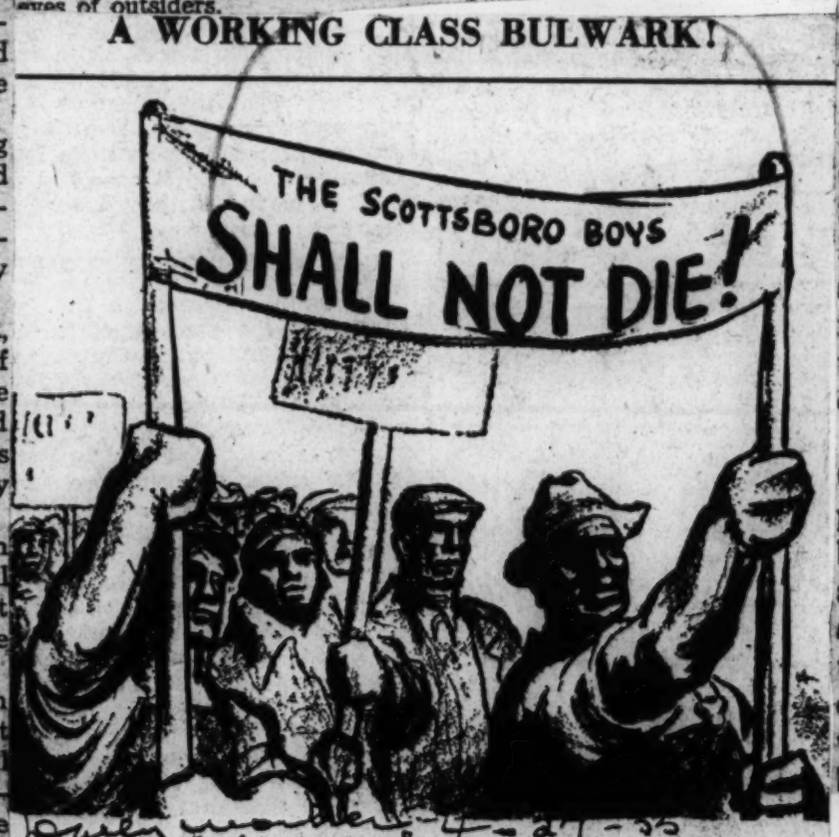
Several challenges are allowed both sides in a case to be decided before a jury. Prospective jurors also have the privilege of asking to be excused from jury duty when drawn and it is in the province of the court to pass on these requests. Many men, including this writer, do not desire jury service. Probably few if any Negroes do.

In this connection The Leader again renews its suggestion of an overhauling of the jury system by whatever process may be necessary so as to provide a trained and competent jury of three judges, subject to be alternated between the various circuits when desirable, in lieu of a hand-picked dozen, more or less untrained, thus making for more efficiency and less expense. This would prove to be a cure for more ills than one.

Talladega Ala. Journal
April 18-1935

The trouble about the Scottsboro Case is that most outside of Alabama, and some inside, are very doubtful if the proof was sufficient. Judge Horton evidently did not so consider it. And the pity is that, right or wrong, it does not increase the estimation for our State in the eyes of outsiders.

A WORKING CLASS BULWARK!



Scottsboro Drive Lagging Dangerously, I. L. D. Warns

A new low figure in the daily contributions to the $20,000 Scottsboro defense fund drive of the International Labor Defense was reached Monday, when total donations amounted only to $75. None of this amount came from the various district organizations of the Communist Party and the International Labor Defense.

The heavy drop in contributions struck a note of serious danger to the mass campaign to free the Scottsboro boys and Angelo Herndon, and especially to the new legal steps which are being taken by the International Labor Defense in the case of Roy Wright and Eugene Williams, the two youngest Scottsboro boys.

The contributions are falling far short of current daily expenses in connection with the campaign and the cases as a whole, Anna Damon, acting national secretary of the I. L. D. said.

Besides these daily expenses, a minimum of $2,000 is needed at once to prepare for the juvenile court hearings for Wright and Williams.

The fall in contributions also denotes a dangerous lag in the mass campaign, without which the Scottsboro boys and Angelo Herndon cannot be freed, Anna Damon pointed out.

Received so far in campaign:	**$2,858.60**
Still to be raised:	**17,141.50**

Rush funds immediately for Scottsboro defense, to the International Labor Defense, Room 610, 80 East 11th Street, New York City.

Eufaula, Ala. Tribune
April 18, 1935

FROM SCOTTSBORO

Editor Campbell of the Scottsboro Sentinel and also chairman of the jury commission of Jackson county, discussing the recent decision of the United States supreme court in the noted "Scottsboro case," gives an idea of that section's reaction in the following article:

"The editor of The Sentinel finds himself in a peculiar position at present insofar as editorializing on the Scottsboro case and its latest turns. I am the new chairman of the Jackson county jury board and have been in that position since January 1st of this year. Under the circumstances comment would be inadvisable.

"It is my opinion that Governor Graves in his declaration regarding putting names of negroes on the Alabama jury rolls, pulled a master stroke, as he left the northern critics and agitators wide-mouthed and astonished. They did not want that sort of answer from Alabama. What they wanted was for our state officials to buck and snort and cuss and refuse to agree with anything. But Graves, as well as other state leaders, took the thunder away from the agitators and left them nonplused without ammunition to shoot with. Graves also drew the praise of the press that will now for the first time wonder if we really did go out every morning and kill a negro for amusement!

"The suggestion of the governor is not alarming, especially to a people who knew a time called 'Reconstruction' and survived it fairly well."

Lynchings-1935
&
Legal Punishment for Rape.

Alabama

4988

ELMIRA, N. Y.
ADVERTISER

APR 5 1935

THE STRONG HAND

Once more the strong hand of the United States' Supreme Court has reached out to snatch the Scottsboro boys from death.

This time only two of the orignal seven defendants had their cases reviewed by the nation's highest tribunal. But the result was much the same as in the first review of the cases.

The court held Alabama justice, which insists upon judging Negro defendants with lily white juries, has erred.

The retort of the court to Alabama's claim that no colored veniremen were possessed of the necessary qualifications for jurors was almost contemptuous, if such an expression can be used in connection with a Supreme Court decision.

"Upon the proof contained in the record now before us," wrote Chief Justice Hughes, "a conclusion that their (the Negroes) continuous and total exclusion from juries was because there were none possessing the requisite qualifications cannot be sustained."

It is quite obvious to any objective observer that Negroes, charged with certain crimes such as criminal assault, cannot get a fair trial in the Deep South. The actual evidence in the second set of Scottsboro trials would not have convicted anyone anywhere else.

It will be recalled that in 1931 seven young Negro lads jumped a freight train upon which they found some white boys and two girls. A fight started between the white boys and the Negroes and the former were driven from the train, the girls remaining. Almost two days later the girls preferred charges of assault against the Negroes. At the second trial one of the girls, having previously told her story to Raymond Fosdick, New York clergyman, appeared in court and denied wholly her former testimony, swearing that neither she nor her companion had received harm at the hands of the Negroes.

Evidence of this sort counts for nothing in an Alabama court when the issue is white versus black. The boys were condemned.

On the issue that Negroes are debarred from jury duty in Alabama the case was carried to the Supreme Court. Two questions were considered. The first, in the case of Clarence Norris, that there was racial discrimination in picking the jury. The second, in the case of Haywood Patterson, that the Supreme Court had no jurisdiction in the matter.

Norris' case was sent back for retrial. That of Patterson for "further proceedings."

The main issue however is that Alabama has lost again. The power of a sovereign state against the public opinion of the nation has again been proved futile.

The best thing Alabama can do is to amend her judicial procedure to accord with the Constitution of the United States—and civilized opinion.

Bronx, N.Y. Home News

APR 3 1935

The Scottsboro Decision

For the second time, the United States Supreme Court has turned thumbs down on "Alabama justice." It has reversed the convictions of Clarence Norris and Haywood Patterson, two of the Scottsboro assault case defendants who were under sentence of death, and it went a step further — it held that the jury system of Alabama apparently is such that a fair trial, from a legal standpoint, is virtually impossible for members of the Negro race.

The Supreme Court ruled that the systematic barring of colored citizens from the jury rolls was prejudicial to the defendants who thereby were denied the "equal protection which the Constitution guarantees."

The result is that the two cases are returned to the State of Alabama for retrial.

(There is a slight and unimportant difference in the ruling as it affects the two youths. In one case, that of Norris, the retrial actually was ordered by the Supreme Court. In the other, because of a technicality, the retrial was not ordered, but the local courts were given the opportunity to provide a new trial. If they fail to comply, it is evident, the nation's highest court will see to it that Patterson, too, gets a new trial by order, since the same constitutional flaws were found in the conduct of his case.)

One important point is that they will have to be re-indicted, if Alabama insists upon proceeding against them, and that similar action will have to be taken against five other colored youths who were convicted with them during their first "carnival" trial in 1931.

The re-indictment process will be interesting to observe. Under the Supreme Court's ruling, it will have no validity unless Negroes are acceptable for the grand jury lists. Will the Alabama authorities now launch a search for "good Negroes" — the kind who will give advance assurance of a willingness to convict the "Scottsboro boys"?

Chief Justice Hughes, reading the decision which was concurred in by seven other members of the Supreme Court (with only Justice McReynolds non-participating), referred to testimony in the lower court which showed that none of the witnesses ever had heard of a Negro serving on a jury in the counties where the trials were held. Justice Hughes pointed out that many outstanding colored citizens met every requirement as to literacy, age and health, yet were not called.

The Court also found that the evidence of names being forged on the jury rolls, to give the impression that Negroes had not been excluded, was substantiated, and he criticized the lower court for not quashing the indictments on that score.

The first time the Supreme Court acted on the "Scottsboro case" it ordered a new trial for all seven youths because they had been deprived of the aid of counsel in the preparation of their defense. Thus far, only Patterson and Norris have been given new (that is, second) trials. The five others who are under a sentence of death are still waiting to be retried.

Ever since the first trial, when the seven were convicted
on the testimony of two white girls, one of whom has since
admitted that she gave perjured testimony, it has been
generally believed that they were the victims of a serious
miscarriage of justice. Outside of Alabama — or the "South"
— few impartial citizens have doubted their innocence. Within
the State, where, it is alleged, the stars keep falling romantic-
ally for those who are white and well-off, the people seem
either convinced of the youths' guilt or are disposed to see
them "burn, guilty or not."

We wonder how many trials will be necessary before the
State of Alabama realizes that, regardless of its questionable
ability to prevent lynchings, it cannot itself participate in a
legal lynching?

SAVANNAH, GA.
NEWS
APR 3 1935
THE SCOTTSBORO CASE

Sternly condemning barring of negroes
from jury service, the United States Su-
preme Court struck down the conviction
of two defendants in the famous Scotts-
boro assault cases. Terms of the decision
apparently will make it necessary for them

St. Petersburg, Fla. Independent
April 4, 1935

Negroes On Juries.

The supreme court's ruling reversing the conviction of two of the Scottsboro negro defendants quite naturally stirs comment in the South. The court, in a decision read by Chief Justice Hughes, held that negroes had been systematically excluded from the jury rolls and that this was sufficient reason for reversing the case. Justice Hughes recalled that no witness, including some who had dwelled most of their lives in Jackson county, Alabama had been able to recall any time when negro served on a jury there. He added that there were many negroes who could meet every requirement for jurors — literacy tests, age and sound health.

The Alabama solicitor who prosecuted the Scottsboro cases responded immediately that the decision was a "body blow" to state courts in the South. Officials in other states, however, were not so sure about that. "It may mean more appeals to the United States courts," said the attorney general of North Carolina. To the attorney general of Tennessee it will not have any influence, he suspects, except on the particular Alabama cases. And most people will agree with him. The decision will be conveniently overlooked.

The ruling did, however, reveal the adroit methods used in various states to see that negroes do not serve on juries. The attorney general of Texas said: "Texas statutes and the conduct of criminal trials are in conformity with the decision of the supreme court. Generally when negroes are drawn for service a suitable excuse is presented and always accepted. Texans have demonstrated perfect ability to properly control the negro question within the constitution." And in Arkansas, "it just happens," said the attorney general, "that no jury commission selects negroes for jury duty. It may be just a coincidence." In some states a negro candidate for a jury is required to interpret parts of the constitution. And the interpretations, so far as the records show, have never proved satisfactory.

The Scottsboro trial was a sorry test for the South on the question of negro jury duty. On account of admitted perjury by one of the women and the fact that they both were members of the underworld, the state had a flimsy case. It was a perfect vehicle for Communists all over the world to ride. Even in Russia this Scottsboro trial is almost as well known as the case of Sacco and Vanzetti. When the supreme court was rendering its decision last Monday a howling mob outside cried "save the Scottsboro boys!" Alabama is handling a hot poker and cannot let go; and this decision turns on more heat.

WATERBURY, CONN
REPUBLICAN

APR 2 1935

The Scottsboro Decision

ONCE again the United States supreme court has set aside death sentences imposed in the case of the Scottsboro Negroes. It has ordered a new trial for Clarence Norris on the ground that his conviction was unconstitutional in that Negroes were excluded as such from the jury which tried him. It has returned the case of Haywood Patterson to the Alabama courts to decide whether he should not be given a new trial. This case became involved in technicalities because of disputes over the time of filing a motion for retrial and a bill of exceptions. Chief Justice Hughes has made it clear that the same constitutional objection applies in Patterson's case as in Norris's, and there seems no doubt that whatever the Alabama courts decide upon the technical aspect of the motion for Patterson's retrial, he will eventually win a retrial on the ground that Negroes were excluded from the jury that convicted him.

No one who has followed the course of the Scottsboro trials had the slightest doubt that colored persons had been systematically excluded from juries in Jackson county, including the juries that convicted Norris and Patterson. The duly constituted authorities resorted to a clumsy and obvious forgery in an attempt to furnish evidence to the contrary. When it became apparent that the cases would be appealed on the constitutional ground, the names of certain Negroes were written in at the end of the jury rolls. The circumstances were such that it was plain the names had not been there originally. Furthermore, there was abundant evidence, as Chief Justice Hughes said, that no colored persons had served on juries in Jackson county for a generation.

It is possible for Alabama to retry Norris and Patterson with Negro members of the jury, and to intimidate the Negro members in such wise that conviction will again be obtained. Will Alabama do this, or will it in very shame try at last to give these defendants fair trials? For quite apart from the question of constitutionality in the procedure of their previous trials, there is no substance whatever in the case against them. One courageous Alabama judge set aside the conviction of Patterson on the ground of insufficient evidence. But racial prejudice had its way when he was retried. Will racial prejudice ultimately triumph, despite all that the supreme court has done to insure justice? If so, Alabama's shame will be complete.

WASHINGTON, D. C.
POST

APR 3 1935

The Scottsboro Decision.

The State of Alabama is in a hot spot as a result of the Supreme Court decision in the Scottsboro cases. But the country as a whole will have little sympathy with its predicament. From the beginning the atmosphere of these cases has been that of a miscarriage of justice. And the stubborn effort of the authorities to consummate the death sentence in face of many reasonable doubts has been an indication of judicial weakness rather than strength.

The Supreme Court has now ordered, without a dissenting voice, that the judgment in the case of Charles Norris "must be reversed and the cause remanded for further proceedings not inconsistent with this opinion." That means, in effect, that Alabama must end its consistent practice, shared in other Southern States, of excluding qualified Negro citizens from jury service. Such a mandate from the Supreme Court was never anticipated in the early stages of the Scottsboro trials. If it had been, one may safely predict, the questionable indictments in these rape cases would have been withdrawn long since.

Of course, more problems are raised than solved in the opinion handed down by Chief Justice Hughes. The racial issue has been so strongly stressed in the Scottsboro cases that a unanimous verdict by a jury of mixed color in this instance seems highly improbable. And a situation of that sort is far too likely to encourage mob resentment, if not mob action. New indictments to prosecute are promised by the Lieutenant Governor of Alabama. It would be wise to reflect very soberly before they are presented.

From their careful investigations the Supreme Court justices unanimously conclude that, both in Jackson and Morgan Counties, there are many Negroes well qualified for jury service. The same conclusion, of course, would be drawn from any impartial inquiry in almost any county of any Southern State. Soon or late the inclusion of competent colored citizens on jury panels must become a universal practice. It is only stupidity and stubborness which has caused the issue to be raised in glaring, and therefore dangerous, form in the Scottsboro cases.

The deficiencies of American justice are by no means a sectional problem. One thinks of other cases which have aroused criticisms and misgivings similar to this Alabama tangle. But the Scottsboro cases are broader in their application than most of those which have aroused strong public feeling. It has called an elemental right of citizenship, plainly guaranteed by the Constitution, into question. That right of jury service can no longer be safely denied by the State of Alabama, or by any other Commonwealth. The course of good citizenship in Alabama now is not to resist the Supreme Court decision, but to insure that its implications shall be accepted in as natural and constructive a fashion as local traditions will permit.

PORTLAND, ORE.
OREGONIAN

APR 3 1935

The Scottsboro Reversal

On various occasions the United States supreme court has ruled that it is unconstitutional deliberately to deny jury places to negroes. The most frequently-quoted decision is in the case of Neal vs. Delaware, which reached the supreme court in 1880. The Delaware courts had assumed that because no negro ever had sat on a state case, this was evidence of their unfitness. The supreme court in answer pointed out that 15 per cent of the population of Delaware was colored, and it ruled that refusal to accept negroes for jury service was defiance of the constitution.

In all cases since then decisions have been to the same effect. The colored population comes within the protection of the constitution, and the constitution guarantees equal rights.

However, the supreme court usually has not been squeamish once this theoretical equality of the races has been asserted. It has sought to evade direct rulings on whether or not, in specific cases, there has been denial of negro rights. The court has been ready enough to declare that equal rights are constitutional; it has been very loath to pass on questions of fact—that is, on the perversion of rights in certain trials.

As an example, consider the recent case of Euel Lee in Maryland. The United States supreme court overthrew the conviction on the ground that negroes had been excluded from the jury, but when the state supreme court held that there had been no exclusion of negroes, the United States supreme court declined to overthrow the second conviction.

Now, however, it appears that the United States supreme court has developed a stiffer backbone. The highest court of Alabama already has ruled that there was no deliberate exclusion of negroes in the trials of the Scottsboro boys, yet the United States court, in ordering the cases back for further action, appears to differ on this particular question of fact. The opinion read by Chief Justice Hughes orders a new trial for Clar[illegible]

So court of Alabama, which quite obviously [illegible] court handed down a political opinion when it [illegible] ruled that there had been no deliberate ex[illegible]clusion of negro jurors.

[illegible] the Scottsboro cases should have been so [illegible] grant as to compel the supreme court h[illegible] to abandon its customary method of leaving [illegible] the questions of fact to the state courts. In [illegible] To say the least, it is not complimentary [illegible] the Alabama courts that the handling of [illegible] particular, it is a reflection on the supreme [illegible] court will order such [illegible] court, the supreme court will deny a new trial to Haywood Pat[illegible]

Lynchings-1935
Legal Punishment for Rape.

Alabama

4989

Collinsville, Ala., New Era
April 5, 1935

United States Supreme Court Again Reverses Scottsboro, Ala., Cases

—oOo—

Holds Indictments And Sentence Illegal; Defendants To Be Re-Indicted In Jackson County

Again the United States Supreme Court has set aside the verdict and sentence in the famous Scottsboro cases, this time ruling that the negroes were indicted and tried unconstitutionally, ruling on the contention that negroes were "systematically excluded" from the Grand Jury which returned the indictment and the trial jury which returned the verdict carrying the death sentence.

Under the ruling made by the Supreme Court Monday it will be necessary that the defendants be re-indicted, and again stand trial in the lower court.

Cases To Be Prosecuted

Lieut. Governor Knight, who prosecuted the cases as Attorney General, stated that he had no comment to make, and Attorney General McCall stated that the cases would be prosecuted to the fullest extent.

Special Session of Grand Jury Possible

Circuit Judge A. E. Hawkins, in whose court the negroes were indicted and tried for the first time, in Jackson County, stated when asked if he expected to call a special session of the Grand Jury, that he would do so if requested by the Circuit Solicitor. The regular session of the Grand Jury will not convene until September.

Hendersonville, N. C., Tribune
April 12, 1935

THE SCOTTSBORO CASE

A recent decision of the supreme court may easily prove to be charged with dynamite. In handing down the decision in the notorious Scottsboro case, Chief Justice Hughes said the constitutional rights of the defendants were violated because negroes were excluded from jury service at the trial. "We think the evidence that no Negro has been called for jury service in Jackson county (where the trials were held) for a generation establishes there has been discrimination." the Chief Justice said.

If the decision be correct it is just as applicable to Jackson county, North Carolina, as to Jackson county, Alabama. Every negro under sentence for felony in North Carolina and in the South, is entitled under this decision to a new trial on the ground that his rights have been denied. There is no legal way to send another negro to the penitentiary and keep him there unless negroes are called to serve as jurors. A white man, convicted in the same court, by the same process of law, may serve time or be electrocuted. Not so with Mr. Negro.

Graham county has, or did have, one negro citizen. I presume he is all the negro in the state that could be convicted of a crime as his being on trial would have no negro for jury duty in that county. Several counties have Indian citizens. If no Indians have served as jurors, you could not convict and punish an Indian.

By parity of reasoning where women are not accustomed to serve on juries, no woman could be convicted of a crime, for, as no women had been called for jury service, that would be satisfactory evidence that their rights had been denied. Along the Mexican border and especially in Southern California, are many citizens of Mexican blood, not superior to the average Southern Negro. If they are not regularly selected for jury duty, their rights are being denied, and a sentence for crime can be avoided.

A great and wonderful decision. I believe there was a somewhat similar decision rendered fifty years ago. This recent decision will not be allowed to repose in innocuous desutude, or we miss our guess.

The distinguished Chief Justice has joined in and delivered several opinions lately that have stretched the constitution 'till it is full of thin places. We may as well confess it. We got over the idea that he was a superman while he was the Republican standard bearer in 1916. Nothing has happened since that time to change that impression. Yes, we voted a blank rather than vote for him. That honor is honestly ours. We have a sore arm from patting ourselves on the back.

Scottsboro Ruling Cited In Jersey Case

ELIZABETH, N. J., April 21.—The Scottsboro victory figured in a local case on Friday when Attorney Frank Cohn asked dismissal of a manslaughter charge against Amos Carr, Philadelphia Negro worker, on the grounds that Negroes were excluded from the panel from which a jury is to be drawn.

John J. Fitzpatrick, Union County jury commissioner, admitted before Common Pleas Judge Thompson in Quarter Sessions Court here, that no Negroes have been called for jury service in the county during the past 20 years. He said he knew of only one Negro in all Union County who could meet the jury qualifications, and at the same time denied he purposely eliminated Negroes from juries.

Despite Fitzpatrick's admissions Judge Thompson ruled that there was no evidence that the jury commissioner attempted to exclude Negroes from juries. The judge denied the motion for dismissal of the indictment.

The Scottsboro decision, wrested from the U. S. Supreme Court by the world-wide mass fight and brilliant legal work of Walter Pollak and Osmond Fraenkel, attorneys for the International Labor Defense, upheld the I.L.D. contention that the constitutional rights of the Scottsboro boys and the Negro people were violated by the systematic exclusion of Negroes from Alabama juries.

DECATUR, ILL.
HERALD
APR 3 1935

Reprieve.

Mr. Dooleys observation, that even supreme court justices read the newspapers, is a timely comment upon the decision in Washington which again halts the execution of seven Negro boys in Alabama.

The technicality upon which the appeal was based—the failure to include Negroes upon Alabama jury lists—has served its purpose in this particular case. The supreme court speaks again, as it has many times before, in behalf of the full rights of citizenship for the Negro race. Alabama, of course, will continue its discrimination, but the boys of the celebrated Scottsboro case are saved.

This is the case that arose when two girl tramps of unsavory past claimed that they were assaulted by seven Negroes in the gondola car of a freight train on which they were stealing a ride. The evidence was of the flimsiest—one of the girls testifying later that the whole story was a falsehood—but in the meanwhile Alabama's "southern pride" became involved. The sentiment was created throughout the state, that either the Negroes must be put to death, or the blacks of the state, and "damn Yankee" meddlers, would be out of hand.

So violent and unreasoning is local prejudice, there is reason for doubt whether even the authority of the United States supreme court will finally rule. The new danger of the Scottsboro boys is illegal lynching, in place of the legal lynching that had been intended.

Birmingham, Ala., Age-Herald
April 3, 1935,

The Scottsboro Decision

The United States Supreme Court's reversal of the death sentences imposed on two of the defendants in the Scottsboro cases fundamentally was based on the contention that systematic exclusion of Negroes from jury service denies equal protection of the laws to all. Theoretically, legally and morally that principle seems to *The Age-Herald* to be sound. Chief Justice Hughes, voicing the decision, from which there was no dissent—Justice McReynolds took no part in the case—admitted no question as to the principle involved. "The question here is one of fact," Justice Hughes said, "whether the right has been denied."

The finding was that such unconstitutional exclusion had prevailed in these specific cases under its consideration. This paper does not believe that that finding can be successfully challenged. It believes that common experience in Alabama very largely supports the acceptance of that finding.

In view of previous court rulings, the court's decision ought not to be surprising, either from the standpoint of the principle involved or the facts presented to it.

Whether, conceding for the sake of discussion, the Supreme Court's construction of the facts in the cases before it, an actual miscarriage of justice would have resulted if the verdicts of the lower courts had been executed, is at least debatable. Surely there are Alabama citizens, however, who could have derived little satisfaction from a disposition of the cases that would have violated fundamental constitutional principles.

Lieut. Gov. Thomas E. Knight, who as attorney general, prosecuted the cases in question, has been retained to continue the prosecution and has announced that new indictments will be sought before a Jackson County Grand Jury. That appears to be a proper and logical procedure, the carrying out of which may result in a final disposition of the cases that will meet all the law's requirements unquestionably and bring a more generally satisfactory conclusion to them than heretofore has seemed attainable. Let us hope for and strive earnestly to that end. May we be spared any hot-headed action that would only make such a disposition

more difficult.

It appears quite clear from the court's decision, considered as to its general effect as distinguished from its particular application in the cases it decided, that Alabama and all Southern states should realistically confront the supreme dictate laid down for them in regard to the service of Negroes on juries. Obviously, reversal of any sentences of Negroes appealed to the Supreme Court would now all the more be expected when arbitrary exclusion of members of the same race from the jury rolls could be shown.

While not underestimating the delicacies involved, *The Age-Herald* nevertheless sees no reason for great alarm as a result of that necessity. There remain legal safeguards against the inclusion of unqualified persons on juries, whether those persons be white or colored. Those safeguards, far-reaching in Alabama, should be sufficient to prevent any general miscarriage of justice because of obedience to constitutional requirements.

Our racial relations have progressed to the point where the human problems of such an obedience ought not to be insuperable or greatly frightening to either race. In the Federal Court in Birmingham those problems have been successfully handled for some years. Whatever may be the differences of viewpoint in this connection, an admittedly complicated matter will simply be made more difficult by any attempt to escape the implications of the ruling of the highest court in the land or by appeal to prejudice.

Let the Scottsboro cases now be promptly and fairly prosecuted and concluded in the light of this clear-cut Supreme Court ruling. Let us confront and assume the responsibilities which that decision generally emphasizes.

girls at Scottsboro, Alabama, in March, 1931. The other five prisoners are also still in gaol awaiting retrial.

Their case was that they had been indicted and tried before juries from which negroes had been systematically excluded. In the long series of trials and retrials in this case the United States Supreme Court has now twice quashed convictions; the first instance in 1932 was on the ground that the prisoners had been "substantially denied counsel."

It will be recalled that one of the two girls on whose evidence the negroes were originally sentenced subsequently retracted her story and testified that she was not attacked by them.

Although the decision of the Court had been expected, it was a relief to the many thousands of people throughout the country who believed, and still believe, that gross injustice had been done to the negro lads, who were sentenced to death without a single shred of what could be called serious evidence against them.

Now that, as has been said, the case has twice gone before the United States Supreme Court, the question is what the State of Alabama will do next. There is no doubt that the State would like to avoid the expense of a third set of trials, but, on the other hand, the feeling regarding the case is running high and may compel the continuance of these farcical proceedings.

Many fears have also been expressed lest the boys, or some of them, should be lynched.

CHARLOTTE, N. C
OBSERVER
APR 4 1935

EPOCHAL DECISION.

ATTORNEY GENERAL SEAWELL makes no unlikely prophecy in contending that the decision of the United States Supreme Court in the celebrated case of the negroes tried in Scottsboro, Ala., opens the way for unlimited appeals to that tribunal in view of the finding that in this particular case, negroes were excluded from the jury as they are customarily in the South.

The Supreme Court three years ago reversed the findings of guilt of the defendants on the ground that at that time they had been denied their right to obtain counsel.

The latest reversal, pivoting upon the point that negro jurymen had been deliberately and systematically denied the right of service in this case, opens, of course, a wide range of involvements in respect to racial distinctions in the South. And while our negro element has desisted generally from claiming its right in such jury service in our courts in the past, this decision will unavoidably inspire them with new determinations to claim such as the court now clearly invests them with, and in the event of denial, adverse verdicts rendered in such cases as their people may be involved in the courts of the State may give the United States Supreme Court an abundance of other similar instances.

FORT WORTH, TEX.
EVENING STAR TELEGRAM
APR 5 1935

The Scottsboro Case.

THE DECISION of the Supreme Court in the latest appeal of the Scottsboro case poses a question for every Southern State where the practice of not having negroes on juries has been long established. There are, of course, some fine points of law involved, and no one can say that in any other case apparently identical the court's ruling would be the same. Jury practice in Texas, for instance, appears to be identical with that in Alabama, with respect to the service of negroes. Yet there might be such a difference that the Supreme Court would rule differently on an appeal going up from a Texas court's verdict based on the non-presence of negroes on the jury.

It should be observed that the Supreme Court did not overturn the verdict of the Alabama jury in this instance because there were no negroes on the particular jury involved. It was because the practice in that State, and especially in the county in which the trial was held, is to have no negroes on any jury. The court held that the fact that no negro juryman was on the records for a term of years was *prima facie* evidence of exclusion of negroes from jury service.

The situation is not without its peril from the standpoint of racial conflict. There will be, we believe, few intelligent negroes in Southern States who will regard the Supreme Court's action either as a protection for negroes accused of crime or as an advantage to the defendant.

The notion that it is a protection to negroes accused of crime assumes that one or more negroes on a jury would hold out against conviction of the accused. And it can be imagined what would be the reaction of many a community to an event of that kind.

WASHINGTON, D. C.
NEWS
APR 2 1935

JUSTICE

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INDIANAPOLIS, IND.
TIMES
APR 2 1935

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THE SCOTTSBORO CASE

Sentence on Negroes Quashed

(From our New York Correspondent.)

The United States Supreme Court on Monday reversed the decision of the Alabama State Supreme Court in the famous Scottsboro case. As a result the negro defendants will not be put to death, at least until they have been tried again. 4-5-35

Monday's decision was taken on the appeal of Haywood Patterson and Clarence Norris, two of the seven young negroes sentenced to death on a charge of having assaulted two white

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Winston Salem, N. C.
JOURNAL

APR 3 1935

Building an Impasse

The United States Supreme Court, by its decision in the Scottsboro case, practically forces one of two alternatives upon the state of Alabama—each of them undesirable perhaps to that commonwealth.

These alternatives are: (1) To let the Negroes charged with criminal assaults upon two white women of "shady" reputation, go free or (2) admit Negroes to the jury panel in a new trial of the case.

The decision of the Supreme Court was based entirely or almost entirely upon the fact that Alabama does not include Negroes on its jury lists. Chief Justice Hughes gave sharp and unqualified criticism to this phase of Alabama "justice." And what is very significant, eight of the "nine old men" of the Supreme Court concurred in the majority opinion.

Hence, if Alabama should stage a new trial for the Negroes and fail to call Negroes to the jury panel and the defendants were convicted, they would have the advance assurance that the highest court in the land would again rule in their favor.

There is no intention here to debate the question as to the theoretical right of Negroes to sit in the jury box. So far as theory and constitutional right are concerned, the Supreme Court, out of its knowledge and wisdom, has spoken. But the fact is opposed to the theory in the South and whether the practice be justified or not, few if any Negroes ever sit on Dixie juries.

Alabama authorities state that they will again prosecute the case but they are silent in several languages with reference to Negro jurors. At long last they may reverse this stand and drop the case. Whatever action they take, will not the less be of outstanding importance not only to Alabama, but to the entire South. A precedent may grow out of the Scottsboro case which will have a peculiar bearing upon interracial relationships and the administration of justice.

Wilmington, N. C. Morning Star
April 3, 1935,

THE SCOTTSBORO VERDICT

It has since the inception of the case, been our private opinion based on our views of public morals that white girls who go hoboing about the country, hobnobbing, or at least riding in the same box cars with members of other races and the other sex are not overly deserving of society's most tender protection, but in the Scottsboro case there are other phases to be considered. The case has just been sent back to the Alabama courts by the Supreme Court of the United States.

The girls involved caused the arrest of seven negroes, they accused of attacking them while all were uninvited and non-paying passengers on an Alabama freight train. Two of the negroes have been convicted for a second time, and must be tried again unless the state elects to drop the charges.

The reasons behind the majority opinion read by Mr. Chief Justice HUGHES is significant. Judge HUGHES and his colleagues hold that because negroes are kept off the jury rolls in Alabama that is good and sufficient reason to return a reversal of the Alabama tribunal's finding.

It is, as the chief solicitor of the Alabama circuit remarked when informed of the findings "a body blow at the courts of the state." However, it does not follow that Alabama will rush to the fore with mixed juries. Far from it. Alabama is too deep in the south to permit of that, and even should it insert the names of negroes in the jury boxes for the purpose of complying with the supreme court, ways will be found to continue the jury service as at present and within the law.

For the moment, however, it would appear that a very important decision has been based on a case involving not a particularly prepossessing set of complainants or defendants.

TAMPA, FLA.
TRIBUNE

APR 4 1935

Negro Jurors Vs. Negro Voters

The United States Supreme Court reversed the conviction of two of the Scottsboro negroes on the ground that, in Alabama, negroes are barred from jury duty, therefore no negroes could have served on the jury that convicted the negroes. Carried to its logical conclusion this decision means that no negro can be legally convicted in Florida because negroes are not called for jury duty in this state. They are not barred by law, but they are never given the opportunity to serve. The same is true of other states in the South. The decision, we take it, also would mean that no woman can be convicted in Florida because women do not serve on Florida juries.

On the same day the same Court ruled that the Democratic party of Texas is entirely within its constitutional rights in refusing to permit negroes to vote in primary elections.

So, the position of the Supreme Court is that, while a political party in Texas can legally prevent negroes from voting, the state of Alabama cannot prevent negroes from serving on juries. The distinction is based on the fact that the state of Alabama is a government and the Democratic party of Texas is just a political organization; but the intent is the same, so far as denying the exercise of the rights of citizenship to negroes is concerned.

Columbus, Miss. Dispatch
April 3, 1935,

THE SCOTTSBORO CASE

THIS week the United States Supreme Court set aside the death sentences passed by a state court on two Scottsboro, Alabama negroes accused of attacking two white women several years ago and ordered a new trial for the defendants on the grounds that negroes were excluded from jury service on account of race and color.

This has brought up the question of what effect such a ruling will have on state courts in future cases.

Dispatches from Alabama state that no official comment has been made on what procedure that state will follow in the face of such a decision.

Mississippi laws do not bar negroes from jury service because of race or color.

This particular question came up in a case about ten years ago in Mississippi and the prosecution got around it by taking testimony from the Board of Supervisors who draw the jury panels.

In this case the supervisors swore that negroes were not barred because of race or color but that they had not been selected because the law requires the board to select only the best and most substantial citizens and that negroes did not qualify under this requirement.

This procedure met the Supreme Court test.

It is well, perhaps, that this question has arisen.

It should lead to revisions in the laws of other states in order to take care of the jury selection as it relates to negroes.

Had steps been taken to safeguard such principles the State of Alabama and the entire South would not have suffered such ignominy as the Scottsboro trial has caused to be splashed across its pages of history.

Let's hope that Alabama can now conduct with dispatch the trial of these two negroes and mete out justice to them that will stand the test of any court appeal.

TOPEKA, KANS.
CAPITAL

APR 3 1935

The Scottsboro Case.

For the second time the Supreme Court of the United States has set aside a verdict of the Alabama jury in the case of the young Negroes, Heywood Patterson and Clarence Norton, convicted of assault with intent to rape and sentenced to be hanged. While the reasons for setting aside the second verdict were based on different circumstances, the reasons for reversal were the same in both cases, namely that these young Negroes were denied the right of a fair trial by a jury of their peers. In the first case it was shown that the young men were denied the benefit of counsel and that Negroes were denied the right to sit on the jury.

At the second trial one of the women who claimed that she had been attacked, denied her previous testimony and said that it was a frame-up to get the two young colored men. However, they were again convicted. An Alabama judge set that verdict aside and there was a third trial. For his decision the Alabama judge was defeated for renomination. In view of all these circumstances it is at least reasonable to assume that the two should not suffer the death penalty. However, the most important thing connected with this decision is that it is a plain pronouncement from the highest court in the world that citizens of the United States shall not be denied their constitutional rights any longer. That is a most important thing. The majority of the

whites of the South, while professing allegiance to the Government of the United States and its Constitution, have never been willing to concede this fundamental principle so far as it applies to colored citizens. It is quite probable that notwithstanding the decision of the Supreme Court they will still refuse to concede it.

BOSTON, MASS.
CHRISTIAN SCIENCE MONITOR
APR 8 1935

Alabama to Reform Juries

"ALABAMA is going to observe the supreme law of America." With the wholeheartedness which these words reflect, Gov. Bibb Graves has accepted for his State the United States Supreme Court decision in the Scottsboro case.

Holding that Negroes were "systematically" excluded from juries in Jackson and Morgan counties, with consequent infringement upon the constitutional rights of the accused, the Supreme Court has set aside death sentences imposed on two Negroes. Governor Graves observes:

> Holdings of the United States Supreme Court are the supreme laws of the land. Whether we like the decisions or not, it is the patriotic duty of every citizen and the sworn duty of every public officer to accept and uphold them in letter and in spirit. . . . This decision means that we must put the names of Negroes in jury boxes in every county.

Alabama's attitude will receive commendation wherever the importance of the American requirement of equality in the courts for all, regardless of race, is properly appreciated. Governor Graves's emphasis on upholding the Supreme Court's decision "in spirit" as well as in letter, and his order to revise jury lists to meet the requirements of that decision indicate that Alabama is sincerely attempting to correct a condition which otherwise must have unfortunate effects on the general regard for American laws.

It should be recognized that living up to this promise will entail difficulties and perplexities which states farther removed from racial problems can but partly understand. Not only legal tangles but reservations sanctioned by sentiment and tradition will have to be dexterously and tactfully handled. Other southern states are aware of the implications in the Alabama stand. But it already has been indicated that some of those states will follow Alabama's lead—a lead, it should be noted, that calls for support of the supreme law "in spirit" as well as in letter.

NEW HAVEN, CONN.
JOURNAL COURIER
APR 8 1935

Courageous Governor

Governor Bibb Graves' order for revision of Alabama jury lists is the proper response to the recent Supreme Court decision and the first step towards removal of the stigma attached to the state court system by procedure in the Scottsboro and other cases. Praise for his action is certainly not lessened by the fact considerable courage must have been required. The time has been and the time still may be when such a course implies political suicide. Reports of opinion within the state suggest that his order will not, temporarily at last, increase his popularity. The many traditional psychological and sociological issues connected in the popular mind, in particular the extraneous aspects fostered by those who have made the Scottsboro cases material for racial and economic propaganda, may obscure in Alabama the fact he has acted as an American citizen should act under the circumstances.

His attitude seems admirable: "Whether we like the decisions (of the United States Supreme Court) or not, it is the patriotic duty of every citizen and the sworn duty of every public officer to accept and uphold them in letter and in spirit." The latest Scottsboro decision "means that we must put the names of Negroes in jury boxes in every county. Alabama is going to observe the supreme law of America." He has sent his order to circuit judges and solicitors throughout the state. And he has announced that he will ask for "such legislation as may be necessary" to cover the dumping and refilling of jury boxes. A follow through will earn him the increased respect of all sincere citizens.

ROCKFORD, ILL.
REGISTER REPUBLIC
APR 3 1935

THE SCOTTSBORO CASE.

The Supreme court of the United States for the second time has ordered set aside death sentences imposed on two Scottsboro, Ala., negroes and a new trial for the defendants, who are accused of assaulting a white woman.

As far as the Supreme court's interpretation of the law is concerned, the case was crystal clear. It ruled that if, as charged, negroes were excluded from jury service, equal protection of the laws to all does not result. Justice Hughes, who delivered the opinion, said that there was no controversy as to the constitutional principle involved—that the question was one of whether or not these rights were denied in fact. It was the court's opinion, from evidence submitted, that negroes had been arbitrarily and systematically excluded, although qualified, from jury service.

As a result the case will go back to the Alabama state courts for retrial. Many white people in Alabama will not be able to understand the attitude of the Supreme court towards the Scottsboro case. To them the racial question rises above the question of constitutionality. But the Supreme court did not enter into any consideration of the guilt or innocence of the two defendants nor the crime of which they were accused.

The clear-cut issue was a violation of the constitutional rights of the two negroes and the relation of this alleged violation to Alabama court procedure.

Evidence presented to the Supreme court tended to prove that negroes have not served on Alabama juries for a generation, that a collusion of officials existed for the purpose of keeping their names off jury rolls.

But the constitution of the United States is bigger than the Alabama state courts and if the situation exists as charged and is allowed to go uncorrected, the dignity of all courts will suffer.

MEMPHIS, TENN.
COMMERCIAL APPEAL
APR 3 1935

The Scottsboro Case

Now that the supreme court of the United States has again reversed the Scottsboro case, the state of Alabama announces that it will try the negroes again.

Frankly, there is serious doubt about the wisdom of such a step.

It is quite commendable for the prosecuting authorities to persist in their efforts to punish criminals and uphold the peace and dignity of the state. But they are getting nowhere by baiting the supreme court.

The crime of which these negroes stand accused is open to some doubt; manifestly so, in view of the repudiations and denials. The extreme penalty is open to more doubt. The negroes have been in jail for four years. Their fight has been made a sort of martyrdom by New York agitators who desire nothing more than to reap the full benefit of publicity, to say nothing of fat fees raised by well-meaning persons whose sympathies have been enlisted. So notorious has the case become that the guilt or innocence of the negro boys has been lost sight of.

The supreme court, in its latest pronouncement, threw the convictions out because no negroes had been called for jury service. Of course, this is not going to change the customs and manners of the people of Alabama. But if agitated and pursued it may inflame the people to resentment which will not work to the well-being of either the white people or the negroes.

Alabama should take a note from the experience the state of Arkansas had in the Elaine riot cases. This case finally got to be an issue so bitterly drawn that the late Justice Holmes and Justice McReynolds made history in their sharp disagreements. It was sent back, and Arkansas quietly forgot it. The state surrendered none of its dignity in so doing, and the people of the state were not a whit worse off because of it.

ANNISTON, ALA.
STAR
APR 2 1935

The Scottsboro Decision

State authorities today announced plans to continue the fight to convict the negro defendants in the famous Scottsboro assault cases despite the decision of the United States Supreme Court yesterday that the indictments were invalid because negroes were excluded from the jury panel and which in effect said that a subsequent indictment would not be upheld unless negroes were admitted to the jury rolls.

Following the ruling of the nation's highest court there was doubt as to what the next step would be in the cases. A possibility was seen that the negroes might be released since it was apparent that a similar result would be inevitable if the cases went once more to the Supreme Court with indictments returned by a jury from which negroes were barred. An alternate course was to continue the fight and today news dispatches indicate that the latter choice has been made, although details of the procedure to be followed have not been made known.

The net result of the decision seems to be that Alabama or any other state will never be able to obtain a conviction of a negro that will stand a Supreme Court test as long as jury commissions decline to include negroes in the panels. And in any case in which the defendants were able to employ Eastern lawyers the outcome would be a foregone conclusion, for these lawyers would never miss an opportunity to carry the fight to the Supreme Court. Consequently in the Scottsboro cases the question is whether Alabama can afford to stand the expense of another grand jury investigation and trial while knowing that the Supreme Court will throw out the cases as soon as they are brought before it.

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Alabama

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Eufaula, Ala. Tribune
April 5, 1935

THE "SCOTTSBORO" DECISION

For the second time the United States supreme court has sent the cases against negroes, convicted of assaulting two white women near Scottsboro, back for new trials. The cases came back the first time on grounds that the negroes did not have adequate counsel, while in the second it was because negroes were "systematically" kept off jury lists in two counties.

Where this thing is going to end is the question uppermost in the minds of the reading public. Must Jackson and Morgan counties revise their jury rolls and place the names of negroes in the boxes? That seems to be the only way out, yet negroes have not served on state court juries in southern states since the carpet-bag era.

In reversing the Jackson circuit court, the supreme court, in the opinion of the Montgomery Advertiser, "seems to have ignored the evidence and confined its comments mainly if not entirely to the fact that no negroes were on the jury which convicted two negroes of a felony. The Advertiser has read only a press summary of Chief Justice Hughes's position, but it would appear that he is concerned, not with the evidence upon which the defendants were convicted, so much as with the color of the jury that convicted them."

Continuing his discussion of the noted case, Editor Hall observes:

The court charges that negroes were "systematically excluded" from jury service in the county of trial, and that the few names of negroes in the jury box were fraudulently admitted.

The Advertiser does not know whether this charge of fraud is just or not. It may be that the names of negroes were admitted after the issue involving the right of negroes to serve on Alabama juries was raised.

The Advertiser does know that generally speaking the names of negro citizens are not in the jury boxes in the counties of Alabama, although negroes may and do serve on federal juries in this state.

What qualifications must a juror possess under the law? He must be a person of good character, good standing and good intelligence—at least, this is the theory upon which names are admitted to the jury box. The jury commissioners of Alabama, inquiring for new names to put on their lists, never ask whether one is black or white, yellow, brown or bronze. The citizens to whom these verbal inquiries are addressed, instinctively report only the names of white persons. The race question is rarely if ever raised between jury commissioners and citizens whom they question.

From a strict technical standpoint negroes are not excluded from juries; in common practice they are, of course.

At last the supreme court, following up previous warnings, reverses the verdict of a state court upon the ground of race discrimination in the selection of jurors.

It now follows that Alabama jury commissions must immediately put the names of reputable negro citizens in their jury boxes. Otherwise we cannot hope again to have the supreme court of the United States affirm the findings of a state court wherever a negro's liberty or life is at stake.

The Advertiser therefore would urge that county jury commissions in Alabama act immediately to make it possible for the State of Alabama to win a case involving a negro in the supreme court of the United States.

Otherwise, we wish to say that Mr. Hughes's pontifical deliverance is a lot of baloney.

Here is the supreme court of a great republic, reviewing the trial of two men charged with an offense that stands first among felonies in this state, reversing the verdict of an oathbound jury upon the ground that it does not like the color scheme of that jury.

The supreme court of the United States tells Alabama, in effect, that it is not primarily interested in otherwise credible evidence demonstrating human depravity, but that it is primarily interested in the academic political "rights" of a politically dispossessed race.

The Advertiser may be dumb, as well as "lost and ruint," but to save itself it cannot see what the political rights and privileges of negroes in Alabama have to do with the guilt or innocence of the gorillas who are charged with criminal assault upon two women, it being agreed that rape is a felony under the law in this backward state.

Either these gorillas committed rape, or they did not.

If they committed rape the jury, (even though white) knows the truth and reported it faithfully.

If they did not commit rape, we believe that this jury would have said so.

Suppose the defendants had been Italians. There are no Italians in Jackson county. So far as we know there are not today any Italians in Montgomery county, despite its relatively large population. Certainly there are no Spaniards, no Japanese no Tahitans, no Indians, no Eskimos either in Montgomery or other counties.

In that event not many juries in Alabama could hope to have their verdicts affirmed by the supreme court of the United States if a member of either of these races should move here tomorrow and commit a capital offense.

It seems to The Advertiser that if the supreme court of the United States, presided over by Charles Evans Hughes, had a more sensitive regard for the victims (actual and potential) of felonious assault and less regard for the politically dispossessed in the home state of these victims, it would not devote an entire opinion to an academic political question, but would offer some comment on the evidence by which the gorillas aforesaid had been convicted.

After all, the rape of a wench is not morally different from the rape of the proudest gentlewoman in the republic, and it seems to us that any man of sound instincts would see this truth. Rape happens to be a capital crime in Alabama.

We are sorry that the supreme court of the United States seems to have no immediate interest in this phase of the subject.

JAMESTOWN, N. Y.
MORNING POST

APR 3 1935

THE SCOTTSBORO CASE.

If the Supreme Court of the United States had not intervened, the negroes involved in the Scottsboro case in Alabama doubtless would have been executed several years ago. Now, the court has acted again to save for the present the lives of two of the accused. The other five awaiting trial will profit also. The ground on which protection for these men is based puts a problem up to Alabama. The rights of the negroes are declared to have been violated because persons of their race are excluded from jury service in that state. If the Alabamans be indisposed to take down the bars against negroes in jury service, how in the light of the decision can they proceed to try these men again?

The decision seems to serve as notice to other states in which it has been the practice

the matter of jury cause of the prolonged efforts in behalf of the of discrimination seven accused men. Their guilt of a charge less, negroes will so grave has always been a matter of doubt. defense in cases Evidently, their color had much to do in pro- us, the principle moting the severity with which their alleged far-reaching im- offense was viewed. However, because a man attention in states is black is not a sufficient reason for denying him justice.

In the first instance in which the to draw the color line in the ma service that it is a form portance. It will demand attenti other than Alabama.

The Scottsboro case has become noted be- Supreme Court upset the verdict it was on the

ground that adequate counsel had been denied the accused men. The present basis of reversal of the verdict has far greater import. It puts a question which must have an answer from Southern states.

Anderson, S. C., Record
April 3, 1935.

NEGRO JURORS.

The decision of the United States supreme court in connection with the Scottsboro, Alabama, case holding there was discrimination due to the fact that negroes were ineligible for jury service is a decision of somewhat far-reaching effect in Southern states.

The decision may have the effect of placing negroes on jury rolls in many Southern states where none have ever been called for jury service.

Speaking of the situation The Greenville News remarks, quite appropirately:

Just before jumping to conclusions as to the effect of this opinion with regard to Southern court procedure, it would perhaps be wiser to await complete study of the full text of the opinion in this case. It may be that it is based upon some instance of actual discrimination against negroes, as to jury duty, on racial grounds. Under the Constitution there cannot be discrimination in the matter of public service on racial grounds; however, that does not necessarily mean, one would think, that it is mandatory that negroes be placed on juries or on jury rolls. Certain qualifications are provided for jury duty. If a jury commission omits to place any negroes on the rolls in pursuance of its duty to draw a list of citizens qualified for the service, that can hardly be regarded as definite evidence of discrimination on the ground of race. There are, perhaps, many white citizens eligible for service who are never drawn. If there are negro citizens who can be shown to be qualified for jury service the fact that they simply have not been drawn can hardly stand as definite evidence that racial discrimination has been practiced.

If the court is holding that a negro cannot be fairly tried in the courts of the country unless there are some negroes on the jury this would, indeed, be a new principle which might have far-reaching ramifications. However, a careful study of the text of the opinion is necessary before definite conclusions can be reached.

Macon, Ga., Telegraph
April 5, 1935

Negroes Must Be Held Eligible For Jury Duty

By EUGENE ANDERSON

The United States Supreme Court did not make in new law when it handed down its Scottsboro decision last Monday, but it clarified an old law. Qualified Negroes must in future be put in jury lists.

The Georgia Constitutional convention of 1868 struggled with the same question, and from that day to this criminal lawyers in this state have been trying to do exactly what the International Labor Defense lawyer did in the case of the Negroes who figure as defendants in the Scottsboro (Ala.) case. They have been trying to force a new trial on the ground that Negroes do not serve on juries, and to make courts say Negro criminals, or alleged criminals, do not therefore get a fair trial from juries of white men.

John Randolph Cooper, who was a genius in digging up technical points in behalf of his Negro clients, tried several times to get such a point before the United States Supreme Court, but was always baffled because he could not prove that Negroes were discriminated against in the jury system. If he had succeeded in finding one judge who refused to give him a chance to prove his charge of discrimination, he would have scored his point. If a trial judge had said in answer to his motion to quash indictment, "Georgia law gives the Negro as good chance as anybody else to serve on the jury, and the court overrules you," the astute lawyer would have scored.

When John P. Ross was solicitor-general Mr. Cooper made the point, and Solicitor Ross said, "I'm ready to traverse you." The jury commissioners were brought in by Mr. Cooper as witnesses and they explained how they selected the members of the grand jury and the trial juries, and the court ruled that the method was in accordance with the state constitution, and therefore Negroes are not discriminated against, although it has been thirty or more years since a Negro served on a state court jury in this county.

Nobody doubts that there are some Negroes in the county who are intelligent enough and have character enough and are sufficiently educated, but such are for the most part exempted under the general law for exempting all men in certain professions or callings. White or Negro attorneys are ineligible either as jury commissioners or as jurors. Ministers of the gospel are exempt, regardless of color or race; physicians and apothecaries do not serve; school teachers are omitted; millers and ferrymen, all railroad employes certified to be actively engaged in their public duties; all male persons over 60 years of age; all telegraph operators, officers and members of the fire companies, dentists unless they especially ask the privilege, pilots and boat keepers, policemen and other such guardians of the law, telegraph linemen, stationery engineers, postal clerks, members of the military forces, licensed embalmers, etc., are by the state constitution exempted—because of their public duties. But this does not mean that these are compelled to accept exemption. If they request the privilege of serving they can be passed on by the jury commissioners for their fitness.

For grand jurors the commissioners must select "the most experienced, upright and intelligent men whose names are found on the tax digests of the county"

For trial jurors the requirement is the same, except "most experienced" is omitted. Such jurors must be "the most upright and intelligent" of those in the list of taxpayers.

In the case of Carter, in Texas, 1900, the Supreme Court held that he should have been allowed to prove that when the jury trying him had no Negroes on it, injustice had been done him because the jury was not made up of the proper material, and needed some Negroes. The court before which he was tried did not let him produce his proof.

The sensational part of the Supreme Court's decision in the Scottsboro case is that the august judges brushed aside the testimony that satisfied the trial court, and they decided that "presumptive evidence" showed that the Negroes had been discriminated against, because they were never allowed to appear on the jury lists. The United States Supreme Court rarely has reversed state supreme courts on question of fact. The Supreme Court in this case even hinted at fraud or manufactured evidence. On this Chief Justice Hughes, reading the opinion for the eight members of the court (Justice McReynolds being absent), said among other things:

"The clerk of the jury commission and the clerk of the circuit court had never known of a Negro serving on a grand jury in Jackson county. The court reporter, who had not missed a session of court in twenty-five years, and two jury commissioners testified to the same effect One of the commissioners said he had never known of a single instance where any Negro sat on any grand jury or petit jury in the entire history of that county. That testimony in itself made out a prima facie case of denial of the equal protection which the Constitution guarantees. . ."

The names of six Negroes appeared on the list submitted in evidence, and red lines were drawn undr them. The trial judge expressed the view "that he would not be authorized to presume that the jury board had been unfaithful to their duty, and had allowed the books to be tampered with." His conclusion was that Negroes' names were on the roll.

Justice Hughes said: "We think the evidence did not justify that conclusion." He then proceeded to show that the court regarded the Delaware decision as based on a similar case, except there was no evidence (false or otherwise) to show that Negroes had ever been considered when jury lists were being made up. In the Delaware case it was held that the trial court indulged a "violent presumption" when it decided that the uniform exclusion of Negroes from juries during a period of many years was solely because in the judgment of the commissioners the black race in Delaware were utterly disqualified by want of intelligence, experience or moral integrity to sit on juries. The Chief Justice thought such a presumption in the Scottsboro case would be equally violent.

All of this grows out of the fourteenth amendment to the United States Constitution, which reads:

"No citizen possessing all other qualifications which are or may be prescribed by law, shall be disqualified for service as grand or petit juror in any court of the United States, or of any state, on account of race, color, or previous condition of servitude."

Violation must be punished in the United States courts through the initiative of the officers and marshals of the United States courts. Penalty is as for a misdemeanor or a fine of not more than five thousand dollars.

This law was passed when Thad Stevens was in the saddle in Congress. He was the greatest force in the National capital at the time, and he was the bitterest enemy of the white race. He was a fanatical partisan of the Negro race, and through him the first lady of the land was his Negro housekeeper.

The law produced more unhappiness for the Negroes and the white people and estranged their relationships more than anything that happened before or after the war. Seventy years have healed many wounds, and the Negroes are beginning as a race to see that it behooves them to obey the laws of the land and to see that those of their color are also obedient.

At this late date, after vicious intermeddling on the part of fanatics from the outside has subsided, the important task before the people is to make the Negro see that "the law" is not merely the will of the white man and the persecution of the Negro, but that it is or should be used for the good of all.

While the decision of the Supreme Court in the Scottsboro case may be construed as a wicked stab at the Southern white people, and by many it will be so regarded—perhaps it points the way to better justice for the Negro, and through that way may accomplish much to make the Negro race more friendly to the law, which in its operation affects his life, liberty and happiness.

Some will guess that the court's ruling means that Lords must be tried by Lords in our jury system, and commons must be tried by commons—that naturalized Italians or other nationalities must be tried by jurors of Italians, or others in kind, and cannot be tried by any other kind of jury. And it has been true in the development of the jury systems of the world, with all of their weird philosophies, that time was when a foreigner could not be convicted except by a jury composed of half natives and the other half citizens that have been adopted from other countries. It was not necessary that an Italian should have half of the jury composed of Italians; nor was a naturalized Chinaman to have half of the jury composed of Chinamen, but half were supposed to be foreigners that had become naturalized.

These questions about foreigners may never arise as a result of this case, because this is purely a race question. The Negro was the only person in mind when the jury section of the fourteenth amendment was adopted. The Supreme Court has said that Negroes must not be excluded from the jury lists if they appear on the tax digests. As to whether the tyranny of the decision can make jury commissioners in the different states prefer Negroes is another question. The presumption is that it cannot. But jury commissioners are chosen by the judge of the court because of their uprightness and intelligence, and in the average community in which the races live amicably it is not likely that commissioners will violate their oaths either way because of the race question. If the Negro taxpayers are supposed to be among the "most experienced, upright and intelligent citizens," and are not exempted along with white people of the same callings, the chances are that no more Negro criminals will be able to escape through this race question in the constitution.

Alabama

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Lynchings-1935
Legal Punishment for Rape

Asheville, N. C., Times
April 3, 1935.

Negrbes And Jury Service

SETTING aside conviction and death sentences of two Negroes in the Alabama cases, the United States Supreme Court brings back to life a constitutional principle which all the Southern states will henceforth have to observe in order to avoid the dilemma in which the State of Alabama now finds itself in the prosecution of the Scottsboro defendants.

Delivering the court's opinion, Chief Justice Hughes held that, through the manipulation of local officers—the state law itself not being at fault—Negroes have systematically been barred from jury service in Jackson County, Alabama.

Such trial procedure being absolutely inconsistent with the provisions of the basic law, there is no other course for Alabama than to free the prisoners or to reindict them through action of a grand jury drawn from a panel including Negroes, and bring them to trial before a jury similarly empanelled.

Southern jury panels sometimes include qualified Negro citizens; but it is the exception rather than the rule. Particularly in those rural sections of the South where virtually no qualified Negroes can be found for jury service, the general practice of ignoring the race in this matter has one practical and defensible justification.

On the basis of the Supreme Court's decision, however Southern court systems now may be expected gradually to adapt themselves to a new order of procedure.

Thomasville, Ga., Times-Enterprise
April 4, 1935

THE SCOTTSBORO CASE

The supreme court of the United States has ordered a new trial for two negroes, convicted in Alabama of rape and sentenced to die for the crime. The case has been argued time and time again, tried and retried and has caused more furor than anything in the south in some years. The decision of the supreme court was that they are entitled to a new trial for the reason that negroes are not allowed to serve on juries in Alabama.

Such a decision is one of far-reaching import and may completely change the status of the courts in all southern states. The decision that these negroes were entitled to a new trial because the negroes were excluded from jury service is a matter that will affect the validity of every trial of every kind in which a negro is engaged in the entire south.

Such a far-reaching opinion must be digested before the full import of it can be realized and the effect on the future realized. The south has been under indictment for some years for failure to conform to the intent and purpose of the two Civil War amendments. In most cases it has evaded the strictest interpretation of the constitution and managed to direct its affairs without the interference that would have been found had the negro been permitted full judicial authority, the first step toward social equality.

At the same time the supreme court evaded the same substantial question by a revision of the constitution, which technically would per to whites. The court says that Texas to evade the necessity of allowing negroes to vote in the state primaries. The primary was organized to manage the party machinery but also to evade the results of negro interference at a time when that was necessary. Many states have followed that line and have confined the vote to whitesThe court says that Texas has a right to organize a party of whites and call it the democratic party and to exclude negroes from voting in the primaries. That means the exclusion from the function of assisting in naming all officers for under the primary system officers are selected in the primary and then ratified in the general elections. This extends to counties and municipalities in many of the southern states.

The question is raised, however, and he Scottsboro case is one that has not yet been concluded. Alabama will not put negroes on the jury list. Georgia will not. What provision can be made to take care of this decision meanwhile that will not vitiate any and all cases of that type when they are carried to the highest court, as many of them will if the negro organizations get busy in the east and start a fight is the question.

Greenwood, S. C. Index-Journal
April 3, 1935,

JURORS IN THIS STATE

The decision of the Supreme Court of the United States in the so-called Scottsboro, Alabama, case naturally arouses interest in the qualifications for jury duty in South Carolina.

Paragraph Twenty-two of Article Five of the Constitution of South Carolina, 1895, covers this qualification. After fixing the number of jurors in municipal courts and courts inferior to circuit courts at six persons, and the grand jury of each county at eighteen, twelve of whom must agree in a matter before it can be submitted to the court, the statement is made: "The petit jury of the circuit courts shall consist of twelve men all of whom must agree to a verdict in order to render the same."

Then follows the "Qualifications of Jurors:"

"Each juror must be a qualified elector under the provisions of this constitution, between the ages of twenty-one and sixty-five years and of good moral character."

That provision is specific in the first two of the required qualifications and quite general in the third and last one. "Of good moral character" may mean much or little according to the person or persons who have to interpret it.

The "qualified elector" provision is defined in Pargaraph Four of Article Two, following the statement in Paragraph Three of this same article:

"Every male citizen of this State and of the United States twenty-one years of age and upwards, not laboring under the disabilities named in this constitution and possessing the qualifications required by it, shall be an elector."

This provision subsequently, as is generally known, was extended to include females as possible qualified electors.

The first requirement for qualifying as an elector is the matter of residence. This must be: Residence in the State for two years, in the county one year, in the polling precinct in which the elector offers to vote four months and the payment six months before any election of any poll tax then due and payable: Provided that ministers of the gospel, in charge of an organized church and teachers of public schools shall be entitled to vote after six months residence in the State, if otherwise qualified.

But to be qualified as an elector is not all that is required. The elector must register with the county board of registration in each county and this board must be satisfied of the qualifications before the certificate of registration can be issued. And this certificate of registration may be demanded by the managers of an election before the person appearing before them is allowed to cast his ballot.

This, it may be necessary to remind, is for general elections. No certificate of registration is required in a primary election, so-called, for that is merely a nominating affair—though, n actual results, it turns out to be the election which settles the results of the general election. It is so because this is practically a one-party State and a primary in the Democratic party settles the whole business. However, the machinery for all general elections has to be maintained and has to have due observance.

What has all this to do with jury duty?

Well, a juror has to be a "qualified elector" and it is necessary to show all the process by which "qualified electors" become so designated.

The business of registration is fixed in this same Paragraph Four of Article Two of the State Constitution and this is the sub-section which covers it now as it refers to "registration after January, 1898:"

"Any person who shall apply for registration after January the first, 1898, if otherwise qualified, shall be registered: Pro-

vided. That he can both read and write any section of this constitution submitted to him by the registration officer or can show that he owns and has paid all taxes collectible during the previous year on property in this State assessed at three hundred dollars ($300.00) or more."

All such persons who have qualified under this sub-section of Paragraph Four of Article Two of the Constitution of the State of South Carolina (1895) are entered in a book of registration as persons qualified to vote or "qualified electors" as generally called and a certificate showing they have been so registered and generally called "registration certificate" is issued to them. This they must keep and if it is demanded by the managers of a general election it must be shown before the voter can cast a ballot. If this certificate is lost, a duplicate will be issued by the county board of registration on request. They have the names of all persons who have received such certificates before them in the books of registration kept in the office of the clerk of court in each county.

The jury list in each county is made up by a board of jury commissioners which is composed of the clerk of court, the auditor and the treasurer of the county.

These three officials must take the names of persons to be drawn as jurors from the books of qualified electors as already explained. They put these names in what is known as the jury box and when necessary to have jurors for an approaching term of court the box is unlocked, it has three different locks with three separate keys, each officer having one of the three different keys, and the required number of names drawn out, thirty-six names for petit jurors and six new grand jurors for terms of general sessions.

Now, in case the jury list in any county is challenged as in the Scottsboro case in Alabama, the jury commissioners who follow the law in the matter of selecting names from the jury list have their course definitely charted for them. The race question may be a factor and it may never be.

The provision covering the qualification of a juror, as set forth above, it must be remembered includes "of good moral character."

And there are also, the challenges which are allowed both the State and the defense in criminal cases.

In one of the notable murder trials in Abbeville county so late as 1884, a case in which a white man was being tried for killing another white man, one of the twelve jurors was a colored man.

In the case of State vs. Brown, reported in South Carolina Reports, Volume Sixty, the fact that the grand jury which found the indictment contained no member of the race to which the defendant belongs is not, of itself, a ground for quashing the indictment.

But in the Alabama case the Supreme Court of the United States ordered a new trial because it appeared conclusively to the court that negroes who were qualified under the Alabama law in the county were consistently declined for jury duty. Had their names gone on the jury list or into the jury box, as we have it, the contention would have had little ground to support it. And that is something which it might be well to realize and remember.

Dadeville, Ala., Record
April 4, 1935

Scottsboro Sentences Given Reversal Again

The United States Supreme Court Monday reversed the decision of the Jackson County Circuit Court sentencing two of the nine Scottsboro Negroes to the electric chair for assualt on two white girls on a freight train in that county in 1931.

This means that the cases will again come back to the lower court for retrial. The reversion was on the ground that the Negroes were without fair representation owing to the fact that Negroes were excluded from the jury box in Jackson County.

It is a known fact that Negroes rarely serve on juries, except federal juries, in Alabama and other Southern States. They are not excluded by law, but jury commissions do not put their names in the box. It seems to be the opinion generally, however, since this decision, that the names of qualified Negroes will have to be placed in each jury box, or else cases coming to the Supreme Court will be reversed.

Should the names of qualified Negroes be placed in the jury box and should some of these names be drawn in any particular case, their names could easily be struck from the list by attorneys to whom their service was objectionable for any cause.

The outcome of the situation that has arisen as a result of the decision of the Supreme Court will be watched with interest throughout the country until a method of solution has been reached.

SALINA, KANS.
APR 2 1935
Journal

THE SCOTTSBORO CASES

The average lay mind will be unable to follow the technical matters involved in the famous Scottsboro, Ala., cases which began more than four years ago in the arrest of many Negroes on the charge of assault on two white women. If they recall reading the stories at the time of the trials, they may hold various opinions of the evidence offered. But what impresses them most, as it has for many years in matter legal, is the length to which cases, which certainly could be decided in a reasonable length of time, can drag along with the end not in sight. Referring the cases of two of these Negroes back to Alabama courts for retrial does not bring the end near.

There is no need to ask the layman what is wrong because he complains at slowness of justice and legal procedure. It is an old ruse to answer, "you do it better then." Certainly if a man hired a bricklayer to build him a wall, and that wall was entirely out of line, the man hiring the work done would know the job was not good. The mere fact that, not being a bricklayer, he could not himself build the wall correctly, is no good answer that the complaint is groundless.

Getting the law to move at a reasonable pace, with technicalities and unwarranted delays thrown out of it, is the business of lawyers, judges and those who understand the law. The reform is up to them and complaint at slowness and dragging of cases along through long years is in order from the man outside the legal fraternity, even if he cannot put his hand exactly on what is wrong.

JAMAICA, N. Y.
LONG ISLAND PRESS
APR 6 1935

The Scottsboro Case
Its Human Appeal

The Scottsboro decision has been a splendid thing. It is heartening to realize that the Supreme Court has given a verdict that is so entirely compatible with one's whole idea of justice.

The case, of course, was not at all obscure. It was surrounded with an incredible amount of publicity. Lawyers and writers commented freely on it and one of the witnesses involved, I believe, even barnstormed the North as a vaudeville entertainer. This feat was tied up oddly enough with her efforts to withdraw her own perjured testimony, an exhibition that struck me as being noteworthy.

What the decision will accomplish in the South is something that I should not care to prophesy. I rather doubt that Negroes will occupy a prominent role as jurors, but I do think that their cases may be considered more dispassionately. One hopes at least that there will be such an outcome.



TODAY'S VISITING EDITOR . . . Mrs. Edith Hunter . . . Educated at New Jersey College for Women . . . Former school teacher . . . Lives in Woodhaven.

The actual importance of the decision there may seem to be rather slight. Its real value lies in another direction. With only three of its members aligned with liberal groups, the Supreme Court seemed like the most doggedly conservative body in the country.

Characterized often enough as lawyers who could not see the broader purpose of law, members seemed to offer their decisions on a pretty narrow basis. Their record with progressive, social legislation has not been one to enhance their reputation among citizens who look to them for guidance.

That is why I am delighted with the Scottsboro decision. I hope that it may mark a turn in the ways of the Supreme Court. I trust that the restricted, technical interpretation of the law has finally yielded to a wiser, more humane approach.

LINCOLN, NEB.
MORNING STATE JOURNAL
APR 4 1935

ANOTHER OPPORTUNITY.

The supreme court insists that the state of Alabama give the Negroes involved in the Scottsboro case a fair trial. Had it not been for the court, these Negroes would have been executed in 1932. They are all involved in an attack case. After the first conviction an appeal was taken and the supreme court found that the defendants had been denied representation by adequate counsel. New trials were ordered and again convictions were obtained. This time the convictions were appealed on the ground that Negroes were discriminated against in the matter of jury service in Jackson county. It was proved that no Negro had been called for jury duty in that county for a generation. The supreme court held that this constituted discrimination and again set aside the convictions.

The state of Alabama expects to go on with the prosecution of these cases but the trials may be a bit fairer this time. Surely the state has learned that it must permit representation by adequate counsel and that it cannot, in a free country, discriminate against the Negroes in the matter of jury service.

The whole affair would have been more satisfactory to everyone had fair trials been granted at the beginning.

Lynchings - 1935
Legal Punishment for Rape

Alabama

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EUFAULA, ALA.
TRIBUNE
APR 5 1935

THE "SCOTTSBORO" DECISION

For the second time the United States supreme court has sent the cases against negroes, convicted of assaulting two white women near Scottsboro, back for new trials. The cases came back the first time on grounds that the negroes did not have adequate counsel, while in the second it was because negroes were "systematically" kept off jury lists in two counties.

Where this thing is going to end is the question uppermost in the minds of the reading public. Must Jackson and Morgan counties revise their jury rolls and place the names of negroes in the boxes? That seems to be the only way out, yet negroes have not served on state court juries in southern states since the carpet-bag era.

In reversing the Jackson circuit court, the supreme court, in the opinion of the Montgomery Advertiser, "seems to have ignored the evidence and confined its comments mainly if not entirely to the fact that no negroes were on the jury which convicted two negroes of a felony. The Advertiser has read only a press summary of Chief Justice Hughes's position, but it would appear that he is concerned, not with the evidence upon which the defendants were convicted, so much as with the color of the jury that convicted them."

Continuing his discussion of the noted case, Editor Hall observes:

The court charges that negroes were "systematically excluded" from jury service in the county of trial, and that the few names of negroes in the jury box were fraudulently admitted.

The Advertiser does not know whether this charge of fraud is just or not. It may be that the names of negroes were admitted after the issue involving the right of negroes to serve on Alabama juries was raised.

The Advertiser does know that generally speaking the names of negro citizens are not in the jury boxes in the counties of Alabama, although negroes may and do serve on federal juries in this state.

What qualifications must a juror possess under the law? He must be a person of good character, good standing and good intelligence—at least, this is the theory upon which names are admitted to the jury box. The jury commissioners of Alabama, inquiring for new names to put on their lists, never ask whether one is black or white, yellow, brown or bronze. The citizens to whom these verbal inquiries are addressed, instinctively report only the names of white persons. The race question is rarely if ever raised between jury commissioners and citizens whom they question.

From a strict technical standpoint negroes are not excluded from juries; in common practice they are, of course.

At last the supreme court, following up previous warnings, reverses the verdict of a state court upon the ground of race discrimination in the selection of jurors.

It now follows that Alabama jury commissions must immediately put the names of reputable negro citizens in their jury boxes. Otherwise we cannot hope again to have the supreme court of the United States affirm the findings of a state court wherever a negro's liberty or life is at stake.

The Advertiser therefore would urge that county jury commissions in Alabama act immediately to make it possible for the State of Alabama to win a case involving a negro in the supreme court of the United States.

Otherwise, we wish to say that Mr. Hughes's pontifical deliverance is a lot of baloney.

Here is the supreme court of a great republic, reviewing the trial of two men charged with an offense that stands first among felonies in this state, reversing the verdict of an oathbound jury upon the ground that it does not like the color scheme of that jury.

The supreme court of the United States tells Alabama, in effect, that it is not primarily interested in otherwise credible evidence demonstrating human depravity, but that it is primarily interested in the academic political "rights" of a politically dispossessed race.

The Advertiser may be dumb, as well as "lost and ruint," but to save itself it cannot see what the political rights and privileges of negroes in Alabama have to do with the guilt or innocence of the gorillas who are charged with criminal assault upon two women, it being agreed that rape is a felony under the law in this backward state.

Either these gorillas committed rape, or they did not.

If they committed rape the jury, (even though white) knows the truth and reported it faithfully.

If they did not commit rape, we believe that this jury would have said so.

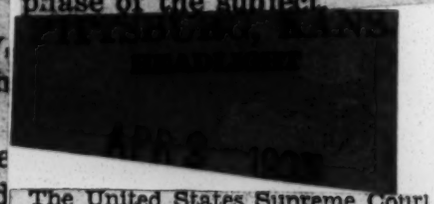
Suppose the defendants had been Italians. There are no Italians in Jackson county. So far as we know there are not today any Italians in Montgomery county, despite its relatively large population. Certainly there are no Spaniards, no Japanese, no Tahitans, no Indians, no Eskimos either in Montgomery or other counties.

In that event not many juries in Alabama could hope to have their verdicts affirmed by the supreme court of the United States if a member of either of these races should move here tomorrow and commit a capital offense.

It seems to The Advertiser that if the supreme court of the United States, presided over by Charles Evans Hughes, had a more sensitive regard for the victims (actual and potential) of felonious assault and less regard for the politically dispossessed in the home state of these victims, it would not devote an entire opinion to an academic political question, but would offer some comment on the evidence by which the gorillas aforesaid had been convicted.

After all, the rape of a wench is not morally different from the rape of the proudest gentlewoman in the republic, and it seems to us that any man of sound instincts would see this truth. Rape happens to be a capital crime in Alabama.

We are sorry that the supreme court of the United States seems to have no immediate interest in this phase of the subject.



The United States Supreme Court has upheld the method of the Democrats of Texas in barring Negroes from the party. It decided yesterday against the appeal of a Negro

who went to the expense of a trip to the highest tribunal in his attempt to get into the party. The Texas Democrats merely limit party membership to white citizens who can vote in Texas. That method is so different from methods used in some other southern states that the Supreme Court probably was glad to endorse it.

Brooklyn, N. Y. Citizen

APR 6 1935

VICTORY FOR THE NEGRO RACE

The action of Governor Bibb Graves, of Alabama, in declaring that a revision of the jury lists of the State must be made to include Negroes shows that a great victory has been won.

The United States Supreme Court a few days ago set aside death sentences imposed on two Negro defendants in the Scottsboro case, holding that Negroes were systematically excluded from jury rolls in Jackson and Morgan counties, which was an infringement on the Constitutional rights of the defendants.

Governor Graves bows to the decision. "Holdings of the United States Supreme Court are the supreme laws of the land," said the Governor. "Whether we like the decisions or not, it is the patriotic duty of every citizen and the sworn duty of every public officer to accept and uphold them in letter and in spirit. Alabama is going to observe the supreme laws of America."

Governor Graves should be commended for his readiness to accept the inevitable, without hesitation delay or evasion. "This decision," he says, "means that we must put the names of Negroes in jury boxes in every county." Defendants of the Negro race will hereafter receive their full rights in Alabama. Other Southern States which have also kept Negroes from their jury lists will have to follow the lead of Alabama. The North Carolina Supreme Court has twice held during the past year that Negroes were not entitled to new trials when the major grounds for appeal were allegations of exclusion of Negroes from juries. That State will have to revise its jury lists. In South Carolina jury commissioners have discretionary power in selecting jury panels. Any attempt of these commissioners to evade the ruling of the United States Supreme Court will be sternly repressed. As a matter of fact, no Negroes are barred by law from jury duty in any Southern State, but they have been systematically kept off the jury lists in various ways. This will no longer be possible. The whole South must fall in line.

KNOXVILLE, TENN
NEWS SENTINEL
APR 7 1935

Scottsboro Decision

By CRANSTON CLAYTON,
Pastor, Park City M. E. Church

Editor, The News-Sentinel:

Now that the Supreme Court of the United States has squarely faced the fact that Negroes are barred from jury service in the South and has categorically ruled that this makes a conviction of a Negro invalid, how is law, from this time on, to be enforced among Negroes? If a Negro can't be convicted of rape unless others of his color be allowed to serve as jurors, how can he be convicted of any other crime unless Negroes are jurors?

Three Choices

It would seem that the South has its choice of three ways of proceeding. One would be to secede from the Union and thereby escape the jurisdiction of the Supreme Court. Another Civil War however is obviously too expensive for the value of the issue.

A second alternative would be to enforce law among Negroes illegally; that is by terrorism and lynchings. This is all too likely to be what will really happen. Now that the white citizens of Alabama have to recognize the futility of spending further time and money trying to get a conviction against the Scottsboro boys without Negro jurymen being allowed, they are a thousand times more likely than ever to resort to the rope or the torch. And hereafter in Alabama and other places barbarism is all too apt to replace even the semblance of ordely process of law.

Barbarism Will Go

Yet barbarism can not last. It is unthinkable that it can. We are too human to go on forever brutalizing our fellows and degrading ourselves through the practice of community murder. What then must be the final outcome? There is nothing left except to admit Negroes to jury service. And why not? In practically any county in the South there are Negro citizens qualified in every way, in education, native ability, and character, to be acceptable jurors. As sure as there is a good God who in the long run always establishes justice in his world, these people will finally get their rights. The big, the magnanimous, the Christian thing for us to do is grant the Negro his constitutional right of jury service without going through any further period of hatred, struggle, and violence.

Cleveland, Tenn. Banner
April 5, 1935

THE SCOTTSBORO DECISION

The decision in the Scottsboro case was the first in recent years in which the United States Supreme court upheld the right of Negroes to sit in juries.

It is not, however, the first time the court has ruled that deliberate denial of jury places to Negroes in trials of Negro defendants is a violation of the rights guaranteed by the Constitution.

The decision in the case of Neal versus Delaware, in 1880, is often quoted. The court ruled that the fact that no Negro had ever sat on a Delaware jury, although about 15 per cent. of the population of the state was Negro, presented a prima facie case of denial of the constitutional right of equal protection of the law. It was held to have been a "violent presumption" on the part of the state court that exclusion of Negroes over many years had been solely because the whole Negro race in the state was unfit for jury service.

In the Scottsboro case the court set aside the conviction and death sentense of two Negroes, ruling that the indictments on which they were tried were invalid because Negroes had been systematically barred from jury rolls in Jackson county Alabama.

It does not seem probable that the recent decision, any more than did that of 1880, will result in any far-reaching changes in judicial procedure in the Southern states or in any other section of the country, for that matter. It might cause the retrial of a case now and then, but as a general thing even this might be prevented by the administration of fair and impartial justice for the Negro in the courts.

The fact that Judge Horton, presiding at the second trial of one of the Scottsboro defendants, with a change of venue to Decatur, Morgan county, set aside a verdict of guilty as contrary to the weight of the evidence, added to the doubt already existing that fair and impartial justice was being meted to these Negro defendants and strengthened the feeling that race prejudice was playing a major part in the case. The meddling by lawyers from the North was justly resented, yet when the courts of the South established a reputation for giving to the Negro defendant the brand of justice to which any defendant is entitled, there will be no excuse for meddling lawyers from the North, there will be no widespread demand for Negro jurors, and trials can proceed with little likelihood that the verdict will be challenged because of all-white juries.

The case emphasizes the responsibility of courts, staffed throughout with white men and operating under laws of white men toward the Negroes who are brought into them. Race prejudice has no place in a courtroom and it is within the province of any court of justice to keep it out.

Bridgeport, Ala., Herald
April 4, 1935

THE SCOTTSBORO CASE BACK HOME

Of National Fame at the expense of our State the "Scottsboro Negro Case" pointed back to Scottsboro this week where it is predicted to begins its trail through the courts again. We are doubtful if the case will end until the Negroes have grown aged or died of a natural death. It seems that the lawyers grasped the opportunity to fill their pockets and cause the State to spend an enormous sum to give the Negroes fair chance to prove their innocence. Through the various courts the case was given hearing, each court upholding the decision of the Jackson County Court. Now it is going over the same route as they will be given trials again.

We like to see justice done, but when it involves such expense at the gain of money seeking lawyers, we cry out in agony for the merciless prey upon the tax-payers as they must pay the cost in the long run. Yes, give everyone a chance to prove his innocence and then lawfully pronounce the fate as law reads. If the law is unjust then abandon it and make one that will bring justice.

The laws are for the protection of humanity and should not be allowed to be switched into money making schemes by clever lawyers.

It seems that this case has proven thus far that "Capital Punishment" is failure and that the law is uniust. We don't quite understand how the state can go on and spend great sums when each court has upheld the same sentence. If there is doubt of the right to enforce that law in this case, then why not abandon it and make another to give justice and punishment for the crime the Negroes are convicted of. It's time to stop clever lawyer's ideas of preying upon the public. For the sake of Alabama do something before the Negroes die of old age.

If the law is unjust and the same old seven and six routine through the courts continue on, the Negroes are done as great injustice as taking their lives. If they deserve freedom, then turn them loose. Anything to stop the clever tactics of the money making and publicity seeking lawyers.

New York World Telegram

APR 2 1935

JUSTICE.

EIGHT United States Supreme Court Justices united in striking down the conviction of two Scottsboro defendants. The court held that Negroes had been illegally barred from acting as jurymen in the trials. Alabama now must either dismiss the famous cases or reindict and retry the defendants with Negro jurymen on the panels.

This is the high court's second rebuke to the prosecutors of these Negro youths and their companions. In November, 1932, the court ordered retrials on the ground that Alabama had denied the defendants due process on other grounds.

In these two opinions the Supreme Court has done much more than save the lives of obscure boys. It has done more than hearten the faith of 15,000,000 American Negroes in their country's courts. It has helped reinforce the very foundations of the republic.

In his first inaugural address Jefferson said that equal and exact justice to all men, of whatever state or persuasion, through trials by juries impartially selected, forms the surest bulwark against anti-republican tendencies. This is even truer today than in 1801.

Lynchings-1935
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Alabama.

4994

PHILADELPHIA, PA.
RECORD
APR 3 1935

The Supreme Court Treads Strange Ground

In spite of victory in the Scottsboro appeal Monday witnessed a setback to the cause of justice for the Southern Negro.

In the long run, the Supreme Court's decision in the Texas primary case may prove of more general importance than the much-publicized Scottsboro ruling.

The high court held that the Texas State convention of the Democratic party had a right **to exclude Negroes from registering as Democrats and from voting in Democratic primary elections.**

When it is recalled that the Democratic primary is really the deciding election in Southern States, this decision **effectively disfranchises the Negro in the South.**

To a layman, it would appear that Texas at last has found a legal device, sought for years by many Southern States, through which Negroes can be excluded from politics. And the ruling is an especially severe blow since it comes just as Negroes generally are beginning to realize that their only hope of political consideration lies in abandoning their former slavish adherence to the Republican party.

Negroes in the border States have found that when large numbers of their race are registered as Democrats, BOTH parties have to take Negro welfare into consideration.

* * *

The Supreme Court laid down the general principle that a political party is "a voluntary organization and competent to decide its membership."

Thus it would seem that a political party has exactly the same right to choose its members as a private club.

The question arises, "If a party convention can exclude Negro voters, why can't it exclude Catholics, or Protestants, or persons under 30 years of age, or women, or persons with less than $100,000?"

Political parties are not social clubs.

Their primary elections are paid for and regulated by the State. Their official status is embedded in the electoral system.

It is mystifying to mere laymen that political parties should possess powers over the qualifications of voters — powers which are expressly denied to the States themselves by the Constitution.

It is only fair to note that the Supreme Court took the opposite view without a single dissent being recorded.

Perhaps there is some weighty reason which makes it necessary. If there is such a compelling argument, it has not appeared in published reports of the Court's opinion.

Until it does, most observers will feel that we tread on dangerous ground when we depart from the popular idea that any qualified citizen may register as a member of any party he likes.

PROVIDENCE, R. I.
NEWS TRIBUNE
APR 2 1935

THE SCOTTSBORO CASE

The United States Supreme Court has set aside the second verdict of guilty against the Negroes in the Scottsboro case just as it set aside the first, and ordered a new trial. The court declared yesterday that it was evident competent Negroes had been systematically excluded from the jury panel, thus depriving the men on trial of their constitutional rights. This is altogether aside from the generally accepted judgment that the Negroes were convicted on evidence which would not have convinced any jury not imbued with, or intimidated by, racial prejudice. Those who have followed the case will recall the accounts of the trials which suggested that they were more in the nature of a legalized lynching than of orderly procedure directed solely to vindicating justice.

The question is, what will happen now? Is there any likelihood that a fair trial can be had in the State of Alabama? We do not like to give up the hope that it can be, provided the venue is changed to a large city such as Birmingham. But it is notorious that the defence of the Negroes has been carried on in a most tactless way, giving conscienceless prosecutors an opportunity to exploit every type of local animosity. One can hardly believe, nevertheless, that in a great city community, the malice of this sort of prosecution would prevail as it did in a backwoods region. One of the most regrettable features of the whole affair is that an upright and honest judge who sought to give the defendants at the first trial a fair day in court was punished by being refused re-election.

The suggestion has been made that, in the face of the two Supreme Court decisions, the governor should pardon the accused, convicted mainly on the testimony of an untruthful wanton. If this is the only way out of keeping the Negroes in a state of permanent persecution, it should be taken. There should be sufficient sound public opinion in Alabama to save the governor from political reprisals. But, even if there is not, he should, in the name of common humanity, face and perform his manifest duty.

HARTFORD, CONN.
COURANT
APR 2 1935

Alabama on Trial

The decree of the Supreme Court that the Scottsboro boys must be given a new trial lays a heavy responsibility on the State of Alabama. The trial now ordered will be the fourth to which they have been subjected. The sentence of death imposed after the first was overruled by the Supreme Court on the ground that the boys had been unconstitutionally deprived of the aid of counsel in the preparation of the case. The verdict of guilty was returned after the second trial, but it was set aside by the presiding judge who, in a notable declaration, indignantly set forth the insufficiency of the evidence. A third trial was promptly held, a sentence of death was again imposed, but the Supreme Court has overruled it on the ground that, inasmuch as Negroes were excluded from the jury, the boys had been denied the full protection of the law.

Clearly the State of Alabama has thus far failed to administer justice in such a manner as to leave it beyond reproach. Clearly it must do so now. The case of the Scottsboro boys has become deeply involved in all sorts of prejudice, social and economic as well as racial. To lift it above such entanglements, to put it on a basis of simple fact, to lay it before a judge and a jury whose sole interest shall be the determination of the truth, to prosecute it fairly will be no simple task, but it is not an impossible one, and Alabama, whose courts have twice been rebuked by the highest tribunal, would seem to have no greater duty at the present time to see that it is accomplished in a way that will give no one further occasion to criticize.

The protection of its citizens, resting on the assurance that equal justice will be accorded to all, is the first and the highest duty of a State. If Alabama wishes to secure its reputation as a State in which the primary obligations of civilized life are fulfilled, it will now bend every effort to giving the boys a fair trial and seeing to it that, if acquitted, they are fully protected against violence from all sources. Not the boys but Alabama is now on trial.

PHILADELPHIA, PA.
EVENING PUBLIC LEDGER
APR 3 1935

SCOTTSBORO JUSTICE

WHAT would beyond fair question have been a gross miscarriage of justice has been avoided by the Supreme Court in its decision setting aside the Scottsboro convictions and ordering a new trial.

It is still a question whether, in Jackson County, Alabama, Negroes accused of the gravest of offenses against white women can obtain a just trial. But the country as a whole will be relieved that the highest court in the land has found a way, in this particular case, to forestall the consequences of injustice which too often have characterized judicial procedure in the Deep South.

For four years this ugly Scottsboro case has dragged along under a pall of bigotry, ignorance and weak legal practice. It must now be opened again. The Supreme Court based its decision on the "evidence that for a generation or longer no Negro had been called for service on any jury in Jackson County," and that this discrimination constituted a denial of the defendants' rights.

This unconstitutional method of procedure will presumably be changed. But more than that is necessary to obtain for Negroes their rights before Southern courts. The entire cultural and social outlook is gravely in need of improvement. The Supreme Court's scathing indictment of Alabama justice should encourage right-minded men everywhere to hope that this improvement is under way.

NORFOLK, VA.
VIRGINIAN PILOT
APR 2 1935

Again the Scottsboro Case

For the second time the Supreme Court of the United States has held constitutionally defective convictions growing out of the Scottsboro, Ala., rape case. In 1932 it held that the withholding from the defendants of adequate counsel help during their trial in April, 1931, amounted to a denial of their constitutional rights. It avoided at that time any judgment on the additional complaint that the defendants' rights were disregarded by the exclusion of Negroes from the grand and petit juries. In yesterday's decision this point was the ground for holding the latest conviction unconstitutional.

The opinion, read by Chief Justice Hughes (with no dissent from any member of the court) centered in the question of fact. That a court proceeding is invalid if Negroes are designedly barred from the jury for reasons of race or color, had already been settled by the Supreme Court as early as 1880 in Neal v. Delaware. The question now before the court was whether in the Decatur trials of 1933, Negroes were absent from the jury rolls as the result of valid reasons or as the result of systematic racial exclusion. The Supreme Court of Alabama, ruling on this question, held that the exclusion was not designedly discriminatory. In the opinion of Mr. Justice Hughes it was. "We think the evidence that no Negro has been called for jury service in Jackson County for a generation," he held, "established there had been discrimination."

We agree. Systematic discrimination in the making up of jury rolls has been practiced against Negroes not only in Alabama, but also in every other State in the South—Virginia included. If this discrimination has been seldom challenged, it is because, as a rule, it has not become a vital bone of contention. It became a vital bone of contention in the Scottsboro case in virtue not of the jury discrimination itself, but of the miscarriage of justice which impended unless the fact of jury discrimination could be successfully invoked to prevent it.

It needs no great familiarity with the known facts of the Scottsboro case to justify the opinion that the young Negroes sentenced to death for the crime of March, 1931, were convicted on evidence which, in the absence of the poisonous race factor and the local passions evoked by it, would have been held inconclusive by any court in Alabama. Believing that to be a fact, the Virginian-Pilot rejoices that the Supreme Court of the United States has once more intervened to prevent an irreparable act of State violence, and that, in doing so, it has reiterated a principle of jury procedure which needed pointed restatement in the interest of a better grade of Southern justice in cases bedevilled by the racial perplexity.

CLEVELAND, O.
PRESS
APR 2 1935

JUSTICE

EIGHT U. S. Supreme Court justices united in striking down the conviction of two Scottsboro defendants. The court held that Negroes had been illegally barred from acting as jurymen in the trials. Alabama now must either dismiss the famous cases or reindict and retry the defendants with Negro jurymen on the panels.

This is the high court's second rebuke to the prosecutors of these Negro youths and their companions. In November, 1932, the court ordered retrials on the ground that Alabama had denied the defendants due process on other grounds.

In these two opinions the Supreme Court has done much more than save the lives of some obscure boys. It has done more than hearten the faith of 15,000,000 American Negroes in their country's courts. It has helped reinforce the very foundations of the republic.

In his first inaugural address Jefferson said that equal and exact justice to all men of whatever state or persuasion, through trials by juries impartially selected, forms the surest bulwark against anti-republican tendencies. This is evan truer today than in 1801.

PHILADELPHIA, PA.
INQUIRER-PUBLIC LEDGER
APR 3 1935

More Light on the Scottsboro Case

Of Nation-wide interest and significance is the decision of the United States Supreme Court ordering a new trial for the Negroes condemned to death on the charge of having assaulted a white woman in the now celebrated Scottsboro case. The Court does not pass upon the guilt or innocence of the defendants, but does take the ground that they have been denied their constitutional rights and have been made the victims of race prejudice. Justice Hughes asserts emphatically that Negroes have been systematically and arbitrarily barred from jury duty when the testimony showed that there were Negroes in Jackson and Morgan counties, Alabama, fully qualified for such duty.

The decision will be welcomed everywhere, because it is conclusive proof that the highest court in the land is determined that substantial justice shall be accorded to all citizens. Moreover, it constitutes an answer to the radicals who are ever ready to seize upon any pretext to agitate against constituted authority.

Whatever the bitterness and prejudice that have been stirred up over the highly controversial case, there can be no difference of opinion about the clear reassurance, through the Supreme Court decision, that equality before the law continues to be one of the outstanding safeguards of American justice.

HARTFORD, CONN.
TIMES
APR 2 1935

Monday's Decisions.

Very many, in the north at least, believe that the Scottsboro cases represented an unfair trial in fact, aside from the technical failure now declared by the United States supreme court, namely, that Negroes were deliberately excluded from the jury. They welcome the court's finding particularly on the former account.

The decision fits well with the constitution and the law. Trial by jury must be impartial to be valid. The Negro is a citizen, entitled to equal protection of the laws, equal immunities or rights. Practically, it raises real dilemma in Alabama. Prejudices of any kind are strong in that state. Insistence upon the presence of Negroes in juries is likely to intensify race prejudice with perhaps seriously deplorable consequences.

Texas, as is confirmed in a further decision of the court, has had legal success in excluding Negroes from registration in the democratic party. The democratic party in Texas is a private corporation capable of freely making its own provisions as to membership.

Alabama cannot adopt this precedent in its jury practice, but there are ways of making jury panels which may find inspiration in something of the nature of a "grandfather clause" such as in actual effect disfranchised thousands of Negroes in several southern states.

We hope that the next trial of the Negroes accused of assault will be such as to leave no reasonable doubt in impartial minds as to the guilt or innocence of the accused.

New York World Telegram
APR 2 1935

Leibowitz Is Overwhelmed by the Scottsboro Decision

Lawyer Will Go to Washington Today for Execution Paper of Supreme Court Ruling—Believe Boys Under Sentence Will Be Freed Immediately.

Samuel S. Leibowitz picked up a leather writing pad from his desk and showed just how he persuaded the United States Supreme Court that two of the Scottsboro boys had been illegally indicted.

His eyes were filled with tears of joy because he knew that the highest court in the land believed him and because he was sure that the Scottsboro boys will not die. A press association had just phoned the news of the Supreme Court decision to him, and in his happiness he was once again living through the tense moments of his three-year fight for the boys.

He pretended that the writing pad was the Jackson County, Alabama, Grand Jury roll book upon which he contended that the names of six Negroes had been forged to block the boys' escape from the electric chair on the grounds that Negroes had been illegally excluded from the Grand Jury that indicted them.

Mr. Leibowitz offered the imaginary roll book suavely but persuasively to an imaginary Chief Justice Charles Evans Hughes who he pretended was sitting on the bookcase of his office at 225 Broadway.

Too Excited to Act.

But he was so excited that he could not continue his play-acting.

"This is the greatest moment of my life," he said, pacing back and forth across his office. "It's the greatest decision of the Supreme Court since the Dred Scott case. But by far the greatest aspect of the case was the victory won by the forces of American justice over the elements whose members said that the boys would not receive justice from the United States Supreme Court."

Harold Fox, the New York City detective who had gone to Alabama as the bodyguard of Mr. Leibowitz, was among the first to come to congratulate him.

"Do you remember," asked Mr. Leibowitz, "the night we got off the train in Alabama and the first thing we saw was a book selling for fifty cents and entitled, 'Kill the Jew from New York'?"

Detective Fox remembered and chuckled.

As he talked the phone jingled constantly. His friends were calling him up to congratulate him. When Mrs. Leibowitz telephoned tears sprang to his eyes and his voice choked with emotion as he told her of his victory.

Objected to Northerner.

"They objected to a Northern lawyer handling the case, but I say that no Southern lawyer would have dared to suggest that Negroes should sit in a Grand Jury or any other kind of jury in Alabama. Why, they were so mad at the idea of having Negro names on the Grand Jury books that they could not contain themselves."

Mr. Leibowitz is going to Washington today. There he will obtain the executing paper of the Supreme Court order and will take it with his own hands to Kilby Prison, Montgomery, Ala., where he will serve it on the warden, who he believes must immediately release Clarence Norris and Haywood Patterson, the two Scottsboro boys under death sentence.

Mr. Leibowitz also believes that the indictments against the boys will be nolle prossed. If evidence

again is heard against them in the present case it must be heard before a Grand Jury upon which Negroes serve, and, in Mr. Leibowitz's opinion, there never will be such a Grand Jury in Alabama.

Lynchings-1935
Legal Punishment for Rape.

Alabama 4995

NEW YORK TIMES

APR 6 1935

JURY LISTS OPENED TO ALABAMA NEGRO

Gov. Graves Cites Scottsboro Decision in Ordering Courts to Revise Juror Rolls.

CONSTITUTION PUT FIRST

Pending Cases Will Be Continued or Nolle Prossed Till the Jury Boxes Are Refilled.

By The Associated Press.

MONTGOMERY, Ala., April 5.—A revision of Alabama jury lists to include Negroes was called for today by Governor Bibb Graves in view of the United States Supreme Court decision in the Scottsboro case.

The Governor wrote his suggestion to circuit judges and solicitors throughout the State after receiving the official decision and included copies of it.

He also announced that he would ask the Legislature when it reconvenes April 30 for such legislation as may be necessary to cover the dumping and refilling of Alabama jury boxes from which the names of jurors are drawn.

The Supreme Court a few days ago set aside death sentences imposed on two Negro defendants in the Scottsboro attack case, holding that Negroes were "systematically" excluded from jury rolls in Jackson and Morgan Counties with infringement upon the constitutional rights of the accused.

"Supreme Laws of Land."

"Holdings of the United States Supreme Court are the supreme laws of the land," Governor Graves stated. "Whether we like the decisions or not, it is the patriotic duty of every citizen and the sworn duty of every public officer to accept and uphold them in letter and in spirit.

"I have received the Supreme Court's decision in the Scottsboro case, holding in effect that when there is systematic exclusion of Negroes from juries, it is discrimination against the race in violation of the United States Constitution. This decision means that we must put the names of Negroes in jury boxes in every county.

"Alabama is going to observe the supreme law of America."

With reference to pending cases the Governor advised that, if the question of absence of Negroes' names from jury rolls be raised, the case would be continued or nolle prossed until the boxes were refilled to meet constitutional requirements.

Precedent for Rest of South.

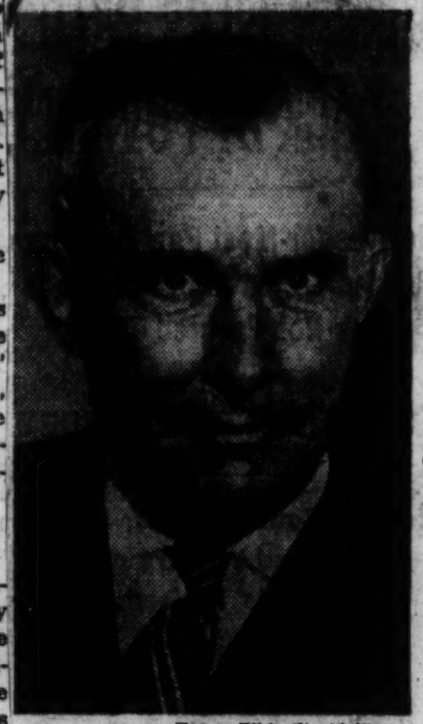
ATLANTA, April 5 (AP).—Alabama's action in ordering new jury lists drawn to conform with the United States Supreme Court decision in the Scottsboro case may be followed by other Southern States calling more Negroes for active jury duty, it was indicated today.

No Negroes are barred by law from jury duty in the South but few have actually been called to sit on cases. In most of the States jurors must be qualified voters and this in itself has kept a great many Negroes off the jury list.

The North Carolina Supreme Court has held twice in the past year or so that Negroes were not entitled to new trials when major grounds for appeal were allegations of exclusion of Negroes from the jury.

Jury commissions in South Carolina have discretionary power in selecting jury panels.

Major W. Calvin Wells, president of the Mississippi State Bar Association, said the Scottsboro decision



Times Wide World Photo.

LIFTS NEGRO JURY BAN. Governor Bibb Graves.

JURY LISTS OPENED TO ALABAMA NEGRO

Continued From Page One.

"may have great effect" on State courts.

Negroes holding poll-tax receipts, a voting qualification, are eligible for jury duty in Arkansas. Assistant Attorney General Thomas Fitzhugh said that "it just happens that no jury commission selects Negroes for jury duty; it may be just a coincidence."

Texas statutes and the conduct of criminal trials "are in conformity with the decision of the Supreme Court," said State Attorney General William McGraw.

Order Is Acclaimed Here.

Governor Graves's order to include Negroes on Alabama jury lists was acclaimed here yesterday by the National Association for the Advancement of Colored People, according to The Associated Press. Arthur B. Spingarn, for twenty-one years chairman of its national legal committee, said:

"It is a very fine step. It should advance not only the rights of Negroes, but also the whole attitude of that section of the country toward enforcement of the law."

BIRMINGHAM, ALA.
POST
APR 2 1935

Scottsboro

Action of the United States Supreme Court in again reversing the decisions in the Scottsboro case, and the court's condemnation of "the systematic exclusion of Negroes from jury duty" is one of the high~~est~~ most significant rulings affecting racial problems.

It is its second rebuke to the prosecutors of the now famous case and means in simple words that Negroes must be allowed to sit on juries, else no verdict affecting a Negro can be held legal if the Negro has money enough to take his case to the high court. It means that no state will have the legal right to try Negroes in its courts if it can be shown that the names of Negroes are excluded from its jury panels. For Alabama in particular the decision means that the Scottsboro case is now further from a solution than ever before.

In the four years since the youths were taken from a train at Paint Rock and charged with the South's one unpardonable crime, an international conflagration of bitterness has seethed about the sordid affair. Bold headlines on every newspaper have chronicled three trials. One of the women in the case—unfortunate, illiterate, billed as "a typical Southern worker"—has appeared on the campuses of Eastern universities "lecturing" to enthusiastic audiences on the ponderous subject of "Social Injustice in the South."

A play, purporting to be based on the case, has appeared on the Broadway boards, causing effete New Yorkers to burn with righteous indignation at the barbarity of their Southern brothers. A judge who presided ably at one of the trials has been shunted into political oblivion and his picture displayed on the front pages of Eastern journals as one "crucified on the altar of Southern bigotry."

Radical groups vying with each other in the "defense" of the Negroes have passed the hat throughout the civilized world after making impassioned appeals to "save ignorant children from being thrown to the lions."

What is to be done?

Let us be through with the whole affair at the earliest possible moment. Changes in our court procedure necessary to bring the case to a speedy and successful conclusion should be made at once.

YOUNGSTOWN, O.
TELEGRAM
APR 2 1935

JUSTICE

EIGHT United States Supreme Court justices united in striking down the conviction of two Scottsboro defendants.

The court held that Negroes had been illegally barred from acting as jurymen in the trials. Alabama now must either dismiss the famous cases or re-indict and re-try the defendants with Negro jurymen on the panels.

This is the high court's second rebuke to prosecutors of these Negro youths and their companions. In November, 1932, the court ordered re-trials on the ground that Alabama had denied the defendants due process on other grounds.

In these two opinions the Supreme Court has done much more than save the lives of obscure boys. It has done more than hearten the faith of 15,000,000 American Negroes in their country's courts. It has helped reinforce the very foundations of the republic.

In his first inaugural address Jefferson said that equal and exact justice to all men of whatever state or persuasion, through trials by juries impartially selected, forms the surest bulwark against anti-republican tendencies. This is even truer today than in 1801.

Chester, S. C., Reporter
April 8, 1935

The Supreme Court decision in the Scottsboro case is thoroughly clear and unequivocal, and there will be nothing for the South to do but to comply. However, there are other sections of the country that have their race problems as well as the South, and happily the South's peculiar problem is beginning to be better understood and appreciated throughout the country at large. Only a few bloody shirt wavers keep the question alive in an offensive and menacing manner, and their number is decreasing.

NEW ORLEANS, LA.
STATES

APR 2 1935

The Scottsboro Case

FOR a second time the United States supreme court has set aside the verdict of an Alabama jury in the case of the young Scottsboro negroes, charged with assaulting two white girls in a box car, and ordered a new trial. It is to be hoped that the authorities, supported by Alabama public opinion, will see to it that an Alabama mob does not follow the example of the Washington parish, Louisiana, mob and answer the high court's decision by lynching the prisoners. Nothing could be worse for the South. It might force passage of the WAGNER anti-lynching bill.

It is questionable whether these negroes are guilty. The alleged victims were persons of doubtful repute. In one of the cases the fearless presiding judge evidently believed the verdict was unjustified, for he himself gave the accused a new trial, only to have the voters in his district dismiss him from office at the subsequent election. The whole trouble has been that agitators in the North have sent South-hating lawyers to Alabama to appear for the defense, who by their attitude have raised a racial issue and antagonized local feeling. If from the beginning local counsel had been given the case, the result may have been different.

* * *

HOWEVER, that is not our immediate concern with the Washington decision. Not only Louisiana but the whole South has a definite interest in the ground on which the high court has reversed the verdict and remanded the case. The new trial is ordered because negroes were not on the panel from which the 12 jurors were chosen. Said Chief Justice HUGHES:

> It has long been held that whenever—by any action of a state, whether through legislation, the courts, executive or administrative officers—persons of the African race were excluded because of race and color from jury service, the court proceedings were invalid.

That can only mean that, say in Louisiana, whenever a negro, however foul his crime may be, is convicted, and it is shown that a jury was selected from a panel, regular or special, on which the names of no negroes were included, the defendant's lawyer may take an appeal to Washington and have the verdict set aside. That is the net result of this Alabama community's apparent determination to send the Scottsboro negroes to the gallows regardless of the evidence, when a verdict less than capital probably would have ended the case with the first trial.

TROY, N. Y.
MORNING RECORD
APR 3 1935

THE SCOTTSBORO DECISION.

It was a foregone conclusion that the United States Supreme Court would insist upon a new trial for the Negroes in Alabama who were convicted last year in the Scottsboro assault case. The trial was a travesty on justice, a clear attempt to provide a group of victims to satisfy the race feeling which pervades the region. The methods used by the prosecution to secure the verdict were outrageous. The federal courts could not have let such illegality go on without an effective protest.

The average citizen sees the case in its true light. It is not the effort of Alabamans to secure justice. It is the attempt to maintain a race attitude which, to many of the people of that state, seems more fundamental than justice itself. To this class of men and women there is a vast difference between the Caucasian and the Negro. To them the distinction is as clear as is the distinction between Jew and Aryan to a Hitler. The Caucasian, if indicted for crime, is innocent until proved guilty; the Negro, if indicted for the same crime, is guilty unless proved innocent.

And so the Scottsboro cases began. The story of the assaults was fantastic. Admittedly the two women who brought the charge were slow in asking for justice. Admittedly they were mixing freely with the colored folk in railroad encampments where moral risks were sure to be enormous. Admittedly there was nothing in their own records which made their testimony more reputable than that of the defendants. But the Alabamans profess to believe that the word of any white woman is better than that of any black man; so these two women were able to swear away the freedom of the defendants and put their lives in jeopardy.

Each time the decision has been rendered the higher courts have refused to accept it; the manner of carrying on the cases has been disreputable. After the first trials one of the women admitted that she perjured herself; and she withdrew her charge. In the second trial she stated that the defendants did not assault her. Yet, on the unsupported testimony of the other woman, the verdict of "guilty" was again brought in. And this in spite of plenty of evidence making the remaining complainant's testimony at least dubious.

The reason for the latest reversal is the failure of Alabama to try the defendants before a jury of their peers. So far as the facts have been brought out no Negro has ever sat on a Jackson County jury. The evidence is clear that the defendants' race is automatically refused the right to act on juries even in cases involving its own members. This constitutes a violation of the Fourteenth Amendment and the Bill of Rights. Any Negro convicted by a jury which is wholly white by the compulsion of a studied practice in a county largely inhabited by blacks, has been deprived of his constitutional rights.

Now what will be done? Will Jackson County try Norris and Patterson with a mixed jury? Or will it attempt some sort of legerdemain to meet the issue, yet not compromise with its vicious principles? For its officials say they certainly will prosecute the two men for a third time. It is possible that they will place Negroes on the jury list but not enough of them to make their elimination from the trial by peremptory challenge difficult. The prejudices of this case have made it a national issue instead of a sordid county criminal incident. Perhaps it is well to settle the matter now—if it can be settled.

WILMINGTON, N. C.
STAR

APR 3 1935

THE SCOTTSBORO VERDICT

It has since the inception of the case, been our private opinion based on our views of public morals that white girls who go hoboing about the country, hobnobbing, or at least riding in the same box cars with members of other races and the other sex are not overly deserving of society's most tender protection, but in the Scottsboro case there are other phases to be considered. The case has just been sent back to the Alabama courts by the Supreme Court of the United States.

The girls involved caused the arrest of seven negroes, they accused of attacking them while all were uninvited and non-paying passengers on an Alabama freight train. Two of the negroes have been convicted for a second time, and must be tried again unless the state elects to drop the charges.

The reasons behind the majority opinion, read by Mr. Chief Justice HUGHES is significant. Judge HUGHES and his colleagues hold that because negroes are kept off the jury rolls in Alabama that is good and sufficient reason to return a reversal of the Alabama tribunal's finding.

It is, as the chief solicitor of the Alabama circuit remarked when informed of the findings "a body blow at the courts of the state." However, it does not follow that Alabama will rush to the fore with mixed juries. Far from it. Alabama is too deep in the south to permit of that, and even should it insert the names of negroes in the jury boxes for the purpose of complying with the supreme court, ways will be found to continue the jury service as at present and within the law.

For the moment, however, it would appear that a very important decision has been based on a case involving not a particularly prepossessing set of complainants or defendants.

BROOKLYN, N. Y.
TIMES UNION

APR 2 1935

Scottsboro Again.

Again the United States Supreme Court has, in the most pointed fashion, decided that conviction of colored persons of criminal offense, by juries from which Negroes had been excluded, are unjust and must be set aside. The case at issue was that of two young colored men, accused, with five others, of assault on two white women in a railroad car at Scottsboro, Ala. The seven were tried in the first case in court, and the convictions were set aside. The State elected to try two again, but failed to improve its jury system or permit colored men to serve in the box. Consequently the new convictions were also held invalid.

Evidence was adduced at the recent trial that not one Negro had been permitted to serve as a juryman in Jackson County, which includes Scottsboro, in more than thirty years. Chief Justice Hughes, who delivered the opinion of the Supreme Court, held this to be complete establishment of the fact that Negroes were wilfully, unjustly and systematically excluded, and as a consequence the court decided that the second conviction was as oppressive as the first.

It is about time Southern people realized that the Anglo-Saxon jury system is founded on the basis of trial by a jury of the peers, or equals of the accused person. By the exclusion of men of the same blood and color as the persons charged with the crime, as in this case, it is obvious that the rankest discrimination was exercised, and that a verdict reached under such circumstances is a nullity in law and morals.

Tupelo, Miss. News
April 2, 1935

SCOTTSBORO CASE

The Supreme Court has spoken.

Three negroes in the famous Scottsboro Case will be given a new trial.

They were convicted two years ago in Scottsboro, Ala., on charges of criminally assaulting a white woman.

This case is so old until we have practically forgotten the facts in it.

But the supreme court has seen cause to grant these three blacks a new trial, and the last court in the land has spoken.

Lynchings—1933
Legal Punishment for Rape

Alabama

4996

MONTGOMERY, ALA.
ADVERTISER

APR 2 1935

THE SUPREME COURT AND OUR JURY SYSTEM

The Supreme Court of the United States has bluntly laid down the law to Alabama on the question involving the right of Negroes to serve on juries.

In reversing a Jackson County court in the conviction of two of the "Scottsboro" infants, the Supreme Court seems to have ignored the evidence and confined its comments mainly if not entirely to the fact that no Negroes were on the jury which convicted two Negroes of a felony. The Advertiser has read only a press summary of Chief Justice Hughes's position, but it would appear that he is concerned, not with the evidence upon which the defendants were convicted, so much as with the color of the jury that convicted them.

The Court charges that Negroes were "systematically excluded" from jury service in the county of trial, and that the few names of Negroes in the jury box were fraudulently admitted.

The Advertiser does not know whether this charge of fraud is just or not. It may be that the names of Negroes were admitted after the issue involving the right of Negroes to serve on Alabama juries was raised.

The Advertiser does know that generally speaking the names of Negro citizens are not in the jury boxes in the counties of Alabama, although Negroes may and do serve on Federal juries in this State.

What qualifications must a juror possess under the law? He must be a person of good character, good standing and good intelligence—at least, this is the theory upon which names are admitted to the jury box. The jury commissioners of Alabama, inquiring for new names to put on their lists, never ask whether one is black or white, yellow, brown or bronze. The citizens to whom these verbal inquiries are addressed, instinctively report only the names of white persons. The race question is rarely if ever raised between jury commissioners and citizens whom they question.

From a strict technical standpoint Negroes are not excluded from juries; in common practice they are, of course.

At last the Supreme Court, following up previous warnings, reverses the verdict of a State court upon the ground of race discrimination in the selection of jurors.

It now follows that Alabama jury commissions must immediately put the names of reputable Negro citizens in their jury boxes. Otherwise we cannot hope again to have the Supreme Court of the United States affirm the findings of a State court wherever a Negro's liberty or life is at stake.

The Advertiser therefore would urge that county jury commissions in Alabama act immediately to make it possible for the State of Alabama to win a case involving a Negro in the Supreme Court of the United States.

Otherwise, we wish to say that Mr. Hughes's pontifical deliverance is a lot of baloney.

Here is the Supreme Court of a great republic, reviewing the trial of two men charged with an offense that stands first among felonies in this State, reversing the verdict of an oathbound jury upon the ground that it does not like the color scheme of that jury.

The Supreme Court of the United States tells Alabama, in effect, that it is not primarily interested in otherwise credible evidence demonstrating human depravity, but that it is primarily interested in the academic political "rights" of a politically dispossessed race.

The Advertiser may be dumb, as well as "lost and ruint," but to save itself it cannot see what the political rights and privileges of Negroes in Alabama have to do with the guilt or innocence of the gorillas who are charged with criminal assault upon two women, it being agreed that rape is a felony under the law in this backward State.

Either these gorillas committed rape, or they did not.

If they committed rape the jury, (even though white) knows the truth and reported it faithfully.

If they did not commit rape, we believe that this jury would have said so.

Suppose the defendants had been Italians. There are no Italians in Jackson county. So far as we know there are not today any Italians in Montgomery county, despite its relatively large population. Certainly there are no Spaniards no Japanese, no Tahitans, no Indians no Eskimos either in Montgomery or other counties.

In that event not many juries in Alabama could hope to have their verdicts affirmed by the Supreme Court of the United States if a member of either of these races should move here tomorrow and commit a capital offense.

It seems to The Advertiser that if the Supreme Court of the United States, presided over by Charles Evans Hughes, had a more sensitive regard for the victims (actual and potential) of felonious assault and less regard for the politically dispossessed in the home State of these victims, it would not devote an entire opinion to an academic political question, but would offer some comment on the evidence by which the gorillas aforesaid had been convicted.

After all, the rape of a wench is not morally different from the rape of the proudest gentlewoman in the republic and it seems to us that any man of sound instincts would see this truth. Rape happens to be a capital crime in Alabama.

We are sorry that the Supreme Court of the United States seems to have no immediate interest in this phase of the

NASHVILLE, TENN.
MORNING TENNESSEAN

APR 5 1935

The Scottsboro Decision.

The decision in the Scottsboro case was the first in recent years in which the United States Supreme Court upheld the right of negroes to sit in juries.

It is not, however, the first time the court has ruled that deliberate denial of jury places to negroes in trials of negro defendants is a violation of the rights guaranteed by the Constitution.

The decision in the case of Neal versus Delaware, in 1880, is often quoted. The court ruled that the fact that no negro had ever sat on a Delaware jury, although about 15 per cent of the population of the state was negro, presented a prima facie case of denial of the constitutional right of equal protection of the law. It was held to have been a "violent presumption" on the part of the state court that exclusion of negroes over many years had been solely because the whole negro race in the state was unfit for jury service.

In the Scottsboro case the court set aside the conviction and death sentence of two negroes, ruling that the indictments on which they were tried were invalid because negroes had been systematically barred from jury rolls in Jackson County, Alabama.

It does not seem probable that the recent decision, any more than did that of 1880, will result in any far-reaching changes in judicial procedure in the Southern states, or in any other section of the country, for that matter. It might cause the retrial of a case now and then, but as a general thing even this might be prevented by the administration of fair and impartial justice for the negro in the courts.

The fact that Judge Horton, presiding at the second trial of one of the Scottsboro defendants, with a change of venue to Decatur, Morgan County, set aside a verdict of guilty as contrary to the weight of the evidence, added to the doubt, already existing that fair and impartial justice was being meted to these negro defendants and strengthened the feeling that race prejudice was playing a major part in the case. The meddling by lawyers from the North was justly resented, yet when the courts of the South establish a reputation for giving to the negro defendant the brand of justice to which any defendant is entitled, there will be no excuse for meddling lawyers from the North, there will be no widespread demand for negro jurors, and trials can proceed with little likelihood that the verdict will be challenged because of all-white juries.

The case emphasizes the responsibility of courts, staffed throughout with white men and operating under laws of white men toward the negroes who are brought into them. Race prejudice has no place in a courtroom and it is within the province of any court of justice to keep it out.

MILWAUKEE, WIS.
LEADER
APR 3 1935

TWO DECISIONS

The Scottsboro defendants get another break.

The constitution guarantees, to persons accused of crime, a trial by a jury of their peers. While the word "peer" is sometimes used as meaning a superior person, the real meaning of it is an equal. The Alabama law allows Negroes to sit on juries, but the white county authorities conveniently neglect to call them. A Negro tried without having a chance to select any Negroes for jury service in the case would not be tried by a jury of his peers. Whatever the whites may be, his superiors or his inferiors, or his equals, the other Negroes are pre-eminently his peers, for they are the ones who best understand the conditions under which he has grown up and under which he lives and acts.

The Scottsboro defendants did not have a chance to get any Negroes on the jury. Therefore, the supreme court of the United States could not very well do otherwise than hold that the state court erred in not quashing the indictments. It did so, the opinion being read by Chief Justice Hughes. The defendants are now entitled to a new trial.

But they should be released instead of being tried again. The prosecution of these young colored men has obviously been a matter of race prejudice and vengeance, not an effort to do justice.

On the same day, the supreme court, in an opinion read by Justice Roberts, held that the Democratic party of Texas has a right to confine its membership to white people and not to allow a Negro to vote in its primary. Why a southern Negro, or any other Negro, should want to vote in a Democratic primary is beyond us. The decision should give them an impetus to build up the Socialist party.

New York Evening Post
APR 2 1935

JUSTICE

Equality before the law is one of America's most precious possessions, and the Supreme Court's decision on the Scottsboro case does us honor in the eyes of the world.

Surely it is cause for rejoicing, in an arbitrary and dictatorial age, that some measure of justice can be enforced even for Negroes in the deep South.

Scottsboro is fated to mark another milestone in the long struggle of the black man for justice, a struggle that the Emancipation merely began.

Chief Justice Hughes held, as previous courts have held, and as the Supreme Court of Maryland held in the Orphan Jones case, that a Negro is denied a fair trial where Negroes are barred from the jury panel.

The case goes back for retrial, and another conviction seems probable. For a really fair trial in Alabama under present conditions seems highly unlikely.

Extraneous racial considerations have crept into the case. Public opinion has been inflamed. Local pride feels itself outraged. Everything will be considered but the facts.

The facts seem to be that far more than a reasonable doubt exists of the guilt of the Scottsboro boys—especially since the confession of Ruby Bates that she had perjured herself.

Will the Supreme Court again take up the case, next time on the facts, if Alabama again demonstrates that it cannot give these seven a fair and honest trial?

New York Evening Post
APR 9 1935

Alabama Bows to the Court

Governor Bibb Graves of Alabama deserves the nation's applause for heeding the ruling of the United States Supreme Court and ordering that the names of Negroes be included on the jury rolls of every county in his State.

If the court's decision in the Scottsboro case shows a proper regard for constitutional rights Governor Graves shows an equally laudable regard for law. It is not hard to imagine a Southern Governor defying the court in so inflammatory a case.

But it may be noted that the mere fact of including Negroes on jury panels does not guarantee the right of the Scottsboro boys to have a few Negroes on the jury which hears their case. The Orphan Jones case in Maryland will illustrate.

There the Supreme Court of Maryland ruled that Jones must be retried because the exclusion of Negroes from juries constituted a violation of due process. Negroes were then included in the panel drawn for the retrial.

But attorneys for the State, exercising their right to challenge certain jurors without expressed cause, merely challenged all the Negroes picked for the new trial jury. No Negro sat on the jury that tried Orphan Jones and finally sent him to the chair.

PHILADELPHIA, PA.
RECORD
APR 2 1935

The Supreme Court Again Challenges Alabama

Unanimously, the United States Supreme Court has ordered another new trial of defendants in the notorious Scottsboro case.

Fortunately for the nation, the civil liberties of the Negro in the South are stanchly upheld by the nation's highest tribunal in this case.

But what are these defendants going to do? Is their whole life to be spent in jail while lawyers and courts debate their alleged guilt on charges of rape?

It was in March of 1931 that 11 Negroes were arrested in Scottsboro, Alabama, charged with assaulting two white girls in a railroad car. At first, the girls denied any assault had occurred. But after they had been badgered by the sheriff they finally consented to prefer charges. The whole case was an outrageous frame-up, between civil authorities in Scottsboro, and the girls, who were found to be notorious prostitutes.

Swiftly, the 11 Negroes were tried, convicted and sentenced TO DEATH.

The case was appealed, finally reaching the United States Supreme Court in December, 1932. A new trial was ordered on the ground that the defendants had been deprived of the elementary right of counsel.

Another swift trial was held. But it was so obviously a set-up, that Judge James E. Horton of Alabama, set aside the guilty verdict and ordered still another trial. Confronted with such a courageous Judge, the Attorney General of Alabama hunted another Judge who would be more amenable to racial prejudice. He found one and one more trial was held. Again the Negroes were convicted.

Again, too, this verdict was appealed—and has now been thrown out by the United States Supreme Court on the grounds that Negroes were excluded from juries in Alabama and the defendants were deprived of their constitutional right to trial by "a jury of their peers."

Will another new trial give these defendants the justice to which they are entitled? Is it conceivable that Alabama can overcome its racial prejudice sufficiently to be fair above all things in this case?

Scarcely any intelligent person, even in Alabama, believes these Negroes guilty. But to give them a trial in which they might possibly be acquitted would, in the eyes of the biased, mean a loss of respect for Alabama.

The forces involved in this case lie deeper even than the forces of law and order. The elements of intolerance and prejudice, much as we may deplore them and wish for their abolition, remain strongly rooted. Were it not for that, the Scottsboro defendants would have been free long ago.

This latest rebuke to Alabama by the nation's highest court, however, constitutes a challenge which should bring that State's judiciary, if not its mob masters, to a new sense of public responsibility.

BOSTON, MASS.
POST
APR 8 1935

RATHER LATE

The Supreme Court decision setting aside the conviction of two Negro defendants in Alabama on the ground that Negroes were "systematically" excluded from jury rolls in two counties, has resulted in a revision of the Alabama jury lists, so that Negroes will be included. The revision was suggested by Governor Bibb Graves, who wrote to circuit judges and solicitors throughout the State.

"Whether we like the decisions of the Supreme Court or not," Governor Graves wrote, "it is the patriotic duty of every citizen and the sworn duty of every public officer to accept and uphold them in letter and in spirit. Alabama is going to observe the supreme law of America." That is about as captious a statement as any State head ever made. One would think that Alabama just discovered that Negroes have rights under the Constitution. Negroes are not barred by law from serving on juries in any State, but they are seldom called to serve as jurors.

Lynchings-1935
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Tarrant, Ala., Standard
April 9, 1935

The Scottsboro Case

The decision of the nation's highest court in the Scottsboro cases is a devastating blow to the advocates of civil service who hoped to build up a political mahcine through resort to this discredited system of perpetuating incompetents in public office.

Now that the United States Supreme Court has wrecked the jury law of the State because it believes that negroes were discriminated against, there can be no question about what the same tribunal would do to a civil service law that did not make provisions for a negro in all respects equal to a white person.

Jefferson County stands humiliated today, that it has two representatives and a senator who looked with favor on such legislation. At the same time we can thank God for a majority who refused to be led around by their nose by the senator from this county.

We are not alarmed about the negroes on juries in this state. A legal way will be found to exclude them from jury service. The thing that gives us concern is that this great county boasts of a senator and two representatives who look with favor on legislation that would soon fill our court house and city hall with negro employees by order of the Federal Court.

Bull Connor and Adams might qualify as ambassadors to Abyssinia howbeith we concede that would entail a certain amount of imposition on the translucent black, but as representatives from Imperial Jefferson the impression is, we hatched a couple of ducks.

PORT JERVIS, N. Y.
UNION-GAZETTE

APR 2 1935

SCOTTBORO NEGROES WIN

The death sentences of two Scottboro Negroes, convicted in a case of assault on a girl hobo in a freight car, were set aside Monday by the Supreme Court, in a decision based upon the evidence of systematic exclusion of Negroes from juries in Alabama.

Once prior to this, in 1932, the high court ordered a new trial for these two and five other Negroes in the Scottboro Case on the ground that they had been unlawfully deprived of counsel.

CLEVELAND, O.
NEWS

APR 3 1935

Justice Is Not Color Blind

FOR the second time, the United States supreme court saves the lives of two young Negroes, sentenced to death in the now famous Scottsboro case in Alabama.

Unbiased opinion will hold that it acted in the interests of fair play.

In spite of former convictions, the defendants have been denied the proper right of jury trial, the court holds. Negroes were not allowed to serve on juries in the county where Clarence Norris and Haywood Patterson were tried. That was a glaring technical error upon which the former verdicts should have been thrown out, even if the evidence against the accused were conclusive—which it wasn't.

Alabama now has its choice of conducting new trials for these persecuted young men in accordance with the laws of the land or dropping the matter. The nation must rejoice that a section of the country which holds local custom and prejudice superior to constitutional rights has been brought to time.

It must further rejoice that the high court of the nation stands scrupulously for justice administered without regard to race or color.

Scottsboro Case Now Has Alabama White People Worried

By J. WINSTON HARRINGTON

BIRMINGHAM, Ala., April 12.—"In so far as the Scottsboro case itself is concerned, the guilt or innocence of the Negroes long since has ceased to be the paramount issue in the minds of most Alabamians." That statement, made last week by John Temple Graves, editor of The Birmingham Age-Herald, is a pretty accurate opinion as to what white people of Alabama are thinking about Scottsboro.

While the Supreme Court decision of April 1, has caused some speculation among legal minds as to what is to be done about the mixed jury panels, the attitude of Governor Bibb Graves of Alabama in demanding that the order be carried out to a letter seems to indicate that at least an effort will be made to comply with the decision. In the meantime, the Scottsboro boys are still in the Jefferson County jail, thankful for having been snatched from the electric chair, but still doubtful of ultimate freedom.

Will Be Retried

Mr. Grave's statement that it is of no importance to Alabamans whether the Scottsboro boys are guilty or innocent, indicates further that they are to be tried, not so much for an alleged crime, which nobody believes they committed, but because Alabama feels its sovereignty involved in some way. The boys, it is freely stated hereabouts, will be reindicted and tried again because Alabama now feels that it has gone too far to turn back.

Lieut. Gov. Thomas E. Knight, who, as attorney general, has taken such an active hand in persecuting the boys, has also stated publicly since the Supreme Courts' decision of last week that he will see to it personally that the boys "burn" and that even the United States Supreme Court will not alter that determination.

Others, prominent in affairs of Alabama, have taken a similar attitude. They declare that they have the boys in jail, and that they are going to keep them there until they can make them pay the supreme penalty—and this in spite of the fact that there is now a certainty in the minds of all that the boys are innocent.

The Montgomery Advertiser, in a lengthy editorial of last Tuesday called the boys "gorillas," and berated the Supreme Court for ever considering their rights under the Constitution. The tone of the editorial, contemptuous and blustering, ranted about the rights of white women not to be raped and the rights of Alabama to put some "gorillas" to death anytime a woman claims she has been attacked.

Of Prime Importance

The Scottsboro case now has become of paramount importance to Alabama. On the strength of it, one Judge James E. Horton of Athens, was defeated for reelection because he reversed the decision of a laughing, clowning jury that convicted Heywood Patterson; Attorney General Knight, who secured the three convictions, was elevated to Lientenant Governor of the state and other similar changes have taken place. It was a political issue at the last state election, and bids fair to hold a prominent place in the next election.

The governor, one of the strongest and fairest chief executives Alabama has ever had, appears to desire to do the right thing, but even he is hampered by the prejudices of those around him. His order to the jury commissions of the state to see that names of Race citizens are drawn for service, shows that he at least wishes to be fair in this case, but it is freely predicted here that he will not get far with his plan.

Albany-Decatur, Ala. Daily
April 5, 1935

The Scottsboro Case

The editorial storm over the Scottsboro decision announced Monday by the United States supreme court continues.

Over in Mississippi the Columbus Commercial Dispatch points out that Mississippi law does not bar negroes because of their race and wonders what an Alabama statute modelled along similar lines has not been brought into being. Our friend Birney Imes overlooks the fact that Alabama's law does NOT bar ne-

...but checks up to the jury commissions the task of selecting those persons considered qualified for service. The United States Supreme Court, however, appears to have placed more importance on the absence of negroes than on the laws covering the subject.

The Commercial Dispatch says:

"This week the United States Supreme Court set aside the death sentences passed by a state court on two Scottsboro, Alabama, negroes accused of attacking two white women several years ago and ordered a new trial for the defendants on the grounds that negroes were excluded from jury service on account of race and color.

"This has brought up the question of what effect such a ruling will have on state courts in future cases.

"Dispatches from Alabama state that no official comment has been made on what procedure that state will follow in the face of such a decision.

"Mississippi laws do not bar negroes from jury service because of race or color.

"This particular question came up in a case about ten years ago in Mississippi and the prosecution got around it by taking testimony from the board of supervisors who draw the jury panels.

"In this case the supervisors swore that negroes were not barred because of race or color but that they had not been selected because the law requires the board to select only the best and most substantial citizens and that negroes did not qualify under this requirement.

"This procedure met the Supreme Court test.

"It is well, perhaps, that this question has arisen.

"It should lead to revisions in the laws of other states in order to take care of the jury selection as it relates to negroes.

"Had steps been taken to safeguard such principles the State of Alabama and the entire South would not have suffered such ignominy as the Scottsboro trial has caused to be splashed across its pages of history.

"Let's hope that Alabama can now conduct with dispatch the trial of these two negroes and mete out justice to them that will stand the test of any court appeal."

The Montgomery Advertiser, which already had administered one editorial spanking to the supreme court, asks Chief Justice Hughes some questions regarding the decision and wonders if the absence of negroes for all time from membership in that high tribunal has denied any constitutional privileges to members of the negro race.

The Advertiser says:

"To the Honorable C[illegible]les Evans Hughes:

"For more than 140 years [illegible] have been 'systematically excluded' from seats on the Supreme Court of the United States. Has that circumstance affected the justice of the court's decisions involving the races?

"For more than 140 years negroes have been 'systematically excluded' from the bench in federal court districts.

"For more than 140 years negroes have been 'systematically excluded' from seats on the bench of the Supreme Courts of the States, except possibly in the Reconstruction years. There may have been some negroes on the Supreme Court of one of the Southern States in that period, although at the moment The Advertiser has no recollection of any exception to the rule.

"For more than 140 years negroes have been 'systematically excluded' from the bench of nisi prius courts at least in the Southern states, if not in all others. Have these circumstances prejudiced the cause of white or black citizen? If not, why not?

"Yet the Supreme Court of the United States remands for rehearing a cause in which two negroes were convicted of the capital offense of rape in Alabama, all upon the ground, not specifically that no negro sat on the jury that convicted the defendants, but upon the ground that for a 'generation'—about 30 years, we believe—negroes had been 'systematically excluded' from jury service in Jackson county, Alabama.

"The Advertiser herewith takes the liberty of asking Mr. Hughes and his colleagues of the Supreme Court of the United States this question: If negroes had served on Jackson county juries every year for 29 years before the 'Scottsboro' infants came into court in their diapers and shaking their baby rattlers, but for some reason—any reason—had not been drawn to serve on the jury that tried the infants aforesaid, would the solemn Supreme Court of the United States have solemnly averred that justice had been outraged?

"Does it follow that, in the light of the decision of the court as read by Mr. Hughes, no black man, no matter what the evidence against him may be, can have his sentence affirmed by the republic's highest court unless black men sat upon the jury that convicted him in the first instance?

"Does it follow that an oath-bound jury is entirely without virtue and respectability if only white men serve on it when negroes are on trial?

"Has the Supreme Court of the United States ever reversed the verdict of a trial court involing the liberty or life of an Indian upon the ground that no Indian sat upon the jury that convicted him? Or a Spaniard, or an Italian, or a Frenchman, or a Russian or a Japanese or a Chinese?

"There is no relevancy in the observation of the Chief Justice to the effect that negroes had been excluded from jury services for a generation before the Scottsboro infants were put to trial. The only relevant question is whether negroes served on the jury that convicted these infants.

"Suppose negroes had been on all Jackson county juries for 29 years but that for some reason they were not accepted for jury service in the year that these puling infants were tried and convicted—would that not have been a miscarriage of justice?

"We just wanted to know."

WATERTOWN, N. Y
TIMES

APR 2 1935

THE DECISION IN THE SCOTTSBORO CASE.

The supreme court of the United States has again ruled in the famous Scottsboro case, this time to say that Clarence Norris and Haywood Patterson, two of the defendants, must have new trials for the reason that Negroes have been excluded from juries in Jackson county, Alabama.

It was quite generally recognized that if it could be shown that Negroes were deliberately excluded from juries in Jackson county, a new trial would be ordered. A decision in point is that of Neal vs. Delaware, decided in 1880, at which time the supreme court ruled that the fact no Negro ever sat on a Delaware jury presented a prima facie case of denial of the constitutional right of equal protection of the law.

The State of Alabama, however, denied that Negroes were deliberately excluded from juries in that state and the supreme court of Alabama so held. It was this case which was carried to the supreme court of the United States for decision on a writ of certiorari.

The so-called Scottsboro cases have been pending since 1931. Nine Negro boys were accused of criminal assault upon two white girls on a freight train. The defendants were divided into three groups and three separate trials were held. All were found guilty.

In December, 1932, the supreme court of the United States invalidated the decisions on the ground that the defendants had been denied adequate counsel help. At that time the court did not pass on the matter of the absence of Negroes from the juries although this issue was presented in the argument of counsel.

One of the defendants, Patterson, was given a second trial in the Spring of 1933. He was again found guilty but this verdict was set aside by the presiding justice, Judge Horton, on the ground that it was contrary to the weight of evidence. When Judge Horton ran for re-election he was defeated on this issue.

The defendant, Patterson, and also Norris were then brought to trial for the third time and again both were found guilty. This trial occurred late in 1933 and it is the verdict in this case which is now set aside and a new trial ordered.

NEW YORK SUN

APR 5 1935

Effects of the Decision in the Scottsboro Case.

To the Editor of The Sun—Sir: Chief Justice Hughes in his decision on the verdict in the Scottsboro case is quoted as saying that the exclusion of Negroes from the jury, which he considers proved, "makes the indictments invalid." The Supreme Court decision, it is believed, may free all seven of the accused Scottsboro Negroes.

If that is the case a large majority of the cases where Negroes are tried in Greater New York fall under the same category. I have in the last forty years served on juries, from the coroner's to the grand jury, in New York county, and have as yet to see a Negro on a jury or in a panel. Many of my friends have had the same experience. As there are a million Negroes in Greater New York, why this discrimination? I might add that this applies to the Federal grand juries; although summoned many times I have never seen a Negro on the panel.

Following the same reasoning, if a Chinaman was tried and there was no Chinaman on the panel, would the verdict be set aside on the same grounds?

Peregrine Falcon.

New York, April 4.

PURELY A GESTURE

The unusual action of Gov. Bibb Graves of Alabama in making public announcement that he had advised all circuit judges, solicitors and jury commissioners that they should scrupulously obey the recent Supreme Court decision in the Scottsboro cases to replace Negroes [illegible] appears [illegible]t the Klan Governor is taking the initiative in greasing the ways for another frame-up of the Scottsboro defendants and make sure that the frame-up will meet all legal tests. It is apparent to all sane persons that it is impossible for these defendants to get a fair trial in Alabama. Another legal farce is in the making. The governor's blast is purely a gesture. It argues ill for the Scottsboro boys.

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COURT GRANTS REVIEW OF SCOTTSBORO CASE

Post 1-8-35

By United Press.

WASHINGTON, Jan. 7.—New hope was given the Negro defendants in the Scottsboro, Ala., assault cases tdoay when the Supreme Court announced it would review the conviction and death sentence imposed on two of the seven defendants.

The court acted in the cases of Clarence Norris and Haywood Patterson. They are awaiting execution in Kilby Prison at Montgomery, Ala., following their second conviction on charges of having assaulted two white girls on a freight train.

Five other defendants are involved in the case and the court's action in the present instance is likely to control their fate as well.

The court once before set aside the conviction of all the Scottsboro defendants when it found that they had been denied adequate legal representation.

In the present case the defendants contended their conviction was unconstitutional because Negroes allegedly were excluded systematically from the grand jury panel which indicted them and the petit jury which tried them.

Scottsboro Verdicts Are Aimed at Entire U.S. Negro Population

By ROSE BARON

The fight for the freedom of Haywood Patterson, Clarence Norris and Angelo Herndon is at a critical stage. Frightful verdicts against each, by which the ruling class of America hopes to terrorize the whole Negro people and to smash the unity of the white working class and the Negro toilers, are at this moment before the highest courts.

Millions throughout the world have been mobilized to protest these murderous verdicts, and millions must now make their voices heard demanding that the Supreme Court of the United States free the two Scottsboro boys, that the Supreme Court of Georgia free Angelo Herndon.

But this cannot make up for the fact that the International Labor Defense, in its valiant fight in the courts as well as among the masses, must meet a terrific burden of expense. The simple court costs and incidental expenses of these two actions amount to a fortune.

At this moment, to carry through the present court actions, the I.L.D. must have $6,000. The toilers of the United States must find this money and find it quickly. They will do so.

But not a moment can be lost. It is a gigantic task, in which we cannot, must not fail.

I urgently appeal to every single individual of good will to do his utmost in this tremendous struggle. Rush every last penny that you can, immediately, to the International Labor Defense, 80 East 11th Street, New York City.

Angelo Herndon Rally on Chicago South Side Is Set for January 8th

Daily Worker

CHICAGO, Dec. 31.—A series of mass meetings will be held here this week to prepare for the giant Angelo Herndon meeting arranged for January 8 on the South Side of Chicago. 1-1-35

This week's meetings are timed to counteract the fascist propaganda of the Hearst press against the labor movement and the Chicago Workers' School and Hearst's incitement of an American Legion march planned for Jan. 4 "against the Reds." New York, N.Y.

The meetings, which will be addressed by Jane Newton and others, will be held on the following dates: Wednesday evening, Jan. 2, at the Building Trades Center, 3317 Roosevelt Road; Friday evening, Jan. 4, at the Workers Lyceum, 2733 Hirsch Street; and another meeting the same evening at the Forum Hall, 322 East 43rd Street; Sunday, Jan. 6, at 1118 W. Madison Street.

Another Scottsboro Victory

THE Supreme Court verdict in the Scottsboro case is a brilliant triumph and vindication of the policies of the International Labor Defense.

It is also an overwhelming defeat of the whole horde of so-called "friends" of the boys, the Samuel Leibowitz's and his supporters in the N.A.A.C.P. leadership and the "liberal" sheet, The Nation.

Like a pack of dogs, they harried the I.L.D. at every step. At the most crucial moment they deserted the case the better to stab the boys' defenders in the back.

But the I.L.D. policies have won.

Like cunning traitors, they said the I.L.D. had been allright for the "beginning of the case." Now, they said, the I. L. D. "ought to step out."

They said the I.L.D. is antagonizing the dignity of the court with its propaganda."

But the I.L.D. held firm. It declared that the Supreme Court, like any other capitalist court, like the Alabama lynch courts, will listen only to the powerful voice of the masses, backing up the brilliant I.L.D. lawyers in the court. To lawyers alone it will not listen, the I.L.D. declared.

The I.L.D. was a thousand times right. The high and mighty Supreme Court had to listen to the world protest organized by the I. L. D. The high and mighty Supreme Court could not afford to worry about its "dignity" in the face of this mighty protest.

If Leibowitz and the N.A.A.C.P. leaders had been in the case, the boys would now be doomed. The boys would have been deprived of the one thing that is protecting them from the electric chair—the mighty power of the world protest movement.

Today, the I.L.D. stands forth as the shrewdest, most practical, most dependable and devoted defender of the boys.

Through four bitter years of struggle it has proven itself.

No honest, sincere friend of the boys can any longer deny this truth. It is behind the I.L.D. that every friend of the boys now belongs, giving of every ounce of energy, of money, and devotion to save these innocent victims of a brutal social system.

The I.L.D. earnestly calls on every friend of the boys to join hands with us.

Carry the fight forward!

W. L. Patterson Sends Appeal On Scottsboro

By PAUL PUSHKIN

MOSCOW, U. S. S. R. (By Mail)—William L. Patterson, national secretary of the International Labor Defense, whose health was shattered in his leadership of the fight for the Scottsboro boys, arrived in Moscow recently from the Black Sea. Still weak, still worn out with his years of effort and untiring struggle, Patterson is slowly rebuilding his strength, so that he may return to the United States and to the fight.

But never for one moment has the Scottsboro case and the case of Angelo Herndon been out of Patterson's mind. He talked with me about it, earnest and interested as ever.

"These cases—Scottsboro and Angelo Herndon—are the very center of our struggle today," he said.

"By the Scottsboro frame-up, the ruling class said to the Negro people what the rulers of pre-civil war days said in the Dred Scott case: 'You have no rights that we are bound to respect. You are rapists, beasts, sub-human things. We need give you no rights. We need give you no hearing. You have not meet with your white brothers, nor organize against your conditions.'

"Thus these cases were a challenge to the working class, and to the Negro people, a challenge which it had to meet, or be set back one long step in its struggle with the rulers. And we have met this challenge. Neither the fury of the white rulers, nor the maneuvers of their assistant hangmen, the Pickenses and Walter Whites, the Houstons, the Leibowitzes, has been able to hold back the tremendous wave of mass struggle that has been the answer of the workers and the Negro masses to the Scottsboro and Herndon frame-ups.

"My message to the American masses is this: 'Raise the Scottsboro and Herndon cases to their highest pitch. Protest! Demonstrate! Send resolutions and telegrams to the Supreme Court. And remember that the burden of carrying on the defense is a terrific one. Help the International Labor Defense to carry that burden, send funds for the defense, so that the fight may be carried on to the victorious end.'"

The address of the national office of the International Labor Defense, to which funds should be rushed by airmail and telegraph for the urgent immediate needs of the Scottsboro-Herndon defense, is Room 610, 80 East 11th Street, New York City.

COURT TO REVIEW SCOTTSBORO CASE

Telegraph

Highest Tribunal Will Pass on Celebrated Alabama Affair For Second Time

1-4-35

WASHINGTON, Jan. 7 (AP)—For the second time, the supreme court decided today to go over the findings of the Alabama courts in the cases of two Negroes accused of assaulting two white women almost four years ago near Scottsboro, Ala.

Originally, nine Negroes were charged with the offense. One was acquitted, however, and one was excused because of his youth. Of the seven remaining, two have been convicted and sentenced to death. Five others await trial.

The case arose from the accusations of two young white women, clad in overalls, who were riding a freight train from Tennessee into Alabama. The women said the Negroes threw off several white men who also were on the train.

Since then a circuitous legal route has brought the cases to the supreme court several times. After Alabama courts convicted seven of the Negroes and sentenced them to death, the supreme court set aside their conviction and ordered a new trial, saying the Negroes had been denied proper counsel.

A change of venue and separate trials followed.

Clarence Norris and Haywood Patterson, convicted again claimed they were indicted by and tried before juries from which Negroes had been systematically excused because of race.

Norris and Patterson in their appeal to the United States supreme court raised the same constitutional questions. Their cases will be reached for oral argument in February or March and in the meantime, the death sentences will be suspended.

PARLEY WILL SPREAD FIGHT TO FREE BOYS

Appeal of Scottsboro-Herndon Committee Urges Action

Daily Worker

The tremendous partial victory of the mass fight for the Scottsboro boys, organized and lead by he International Labor Defense, in forcing the U. S. Supreme Court to agree to review the death sentences of Clarence Norris and Haywood Patterson, was followed yesterday with a call issued by the National Scottsboro-Herndon Action Committee for a second city-wide Scottsboro conference to be held Feb. 3 at the Finnish Hall, 15 West 126th Street.

1-9-35

The mass fight, backed by the brilliant and resourceful work of the attorneys selected by the I.L.D., has again proved its effectiveness, the National Scottsboro-Herndon Action Committee points out. The committee has called on all individuals and organizations to rally in the second Scottsboro conference to further consolidate the united front fight and to push forward that fight to final victory, with the release of the Scottsboro boys and reversal of the chain gang sentence against Angelo Herndon. The call follows:

New York

TO NEGRO MEN, WOMEN AND CHILDREN AND ALL ORGANIZATIONS OF THE NEGRO PEOPLE: TO ALL ORGANIZATIONS AND INDIVIDUALS WHO SEE THE NEED FOR IMMEDIATE ACTION TO SAVE THE LIVES OF THE SCOTTSBORO BOYS AND TO DEFEND THE RIGHTS OF THE NEGRO PEOPLE:

On November 16th a stay of execution from December 7th, 1934, to February 8th, 1935, was extended to Haywood Patterson and Clarence Norris, two of the Scottsboro boys, by powerful mass pressure initiated by the International Labor Defense and the National Scottsboro-Herndon Action Committee, and supported by new sections of workers and Negro people.

Overcoming many obstacles, the I.L.D. succeeded in filing application for a writ of certiorari for the review of the cases by the U. S. Supreme Court. The case will be argued by Messrs. Osmond K. Fraenkel and Walter Pollak, I.L.D. attorneys, on fundamental constitutional points involving the age-old policy of exclusion of Negroes from jury service and the attempt to deprive Patterson of the right of appeal.

The state of Alabama, through Attorney-General Thomas E. Knight, Jr., denies the charge, a charge which has been proved at all trials of the Scottsboro boys and which the prosecution, assisted by Judge Callahan, tried to remove at the last Decatur trial by forging the names of Negroes to the jury rolls. The prosecution also claims that the U. S. Supreme Court has no jurisdiction in the case.

Innocence Established

The innocence of these boys has been established beyond the shadow of a doubt but the ruling class is determined to carry through the electrocution "to teach Negroes a lesson." This means that not only the lives of the seven other boys are endangered, but the political, economic and civil rights of the entire Negro nation are in jeopardy. It means that discrimination and abuses against Negroes will continue. The outrageous lynching of Claude Neal shows mounting barbarity against Negroes.

Conditions in the economic depression have unloosed tendencies that threaten the destruction of ALL civil rights, of workers' organizations, and of all organizations that fight for the rights of the Negro people. Only those who are blind can fail to see the growth of these attacks by the Dickstein Committee and the yellow, jingoistic Hearst press.

The reports on the number of lynchings that took place during 1934 vary. The report of the International Labor Defense shows 25, each of which has been carefully itemized; the N.A.A.C.P. and Tuskegee Institute report 15 and 16, respectively. Unquestionably the report of the I. L. D. is more accurate.

Despite the great activity of the government against "crime," the crusade against kidnappers of the rich and the convening of a so-called Crime Conference at Washington, D.C., lynching increases in barbarity and Roosevelt has not raised a hand against it.

The measures taken by the Governor of Tennessee, calling out troops to shoot into a mob at Shelbyville, was taken because of the growing desire of the Negro masses, supported by sympathetic whites, to fight against lynching.

NEW BILL CITED

The struggle against lynching lies in the fight for the freedom of the Scottsboro boys. Through the principles involved in this fight a path of struggle for the rights of Negro people has been opened up. A Bill for Negro Rights has been brought forward by the League of Struggle for Negro Rights. These principles have been endorsed and approved during the three-and-a-half years' fight; and the recent victory of the stay of execution has completely justified the tactic of the I. L. D.

The masses have shown that they want unity of action along these lines—by the mass demonstrations in Harlem and throughout the country, by the response of Negro students in the South, who went in a delegation to see Roosevelt at Warm Springs, Georgia, by the building up of Scottsboro Action Committees throughout the country, by many invitations extended to Angelo Herndon and the Scottsboro Mothers to speak before the membership of various organizations, by the fight against discrimination, which has taken broad proportions in New York, Cleveland, Chicago and other places during the recent period, and finally, by the repudiation by the masses of all those who have attempted to disrupt the defense.

The National Scottsboro-Herndon Action Committee organized at a Conference in New York, attended by 242 delegates representing 190,000 members, for the purpose of broadening the united front in support of the I. L. D., reaffirms its stand for unity. We point out that the I.L.D. has let nothing stand in the way of unity. We call upon all sincere fighters to let nothing confuse and divide the growing movement for the freedom of the Scottsboro boys by building up a solid united front.

We, therefore, appeal to all justice loving people, workers and intellectuals, to join us at the Second Conference to map out plans to save the lives of Haywood Patterson and Clarence Norris, and to fight for the unconditional freedom of the Scottsboro boys, and for the defense of Angelo Herndon.

SAMUEL C. PATTERSON,
Secretary National Scottsboro-Herndon Action Committee.

SCOTTSBORO CASE REVIEW GRANTED

Supreme Court Agrees To Hear Appeal Of Negroes

(By The Associated Press)

Decision of the United States Supreme Court Monday to review the appeals of two of nine Negro defendants in the "Scottsboro Case" from convictions in Morgan Circuit Court, carrying the death penalty placed the case before the nation's highest tribunal for the second time.

The two Negroes, Haywood Patterson and Clarence Norris, were convicted in Morgan Circuit Court in December 1933, under retrials obtained through action of the United States Supreme Court in setting aside the original convictions and death penalties.

In its first act in the case, the United States Supreme Court held that the Negroes had not had benefit of adequate counsel in the first trials in Scottsboro nearly four years ago.

In the more recent trials, attorneys for the Negroes supplied by the International Labor Defense, sought to quash the indictments and the venires drawn for the trials on the grounds that Negroes were "systematically excluded" from the grand and petit juries "solely because of their race and color." This the attorneys argued was in violation of the constitutional rights of the defendants.

Patterson, under death sentence for a third time, and Norris were tried under an indictment charging them with attacking Mrs. Victoria Price, Huntsville, Ala., mill worker, aboard a Southern Railway freight train in Jackson County on March 25, 1931.

The nine Negro defendants in the case also are under indictment charging them with having attacked Ruby Bates, formerly of Huntsville and companion of Mrs. Price on a hobo trip to Chattanooga, but she repudiated her original testimony early in 1933, at Patterson's second trial.

Patterson and Norris are confined in the death house at Kilby Prison, Montgomery, but the other seven defendants are held in the Jefferson County Jail, Birmingham.

The Scottsboro Ruling

THE brilliant victory won by the I.L.D. in forcing the Supreme Court to grant a review of the death verdicts in the Scottsboro case is not going unchallenged by the enemies of the boys' defenders.

As would be expected, the capitalist press is already giving the formula by which the vindication of the mass policies of the I.L.D. is to be attacked in a new form.

The New York Times, for example, greets the announcement as proving that the Supreme Court "stands forth as the defender of that right . . . of the humblest citizen to the due process of law."

This, to put it bluntly, is hypocritical baloney.

The Times knows very well that the Supreme Court in its decision acted only in the interests of the capitalist system which it is defending. The Supreme Court acted as it did **only because it did not dare to ignore the millions of workers all over the world and in this country, particularly, who** have been aroused over the case by the campaign of the I.L.D.

The Supreme Court gives the masses concessions only when forced to do so by mass pressure.

The "due process of law" which The Times claims as the bulwark of the "humblest citizen" is only the hypocrisy of capitalist law which is devoted largely to protecting capitalist profit and capitalist oppression.

The Supreme Court is a defender of the whole system of national oppression and lynching out of which grows such a hideous frame-up as the Scottsboro case. How then can it be a defender of the boys?

Only one thing can make the Supreme Court, as well as any other capitalist court listen to the voice of the masses—organized mass protest, the policy of the I.L.D.

The trick of The Times is to belittle this mass protest just now at a time when more than ever it is the only thing that stands between the boys and the electric chair.

NEW YORK TIMES

FEB 16 1935

HITS ALABAMA JURY BOOK.

Scottsboro Defense Charges Forgery of Names List.

WASHINGTON, Feb. 15 (AP).—Forgery of Negro names to a jury roll book in Jackson County, Ala., was charged today before the Supreme Court by attorneys seeking to save the Negroes in the Scottsboro case from the electric chair.

The roll book was presented and justices examined the names with a magnifying glass.

Samuel Leibowitz of New York, representing the defendants, Clarence Norris and Haywood Patterson, said these "forgeries" constituted an "admission" of his contention that the Negroes convicted of attacking a white girl were denied constitutional rights.

Only six Negro names were on the rolls, Mr. Leibowitz told the high court. He said a difference in ink and the fact that the names were in each instance at the end of columns of white men's names proved they were inserted after the empanelling of the grand jury which indicted the boys.

Arguments will be continued on Monday, when Lieut. Gov. Knight of Alabama will answer for the State.

Lynchings - 1935
Legal Punishment for Rape.

Alabama

4999

We Ask You to Help Again,' Is Scottsboro Mothers' Plea

Funds Urgent to Bring Appeal to the U. S. Supreme Court

By MRS. JANIE PATTERSON and MRS. IDA NORRIS

We are the mothers of the two Scottsboro boys, (Haywood Patterson and Clarence Norris) that have been given a new hearing by the Supreme Court. We have joy in our hearts for this decision, but we still have sadness also. Because the boys are not yet free. There is much more work that has to be done, so much more work, before our boys can go free.

So we are turning to the readers of the Daily Worker. We know you are with our boys. We remember how the Daily Worker came to our help in those dark days when our boys were framed and it seemed like no one would lift a hand to help us; people would only lift a hand against us to burn our boys.

We remember that it was the Daily Worker that came out first showing how this was a dirty frame-up, how the boys had done nothing at all, had only been out of work boys looking for a job to do. And ever since those days the Daily Worker has stuck by us, and the Daily Worker's readers, who know the truth.

We are asking through the Daily Worker for you people to help. You have helped so often, but now we have to ask you to help again. Because the hearing is before the Supreme Court and they will decide if the boys are to have a new trial. And for that we have to have money for the briefs and all the legal steps and for the mass movement to continue that has saved our boys for almost four years. We can't let the Scottsboro fight do down now. So we ask, please help by sending money to the International Labor Defense, at 80 East 11th Street, New York City.

Scottsboro Daily Worker Fund Quota Set in Denver

DENVER, Col., Jan. 13.—The partial victory secured by the International Labor Defense and the mass fight it is leading for the Scottsboro boys, in forcing the U. S. Supreme Court to agree to review the death sentences in the cases of Clarence Norris and Haywood Patterson, was signalized here by the launching of an intensive drive to raise funds to help the I. L. D. defray the necessary expenses involved in the printing of briefs and other legal papers for the appeal.

The District Bureau of District 19 of the I. L. D. assigned quotas for all I. L. D. sections in this district to be fulfilled by Feb. 1, as follows:

Denver, $25; Colorado Springs, $5; Walsenburg, $5; Trinidad, $5; Fort Morgan, $5; Durango, $5; Gallup, New Mexico, $10; Helper, $10; Salt Lake, $10; Rock Springs, $7; Torrington, Fort Laramie, $5; Fredrick, $5.

Gains Are Won In the Arena Of Class Fight

Two-Fisted Policy of Mass Defense Proved to Be Correct

By ANNA DAMON

(Acting National Secretary, I. L. D.)

In the decision of the United States Supreme Court to review the cases of Haywood Patterson and Clarence Norris, Scottsboro boys, the International Labor Defense, the whole working class and Negro liberation movement can record a very important partial victory.

This latest success, announced Jan. 7, 1935, is one of a series of four gains of recent months on the defense front under the leadership of the I.L.D., which have brought before the U. S. Supreme Court two major defense cases of broadest implications. These are the Scottsboro and Herndon cases.

The first of these successes was the freeing, on August 4, 1934, of Angelo Herndon, heroic young Negro leader of black and white unemployed, on $15,000 cash bail raised by mass subscription. Next came the stay of execution for Haywood Patterson and Clarence Norris, from Dec. 7 to Feb. 8, wrung from the State Supreme Court of Alabama. This was followed by the acceptance of the U. S. Supreme Court of the appeal in the Herndon case, date for the hearing of which has not yet been set. With the Jan. 7 decision, the ground was cleared of the legal barriers with which the "court of last illusions" surrounds itself, and the struggle has now begun to force that court to reverse the lynch decisions against Herndon, Patterson and Norris.

Won by Class Struggle

These successes have been won on a class battle-front that extended from corner to corner of the United States. The struggle around the Scottsboro case in the United States was carried on in the fight for the freedom of literally thousands of strikers, unemployed, poor farmers, and anti-fascists arrested throughout the country, in the fight against lynching, and for national liberation of the Negro people—a battle which has itself received a tremendous impetus from the Scottsboro and Herndon campaigns.

The fight for Scottsboro and Herndon cannot be divorced from the fight for the freedom of Tom Mooney, a struggle into which millions of trade unionists and others have been drawn, into which through its link with Scottsboro thousands of Negro people have been brought through an understanding of the fundamental issues involved in both cases.

The struggle cannot be separated from the fight against criminal syndicalism charges and laws, now raging country-wide, in which on the same Jan. 7 which brought the Supreme Court decision on the writ of certiorari in the Scottsboro case, was recorded the victory of the freeing of 18 unemployed leaders facing life-terms in jail on criminal syndicalism and "treason" charges in Hillsboro, Illinois. These struggles have been definitely linked through the International Labor Defense, which has bound the thousands of defense cases throughout the country into a broad common front of struggle, each case strengthening every other.

Policies Proved Correct

The series of partial victories in the Scottsboro and Herndon cases, and especially this latest achievement of workers' defense, prove once again the correctness of the policies followed by the International Labor Defense—the two-fisted policy of mass defense plus the best available legal defense. It is the best answer that can be given to the enemies of the Scottsboro boys, Leibowitz, his cohorts among the Negro reformists, led by Dr. George E. Haynes and William H. (Kid) Davis of the "Amsterdam News," the editors of the "Nation," and the leadership of the National Association for the Advancement of Colored People.

Role of Workers' Press

Only the working class and revolutionary press, together with some portion of the Negro press, stood by the Scottsboro boys and their defenders without wavering. The "Daily Worker" organ of the Communist Party, the "Negro Liberator," organ of the League of Struggle for Negro Rights, and the "Labor Defender," official organ of the I.L.D. together with the revolutionary press, became the only medium through which the Scottsboro boys' defense could find expression.

These alignments of the agitational forces were not only the surface indications of the political alignments which underlay them of the coordinated reactionary front of the New Deal of lynching, misery, and terror which stood opposed to the united front of working class and Negro liberation forces for the lives and freedom of the Scottsboro boys. They formed a powerful offensive weapon on the strength of which the lynchers throughout the South, thinking they saw a weakening of the Scottsboro defense forces, launched a new and fiercer wave of terror against white and Negro workers.

The I.L.D. met these attacks boldly, and marching forward steadily with its legal steps in which Osmond K. Fraenkel and Walter H. Pollak, constitutional authorities, the latter the same lawyer who prepared the legal papers and conducted the argument in the first successful U. S. Supreme Court appeal in the case in 1934, were retained, proceeded along the road that history had set for it, of organizing the broadest united front in defense of the Scottsboro boys.

Columbus, Miss. Dispatch
January 8, 1935

THE SCOTTSBORO CASE

THE Supreme Court of the United States has again agreed to review the now famous Scottsboro case.

It involves the case of Haywood Patterson, a negro charged with criminal assault.

The negro, along with his confederates, was scheduled to hang in Alabama on February 8.

The courts have been fooling along with this case long enough.

It has cost the State of Alabama—the tax payers—thousands and thousands of dollars.

The defendants enjoyed all of the protection that a cautious court could throw around them.

Re-trials have been held, in which every precaution to safeguard their rights were taken.

They were entitled to a fair trial ,and they got it.

The trouble has been with the notorious International Labor Defense which supplied lawyers to defend the negroes, and the main interest of the lawyers has been to exploit the negro race in both the North and the South, collect contributions to fight the case and get away with fat fees.

It hasn't been a question of justice. It has been a matter of exploitation.

Albany-Decatur, Ala. Daily
January 15, 1935

Word comes from Montgomery that Representative John S. O'Neal, of Jackson county, plans to introduce a bill providing that the state take over the expense of the Scottsboro trials, relieving Jackson county from that burden.

It is the Daily's opinion that the measure is very fair. Jackson county had no more to do with the instigation of the Scottsboro cases than any other county. None of the principals even lived in Jackson county.

Yet High Jackson has been put to considerable expense in connection with the cases and has found it difficult to meet the obligations from its own treasury. As a matter of fact, some bills here from the first local trials are still outstanding.

The Daily hopes that the legislators take a liberal view of the matter and come to Jackson's aid.

Carmichael Asks Knight To Prosecute Scottsboro Cases

Former Attorney General Will Represent State To Conclusion

By JOSEPH R. McCOY

Atty. Gen. Albert A. Carmichael yesterday appointed Thomas E. Knight, Jr., former attorney general and now lieutenant governor of Alabama, as special counsel to have full charge of prosecution to the conclusion of the Scottsboro cases.

The appointment was announced by the attorney general in the following statement: "My predecessor, Thomas E. Knight, Jr., has handled the cases known as 'the Scottsboro cases' from their inception down to the time of the expiration of his term of office. Mr. Knight has conducted for the State three trials and has twice appeared before the Supreme Court of the United States and the Supreme Court of Alabama in these cases.

"Mr. Knight is thoroughly familiar with every detail, both law and facts. It seems to me that he is the logical attorney to conduct the prosecution of these cases. It is unthinkable to me that I should take them over without utilizing the knowledge Mr. Knight has gained in the handling of these cases. It is my judgment that he should continue to handle these cases.

"I have this day requested that he continue the prosecution of all of the Scottsboro cases. I think this is only fair to him and to the State. Mr. Knight has accepted, and from here out Mr. Knight will have full charge and control of the Scottsboro cases."

The action of Atty. Gen. Carmichael, as soon as the appointment became known, was everywhere received with commendation, the consensus being that he had exercised sound and excellent judgment as to both the appointment and the appointee.

From the time of the commission early in March, 1931, of the crime that resulted in the so-called "Scottsboro cases" the criminal assault of two young white women by a group of negroes, near Paint Rock in Jackson County—Mr. Knight, then attorney general, personally directed until the end of his term on Jan. 14, prosecution of the nine defendants who were subsequently arrested, indicted and tried.

All but one of the nine, who was held to be a juvenile, were convicted in the Jackson Circuit Court and sentenced to death. On appeal to the Supreme Court of Alabama, judgments in seven cases were affirmed, the other defendant being remanded to the custody of the juvenile court. In the seven remaining cases, defense attorneys took appeals to the U. S. Supreme Court, where they were reversed and new trials ordered on the ground that adequate provision had not been made for counsel for the accused at their respective trials.

On a change of venue obtained by the defense to Morgan County, two of the seven negro defendants, Heywood Patterson and Clarence Norris, were again placed on trial at Decatur, the case of Patterson being first called. He was again convicted and sentenced to death, but the trial judge set the verdict aside on the ground that the State's evidence was not sufficiently strong to sustain it. Patterson was then placed on trial a third time, and for the third time was convicted and sentenced to death. Norris was then tried, a second conviction and death sentence resulting in his case.

Appeals were taken to the Supreme Court of Alabama from those judgments. Both were affirmed, and the defense then, on petition for certiorari, sought another review of the cases by the Supreme Court of the United States. The petitions were recently granted by that tribunal, and oral arguments are to be submitted by counsel for both the State and the defendants at a date yet to be set. Pending disposition of these cases by the Nation's highest court, Patterson and Norris are confined at Kilby Prison. The other five negro defendants are being held in the Jefferson County Jail at Birmingham.

MR. KNIGHT AND SCOTTSBORO

The Advertiser hastens to congratulate Attorney-General Albert A. Carmichael upon the wisdom and rightness of his decision in appointing Thomas E. Knight, Jr., his predecessor as Attorney-General, to conduct future trials arising from the infamous "Scottsboro cases."

This action by Attorney-General Carmichael should be immensely pleasing to Alabamians. It is not only poetic justice, it is good sense. It is sound patriotism.

No other living Alabamian knows as much about these cases as our new Lieutenant-Governor. No other Alabamian would have it in him to put more of conscience, sense and patience into the trial of these cases than Tommy Knight.

Since the outer world has chosen to make an issue of Knight, the only fair and decent thing for the State of Alabama to do is to throw Knight back into the teeth of all vilifiers of this commonwealth.

If Knight were a cheap blatherskite, instead of an honest, able lawyer, it would be different. But Knight has been conscientious about the Scottsboro mess, he has been dignified, he has been clean, and yet he has suffered at the hands of outsiders who vilified him unscrupulously and made him the symbol of a lost and degraded civilization, whereas the young man is controlled only by a sense of honor as a lawyer and a sense of decency as a patriot.

Bravo, Carmichael! Step on it, Tommy!



ATTY. GEN. CARMICHAEL

LAFAYETTE, IND.
JOURNAL & COURIER
JAN 29 1935

SCOTTSBORO CASE AGAIN

Our Constitution guarantees to the humblest citizen the right to "due process of law" in all matters affecting life and property. The Supreme Court has again proven that it shall continue to stand forth as the defender of that right even when all else has failed. By deciding for a second time to review the findings of Alabama courts in the now famous or infamous Scottsboro case the highest tribunal of the land has again accepted the responsibility of determining—not the guilt or innocence of the condemned, but whether they got a fair trial.

In 1932 the Supreme Court ruled that the Negro youths condemned to death on charges of attacking two white women had not received a fair trial, according to ordinary methods of court procedure, in the state courts and ordered that they be granted a new trial. Two of the condemned were granted a new trial and again convicted and condemned to death while the others still await trial. The condemned have again appealed to the highest court of the land. Regardless of whether the Negroes are guilty or innocent the Supreme Court, by its consenting to review the case a second time, is apparently determined to see that they get a fair trial. And whether guilty or innocent, no American citizen could ask more.—The Pathfinder.

DEMOCRAT
McPherson, Kans.
JAN 25 1935

High Court Intervenes

By consenting for the second time to review the findings of the Alabama state courts in the so-called Scottsboro case the United States supreme court should relieve the minds of those persons who have feared that another injustice might have been done to the two Negro defendants in connection with the retrial of their case. It is not necessary to entertain an opinion as to the innocence or guilt of any of the seven Negroes originally convicted of criminal assault and sentenced to deat hat Scottsboro, Ala., to be glad that the federal court again has assumed jurisdiction and will pass upon the fairness of the trials at Decatur in the same state, to which the case was taken on a change of venue.

The original trials were held under conditions that reflected a high degree of racial prejudice. The supreme court of Alabama, however, confirmed the convictions and the defendants were saved only by the United States supreme court, which declared that they had not had a fair hearing and ordered a general retrial of the case. By this time the issue of justice had been clouded by the injection of communist propaganda on one side and local resentment at outside interference, as well as racial prejudice, on the other. One defendant, Heywood Patterson, was retried under much better circumstances and again convicted, but the judge set aside the verdict on the ground that it was contrary to the weight of the evidence.

Patterson and a second defendant then were tried before a different judge and were convicted and sentenced to death, in spite of the fact that one of the principal witnesses in their first hearing completely reversed her testimony. But when appeal was taken to the federal high court the trials of the other five Negroes were postponed. Like so many other celebrated cases in history, the Scottsboro case now has become complicated by evidence of prejured testimony and prejudice. Fortunately in the United States supreme court this country has a tribunal which can function in such cases to dispel doubt and insure justice. Its intervention here should be generally welcomed.—Kansas City Star.

Lynchings-1935
Legal Punishment for Rape.

Alabama.

5000

Forgery Of Jury Roll Is Charged

WASHINGTON, Feb. 15.— (AP) — Forgery of negro names to a jury roll book in Jackson County, Alabama, was charged today before the Supreme Court by attorneys seeking to save the negroes in the Scottsboro case from the electric chair.

The roll book was presented and justices examined the names with a magnifying glass.

Samuel Liebowitz, of New York, representing the defendants, Clarence Norris and Haywood Patterson, said these "forgeries" constituted an "admission" of his contention that the negroes convicted of attacking white girls were denied constitutional rights.

Only six negro names were on the rolls, Liebowitz told the high court. He said a difference in ink and the fact that in each instance they were at the end of columns of white names, proved they were inserted after empanelling the Grand Jury which indicted the boys.

Arguments will be continued Monday when Lieut. Gov. Knight, of Alabama, will answer for the State. Knight, as Alabama Attorney General, prosecuted the cases in State court and was appointed to appear here.

Liebowitz said, "no negroes in the memory of man ever served on a jury in Jackson County."

A 50-year-old case from Delaware in which the Supreme Court reversed the State Court because negroes were not allowed on juries was cited by Walter H Pollak, of New York, another attorney for the negroes. Pollak said there were numerous negroes fully qualified for jury duty in Jackson County.

Ohio Students Aid Scottsboro

COLUMBUS, Ohio, Feb. 17.—Headed by Harry Blank and Robert Hare, of the National Students League, Ohio State University students picketed the Commerce and Administration buildings on the campus, protesting the revoking by President George Rightmire of a permit for a Scottsboro protest meeting in the Commerce Building.

The prohibited meeting had been held on the steps of the Commerce Building, where students cheered an appeal by the Scottsboro mother, Mrs. Ida Norris, for support of the fight for the lives and freedom of her son and Haywood Patterson, whose appeals are now being heard by the U.S. Supreme Court.

Robert Hare, who led the picketing, is one of seven conscientious objectors to military training who were dismissed last year. After the picketing, a meeting of students adopted resolutions to be sent to the U. S. Supreme Court demanding the immediate release of the Scottsboro boys.

COURT HEARS SCOTTSBORO CASE TODAY

Review of Trial Mirrors the Mass Campaign Behind Boys

[Benjamin J. Davis, Jr., editor of the "Negro Liberator," will re-report the continuation of the Scottsboro hearings from the United States Supreme Court chambers today, for the Daily Worker.]

By Louis Colman

When the United States Supreme Court justices file into their seats today to hear the continuation of the argument by Walter H. Pollak in the appeals of Clarence Norris and Haywood Patterson, Scottsboro boys, this very fact will be an indication of the tremendus pressure exerted by the toiling masses of the world demanding the lives and freedom of these boys.

The United States Supreme Court is supposed to be in recess for two weeks starting today. Instead, this recess will be broken into when Mr. Pollak continues his argument on the constitutional question of the denial of their rights to the Negro people. He will be followed by Lieutenant-Governor Thomas E. Knight of Alabama, former attorney general and now special prosecutor of the Scottsboro boys, who will argue for their legal lynching. Osmond K. Fraenkel, constitutional attorney, who has been in charge of the appeals for the International Labor Defense since the last Decatur trial, will follow Knight with rebuttal argument.

Court Reflects Pressure

The court has already showed in innumerable ways its consciousness of the pressure of thirteen million Negroes and millions of white workers and sympathizers whose eyes are upon it in this case.

A tripled detail of capitol police lounged around in the corridor outside the court while the case was being heard Friday.

The doorkeeper nervously insisted that Benjamin J. Davis, Jr., who reported the proceedings of the hearing for the 'Daily Worker,' leave his brief case outside the court room. The day before, several persons, including myself, had walked unchallenged into the courtroom, and sat listening to the proceedings, with brief-cases in our hands.

Justice James Clark McReynolds, of Kentucky, who wrote the dissenting opinion in the first Supreme Court reversal of the Scottsboro sentences, in which he said that the contention that the boys were deprived of a fair trial because of the systematic exclusion of Negroes from the grand and petit juries that indicted and tried them was "without merit," was conspicuously absent from the bench when the cases came on last Friday. He sat with his eight colleagues from noon until two o'clock, but when the court convened again at two-thirty, with the case coming on forty minutes later, he failed to appear.

The argument he claimed was "without merit" is the main constitutional question which is being raised in the present appeals.

Court Packed

The attorneys and others familiar with the ways of the United States Supreme Court were astonished, during this hearing, to see eight persons standing at the back of the court, after all seats had been filled—mostly with sympathizers of the Scottsboro boys, about half of them Negroes—for not only is the court almost complete empty of spectators, with the exception of small parties of tourists who sit for a few minutes in bored and awed silence, but none of them could remember on any previous occasion a session when anyone had been permitted to enter after the seats were filled. Dozens of people stood in line outside, last Friday, waiting for the slim chance that one of the spectators would go out, and leave room for one at a time to enter.

The analysis of the Communist Party and the I. L. D., that this case symbolizes the whole struggle of the Negro people for civil rights of which they are violently deprived, and for national liberation, was shown to be correct by the very attitude of the justices of the court, the nine pillars of reaction, toward the arguments presented.

"Justice Butler is fighting like hell," an attorney sitting beside me whispered as Pierce Butler, President Hoover's Attorney-General, fired question after question at Attorneys Leibowitz and Pollak as they piled up proof of the illegal and systematic exclusion of Negroes from Alabama juries, and of the fraudulent attempt to rob the Scottsboro boys of appeal by forging the names of Negroes on the Jackson County jury roll.

Lieutenant-Governor Knight's foxy, beet-red, smirking face broke out into a beaming grin, and he looked as though he were about to repeat his famous Decatur hand-clapping trick when Butler fired a question at Leibowitz, interrupting his argument to ask whether this was not a "question of determination of fact." The Supreme Court, according to its theory, is only supposed to pass on questions of constitutional law.

Knight stopped his nail-chewing, and his nervous twitching of his hands in front of his face for another big smile with which he favored the whole bench from one end to another, when Butler interrupted Pollak to ask a question in regard to the discretion of the jury commissioners. Pollak easily answered the question by pointing once more to the evidence.

Jury Venire Present

The bench was agitated from Justice Owen J. Roberts on the extreme right to Justice Benjamin N. Cardozo on the extreme left when the Jackson County jury roll, with the names of six Negroes crudely forged on its pages, was introduced in evidence. Physical evience is almost unheard-of in this court, which concerns itself almost exclusively with lawyers' briefs and court records. The stern eyes of millions turned upon them forced the justices to accept this evidence of the brazen lynch-determination of the white ruling class that set them up on this bench, for examination.

Chief Justice Charles Evans Hughes' white two-pointed beard and mustachios waggled feverishly, and he hitched himself back and forth in his big leather chair, as he ordered the big red tome brought up on the bench. The justices leaned over, peering as, growing more agitated every moment, the Chief Justice examined the forgery with a magnifying glass, firing question after question in regard to what names, what pages, what red lines, made with ink or pencil, at what approximate date, etc.

The court-room was tense as the big book passed from justice to justice, to be examined and re-examined. Knight twitched his hands and bit his finger-nails and smirked more nervously.

Perhaps the court, which goes to a great deal of trouble to maintain its attitude of "impartial dignity," to the point of filing in not on the minute of the scheduled opening, but on the second, while the marshall intones, "Oyez! Oyez" and all those in the courtroom stand up, was glad that the hearing could not be finished before the stroke of 4:30 when it rose in the middle of a sentence of Mr. Pollak's argument. It would need a couple of days to regain that dignity and go on with the hearing. It had shown plainly that it was alreay disturbed by the mass movement, the growing unity of black and white toilers, behind this appeal.

Protests Must Mount

It had shown plainly, too, in spite of itself, what must be done to force a favorable decision in this case. Between now and the time when it makes its decision—anytime after March 3—the protest must be redoubled. The masses must be brought into the streets to shout their demand for the freedom of the Scottsboro boys so loudly that it will penetrate the tiny, ugly, semi-circular room where the court sits, and force a decision reversing the lynch-verdicts against Haywood Patterson and Clarence Norris, affirming the right of Negroes to sit on juries.

Thousands of resolutions, telegrams, and post-cards must flood that court, expressing this burning demand of the masses of people white and Negro.

Scottsboro Decision Soon; Protests Will Save Boys

Capitalist Press Was Silent on Appeal to Supreme Court— Mass Pressure Needed Now

By Louis Colman

"The plutocratic press is silent in our case. Let not one of you be deceived by the actual apparent calm. The enemy is at work day and night—the press knows the proper time to use the noise or the silence against us. Let not none of you be deceived by the sneaking, mortal enemy . . ."

Bartolomeo Vanzetti wrote this in a letter to the International Labor Defense in 1926.

In 1935, the same venal press maintains the most utter silence in regard to the fate of the Negro Scottsboro boys, arraigned in the cases of two of whom, against lynch-verdicts of death, were heard a week ago in the same U. S. Supreme Court, which found every excuse—even the most ridiculous ones—to help send Vanzetti and Nicola Sacco to their deaths.

A Dramatic Story

Saturday, after the first part of the hearing, most of the metropolitan dailies in New York had not a word to say about it. The New York Times had two and a half inches of garbled report. The press of the country, as a whole, including the "liberal" weeklies, took this cue. There could not be the excuse that this was not "news," for the hearing, as reported in the "Daily Worker" at the time, was probably the most dramatic ever made in the holy of holies of capitalist justice.

Tuesday, after the end of the hearing, the press was uniformly silent.

It is no accident, either, that the "Pittsburgh Courier," biggest of the Negro weeklies, owned by an assistant attorney-general of the United States, Robert Vann, and one of the bitterest enemies of the Scottsboro defense for four years, was the one which took its cue from the white bourgeois press without any dressing, and mentioned not a single word about the hearing.

Garbled Stories

The other big Negro weeklies gave garbled and lying stories about the hearing, some of them misleading stories merely, but they had to say something about it. The same pressure that made the U. S. Supreme Court hear the case, made them report, something, anything but the truth, of course, about it.

Vanzetti knew—"the press knows when to use the noise or the silence against us."

The United States Supreme Court which once decided (in the "Dred Scott" case) that "a Negro has no rights a white man is bound to respect," has had thrust before it, for the first time in 70 years, a case in which a point-blank reversal of this dictum is demanded.

Masses Forced Appeal

It was "noise"—the noise of millions of Negro people, and hundreds of thousands of white workers and sympathizers, making known their demand for the lives and freedom of nine innocent Negro boys—that forced the court to hear the appeals of Haywood Patterson and Clarence Norris. All the maneuvers of the courts, the state, and the treacherous white and Negro reformists—the "American Scottsboro Committee," the National, the "Amsterdam News"—could not stop nor drown that noise of protest.

Nobody knows precisely what is going through the heads of the justices of the United States Supreme Court as they make up their minds on the verdict in the Scottsboro case. One thing is certain—the volume and intensity of the mass protest, the shout of demand, will determine the decision of the court.

The lynch-press knows when to use silence against the lynched.

Three Grounds

Three grounds, proved to the hilt, why the court should, according to its own laws, reverse the Scottsboro verdicts, were presented in the briefs prepared by the I.L.D. lawyers, and in the argument before the nine black-robed servants of capitalism:

1. **The systematic exclusion of Negroes from the grand jury that indicted the boys.**

2. **The systematic exclusion of Negroes from the trial jury that convicted them.**

3. **The forgery of the names of Negroes on the Jackson county jury rolls, for the purpose of defrauding the boys of the first ground of appeal.**

No argument was advanced by the State of Alabama, represented by its Lieutenant-Governor, Thomas E. Knight, who has earned a Nero's fame as one of the most determined would-be murderers in history, and as an arch-lyncher, against these grounds. They are unassailable under bourgeois law.

So is the Constitution under which they are raised—in theory—but for reasons of political expediency, to save the program of the Roosevelt administration, by bringing about an inflation that will still further rob the toiling masses—the same United States Supreme Court set aside all constitutional guarantees to uphold the Gold Clause.

The court—according to the pressure brought upon it—can make one of many decisions:

How Court May Act

It can uphold the convictions of both boys. This is what it fought to lay the basis for at the hearing. It can attempt to save its face by reversing in one case and upholding in the other.

It can be forced to reverse on all three counts—which would mean that the indictments against all nine boys are illegal, because this would be the meaning of a decision on the first count.

It can slide out a little from the momentous implications of such a decision by picking ground No. 2.

It can make another technical decision, as it did in 1932, and reverse on the third ground.

Judges Agitated

The court fought hard, firing question after question at the boys' attorneys, in an effort to break down the evidence and the argument. The judges were visibly agitated by the overwhelming argument in favor of a reversal, and angered at the poor showing made by the representative of the state.

Their one concern was to find some excuse, some technicality, whereby they might again uphold the Roosevelt regime, whereby they might uphold his Democratic Party stronghold in the South, help him, by endorsing the enslavement of 13,000,000 Negroes, to hold the toiling masses in subjection. A lynching of the Scottsboro boys is part of the Roosevelt A.A.A. program in the South, just as the Gold Clause inflation is part of the New Deal as a whole.

Ears to Ground

Now the ears of the nine justices are close to the ground—can they afford to uphold the convictions?

They are weighing that question.

When the capitalist press is silent, the working class must work with tenfold energy to raise the sound of protest.

The Scottsboro-Herndon protest cards, addressed to the U. S. Supreme Court, must be mailed by the tens of thousands. Let the justices of the court see a constant stream of postmen bringing in these postcards, with resolutions and protests from trade unions, organizations, Democratic local clubs, Epic clubs churches, Utopian societies, Socialist locals and from every individual expressing the "noise," the "plutocratic press" refuses to echo.

The mass campaign must be developed, the appeal to the same court against the 18-20 years of living death imposed on Angelo Herndon must be prepared. Funds to carry on this work must be rushed to the National Office of the International Labor Defense, Room 430, 80 E. 11th St., New York City.

On March 4, the court may hand down its decision, or any Monday thereafter. Let it hear the protest of yourself, your organization, and everybody you know or can in any way reach, before that date.

Clarksdale, Miss. Register
February 18, 1935

SCOTTSBORO VERSUS FLEMINGTON

The Scottsboro case has reached the supreme court. Two Alabama negroes, convicted in a lower court and sentenced to die for alleged attacks on two white girls, have succeeded in getting their case argued before the supreme court.

Alabama has been criticized severely by northern biased press because of the Scottsboro case. Surely after the Flemington trial, however, the press for the sake of consistency will remain silent.

The Flemington trial in many respects has been the most farcial that has taken place. Apparently the travesty was not concluded at the end of the trial. For among the ridiculous aftermaths is the move among members of the jury to organize and hold an annual picnic in celebration of the trial. Next to that is the effort to get members of the jury to appear before night clubs and on the stage.

Arthur Brisbane said recently that the country must inspire respect for the law. But how can that be when a trial atavistically degenerates into a Roman holiday?

SYRACUSE, N. Y.
HERALD

FEB 18 1935

FAMOUS CASES NEWLY ARGUED

Two famous Scottsboro, Ala., cases, in which seven Negroes are under sentence of death for criminal assault, are before the United States Supreme Court in a form which will impart unusual interest to the Court's disposition. The question at issue is whether the convicted Negroes were denied the equal protection of the law guaranteed by the Fourteenth Amendment. The claim of the applicants is that Negroes, otherwise eligible, were deliberately, and in conformance with general practice in the State, excluded from the trial jury.

It is the contention of the Attorney General of Alabama that the Supreme Court has no authority to interfere in a matter of State judicial procedure—the manner in which jury rolls are made up. Against this reasoning is opposed the defense attorneys' insistence that the Fourteenth Amendment was violated. Behind this paramount controversy is the fact that the Alabama jury law does not exclude Negroes. It requires for jury duty "honest and intelligent" men, "esteemed in the community for their integrity, good character and sound judgment," and able to read English. (Ability to read is waived for freeholders or householders.) But the defense protests that these rules are applied so as to bar all Negroes. In this connection it directs attention to the notation on jury lists, before the rolls are finally made up for calling, of the abbreviation "col." (colored) after the names of Negroes. This distinguishing mark carries a somewhat significant implication.

The Scottsboro cases certainly set in motion a complicated and prolonged round of judicial reviews. But of all its bewildering aspects, the present is the most clear-cut and understandable.

Lynchings- 1935
Legal Punishment for Rape.

Alabama

5001

The Scottsboro Appeals

APPEALS against the Scottsboro lynch verdicts are now being heard by the U. S. Supreme Court.

The friends of the Scottsboro boys must be under no illusions. It was only the power of the mass fight, organized and led by the International Labor Defense, that forced the court to agree to review the Scottsboro verdicts for the second time. The court's decision will depend on the extent and speed by which the masses are now mobilized to the defense of the boys, to the fight against the systematic violation of the rights of the Negro people, against legal lynching.

From every corner of the country protests must pour in on the U. S. Supreme Court, Washington, D. C., demanding reversal of the death sentences against Norris and Patterson, demanding the liberation of the nine Scottsboro boys. Funds to aid the fight for the boys must be rushed to the national office of the I.L.D., 80 East 11th St., New York City.

Scottsboro Hearing

THE announcement that the U. S. Supreme Court will hear arguments today on the Scottsboro appeals places before the working class and all friends of the Scottsboro boys an immediate duty. This is the necessity of quickly rallying in a mighty united front demand for the reversal of the death sentences against Clarence Norris and Haywood Patterson, for unconditional release of the nine Scottsboro victims of capitalist justice and national oppression.

The recent rulings of the U. S. Supreme Court, denying a hearing to Tom Mooney, must serve as a warning to all friends of the Scottsboro boys and the oppressed Negro people to intensify the fight for their lives and freedom.

Protest demonstrations should be held at once in all parts of the country. A flood of telegrams and resolutions must go forward immediately to the court from workers' meetings and organizations, from sympathetic groups and individuals. Funds must be rushed to the International Labor Defense, 80 East 11th Street, New York City, to help press the fight in the U. S. Supreme Court.

NEGROES' CASE BEFORE COURT

Alabama Jury System Is Key Point Of Appeal On Death Trials

WASHINGTON, Feb. 15.—Constitutionality of the Alabama system of selecting juries comes before the Supreme Court today in two of the Scottsboro cases, in which seven Negroes are under sentence of death for assault.

Samuel S. Leibowitz of New York and George W. Chamlee of Chattanooga will appear before the court in one case, involving the appeal of Clarence Norris. Walter H. Pollak and Osmond K. Fraenkel will appear for Haywood Patterson.

Atty.-Gen. Thomas E. Knight Jr. who prosecuted the cases, will argue that the Supreme Court has no authority to interfere in what he contends is a mere matter of state judicial process—the manner in which jury rolls are made up.

The defense charges that exclusion of Negroes from jury rolls in Jackson and Morgan Counties where the trials took place, denied the condemned men the equal protection of law guaranteed by the fourteenth amendment.

In the Patterson case the Supreme Court reversed the first conviction, and trial Judge JJames E Horton set aside the verdict in the second. The validity of his third trial is here involved.

Norris' second conviction also was set aside by Judge Horton, on the ground that the evidence of Victoria Price, one of the complainants, did not support the charge.

SCOTTSBORO ATTORNEYS IN HIGH COURT

Defense Proves Negroes Were Excluded from Jury Service

By Ben Davis, Jr.

(Editor of the Negro Liberator)

WASHINGTON, Feb. 15.—We are in the court chambers of the United States Supreme Court. The justices of the Supreme Court are preparing to hear the appeals of Clarence Norris and Haywood Patterson, two of the nine innocent Scottsboro Negro boys.

Perched near the bench is a table containing the forged jury rolls used by the Alabama lynch court officials.

Negroes Systematically Excluded

The case is called at 3:10 p. m. Attorney Leibowitz begins the argument for Haywood Patterson and Clarence Norris. He states the facts of the lower court procedure. He states that Negroes were systematically excluded from the entire jury system in Jackson and Morgan counties. He states that Negroes were systematically excluded from the entire jury system in Jackson and Morgan counties. He states that the Alabama law did not specifically exclude Negroes but that the administration of the law was unconstitutional.

"Not so much whether Negroes sat but whether they were called for jury service." This was the interruption of Justice Van Derventer. Leibowitz answered that no Negroes "in the memory of man" had ever been seen on either the grand or petit jury.

The entire Court was plainly attentive. The Justices asked questions frequently. Mr. Leibowitz answered them all as he narrated the whole system of exclusion of Negroes. A dramatic moment occurred when he exhibited the book containing the alleged forged jury rolls. The entire bench and audience became quiet. He turned the book towards the judges and showed them how the names of Negroes were forged.

The Justices asked many detailed questions about the forgery. Justice Van Deventer presses Mr. Leibowitz on the motive for writing in the names. Justice Van Deventer impressed the audience as a prosecutor rather than an "impartial" Judge.

Chief Justice Hughes has the book brought up to him. Everyone is amazed at the unusual proceeding.

The fictions of judicial impartiality disappeared completely—and significantly.

Justice Stone, former U. S. Attorney General, examines the book spectacularly, with large magnifying glass.

Mr. Pollak begins argument. He cleared up masterfully a point raised by Justice Butler. He makes it clear that Negroes not only never sat on grand or petit juries but even never were called for jury service. Mr. Pollak shows that in Morgan County Negroes frequently qualified—many had had high school qualifications. Some had even been students of Phillips Andover, wealthy, exclusive academy in Massachusetts, some were lawyers, etc.

At 4:30 the Chief Justice adjourned the court. The case will be resumed Monday at 12 noon. Mr. Pollak was speaking beautifully and brilliantly when the session ended.

Pollak will complete his argument Monday, following which Mr. Frankel and Lieutenant Governor Tom Knight will present testimony. Knight, although no longer Attorney General of Alabama, has been named Special Prosecutor in charge of prosecution of the Scottsboro boys.

ALABAMA PLANNING NEW INDICTMENTS

Lieut. Governor Knight Awaits Supreme Court Order in Scottsboro Cases.

PRISONERS CHEER DECISION

Only Patterson Hesitates to Believe News of Victory in the Highest Tribunal.

MONTGOMERY, Ala., April 1 (AP).—New indictments to prosecute the Scottsboro attack cases "to their conclusion," will be sought promptly, Lieut. Gov. Thomas E. Knight Jr. of Alabama announced today as the defendants greeted with delight the Federal Supreme Court decision setting aside two death sentences in the litigation.

The Lieutenant Governor, who as Attorney General prosecuted Heywood Patterson and Clarence Norris, the Negroes whose sentences for alleged attack on a white woman were set aside today, has been retained as special prosecutor to conduct the State's case.

No action can be taken before the Federal Supreme Court's decision is returned to the Alabama Supreme Court, which in turn will remand Norris's case to the lower courts. In the Patterson case, while the nation's highest tribunal did not immediately order a new trial because of a technicality, it was believed that such action would come from the State Supreme Court.

Mr. Knight said he did not know whether a special session of the grand jury would be called at Scottsboro, or whether the case would await a regular session.

If true bills are returned the cases will be set down for trial on the Jackson County court docket, where in April, 1931, less than three weeks after the nine negroes accused of an assault on two white girls were removed from a train at Paint Rock, eight of them were convicted and sentenced to death. The case of one was sent to juvenile court.

The original true bills were returned by a grand jury before which both Mrs. Victoria Price and Ruby Bates, alleged victims of the attack, appeared. They had charged the Negroes attacked them aboard a freight train as it rumbled through the mountains of Jackson County.

The Bates girl since has repudiated her testimony, and in an appearance in Patterson's second trial at Decatur, testified that Mrs. Price had "framed" the story.

Mr. Knight said today:

"Approximately ninety jurors have been found saying the defendants were guilty of the offense with which they are charged, and for which the penalty is death. I have been retained by the State to prosecute the cases and will prosecut the same to their conclusion."

The news brought joy to eight of the defendants, but the ninth, Patterson, greeted it with shouts of derision from his cell in death row at Kilby prison here.

Refusing to come to the bars, Patterson heard the news and shouted, "You must think I' mdrunk if I believe that." Then he broke into boistrous laughter, halting intermittently to shout "A new trial—a new trial."

Norris asked Deputy Warden Frank Boswell to read a telegram to him from Samuel S. Liebowitz, chief counsel, informing him of the court's action.

"That 'shore' is good news," he said, grinnig. "I'm mighty happy."

In the Jefferson County jail from the other seven defendants awaiting trial it brought shouts of joy. "That's good news, we're mighty happy," they chorused. "We feel we are helped as much as Patterson and Norris."

NEW TRIAL ORDERED BY SUPREME COURT IN SCOTTSBORO CASE

Chief Justice Hughes Rules Negroes Were Barred From Juries in Norris Ruling.

SECOND CASE SENT BACK

If Alabama Does Not Grant New Trial to Patterson High Court Will Order It.

The text of the Supreme Court's decision is printed on Page 15.

Special to THE NEW YORK TIMES.

WASHINGTON, April 1.—Clarence Norris and Haywood Patterson, Negroes condemned to death on charges of having assaulted a white woman in the celebrated Scottsboro case, must have new trials, the Supreme Court held today in two opinions by Chief Justice Hughes.

The whole weight of the opinion in the Norris case was that Negroes had for years been barred from jury duty in Jackson and Morgan Conuties, Alabama, where the Scottsboro cases were tried. The opinion on Patterson dealt almost entirely with Alabama's protest that the Supreme Court had no jurisdiction.

Asserting that Negroes had been arbitrarily and systematically barred from jury duty, Justice Hughes in the Norris case held that court proceedings were invalid where citizens were excluded because of race and color from jury duty. He reviewed the evidence that Negroes had not been called for jury duty and the addition of Negroes names to the jury rolls after the first trial.

"While there was testimony which cast doubt upon the qualification of some of the Negroes who had been named, and there was also general testimony as to the lack of 'sound jpudgment' of the 'good Negroes' in Jackson County," the Chief Justice said, "we think that the definite testimony as to the actual qualifications of individual Negroes, which was not met by any testimony equally direct, showed that there were Negroes in Jackson County qualified for jury service."

Holds Discrimination Shown.

"We think that the evidence that for a generation or longer no Negro had been called for service on any jury in Jackson County; that there were Negroes qualified for jury service; that according to the practice of the jury commission their names would normally appear on the preliminary list of male citizens of the requisite age, but that no names of Negroes were placed on the jury roll, and the testimony with respect to the lack of appropriate consideration of the qualifications of Negroes established the discrimination which the Constitution forbids," the opinion added.

Chief Justice Hughes condemned the "sweeping characterization of the qualification" of Negroes in Alabama as stated by the authorities of Morgan County.

"Upon the proof contained in the record now before us, a conclusion that their continuous and total exclusion from juries was because there were none possessing the requisite qualifications cannot be sustained," he declared.

In the case of Norris, the court specifically ordered that he must be tried again, but in the Patterson case the issue was sent back to the Alabama courts for "further proceedings." Lawyers and court officials agreed that if a new trial should be refused to Patterson, he could approach the Supreme Court for a direct order for a new trial.

In other Scottsboro reviews the court had set aside the convictions of seven of the nine Negroes accused of assaulting two white girls in a box car in 1931. The court then held that the defendants had not had full opportunity to consult counsel.

Norris and Patterson alone were tried the second time in Alabama. Two of the other Negroes were not brought to trial and the remaining five, whose convictions were set aside, still await trial.

Justice McReynolds did not hear argument and took no part in the consideration and decision of either the cases ruled on today.

Patterson Case Sent Back.

By The Associated Press.

WASHINGTON, April 1.—While both the Norris and Patterson cases were sent back to the Alabama courts for further proceedings by the Supreme Court today, the status of the two cases differed.

The court found no doubt of its right to set aside the death sentence in the Norris case on constitutional grounds, but it sent the Patterson case back for decision as to whether the lower courts, notwithstanding technical objections, will grant him a new trial.

Chief Justice Hughes said it would be wrong to set aside the death sentence in the Norris case and on a technicality be unwilling to retry Patterson, in whose case the same constitutional objections with regard to absence of Negroes from the juries existed and where a new trial should be granted on constitutional grounds if technical objections could be removed.

The State had contended in the Patterson case that the high court had no jurisdiction because a bill of exceptions had not been filed within the required time. In a separate opinion on this case, Chief Justice Hughes said:

"We have power to make such disposition of the case as judgment requires."

The judgment then was ordered reversed.

TO ASK NEGROES' RELEASE.

Leibowitz Prepares to Seek Federal Writ if Alabama Refuses.

Samuel S. Leibowitz, chief of councel in the Scottsboro cases, announced yesterday that he will go to Montgomery, Ala., on receipt of the official decision of the Supreme Court and ask for the dismissal of the proceedings against all nine Negro efendants.

He said he expected the decision tomorrow or Thursday. In order that no time be lost in the move for dismissal of the indictments Mr. Leibowitz said he will make the trip by airplane.

"I am going to ask that the indictments against the nine defendants be quashed," Mr. Leibowitz said. "Under the Supreme Court decision the defendants should be released. If the Alabama authorities refuse I shall sue out a writ of habeas corpus in the Federal court.

"The next move is up to the State authorities of Alabama. We aer cartain of our position in the case."

In commenting on the decision by Chief Justice Hughes, Mr. Leibowitz said, "I am thrilled beyond words."

"The victory just won for the Scottsboro boys' in the Supreme Court of the United States is the culmination of the hopes and ambitions of 15,000,000 Negro souls in America. More than two years ago when I took up the case in behalf of these nnocent Negro boys I knew then that our only salvation lay in the highest court of the land, and I then laid the groundwork for an appeal in the event of a conviction, which was a foregone conclusion.

"For the first time in the history of American jurisprudence actual proof by way of living witnesses was produced in open court in an attack against bigotry and prejudice which bars the Negro citizen, although qualified, from serving on a jury in any of the State courts in that part of the country.

"The decision of the highest court, just handed down, is a triumph for American justice and is an answer to all those subversive elements who seek to engender hatred against our form of government."

This reference was directed by Mr. Leibowitz to the Communists and other radicals who were active in one form or another in the Scottsboro cases.

Mr. Leibowitz and an associate, Walter H. Pollak, argued the appeal in the Supreme Court a month ago. Briefs were prepared by Mr. Pollak and Osmund K. Fraenkel.

Mr. Leibowitz defended the nine Negroes in Decatur, Ala., in 1933, when they were convicted in a retrial before Judge William W. Callahan. The conviction was affirmed in the Alabama Supreme Court.

In addition to Clarence Norris and Haywood Patterson, whose convictions were set aside, the other defendants are Roy Wright, 17, his brother Andy, 21; Eugene Williams, 18; Olen Montgomery, 22; Ozzie Powell, 21; Charlie Weems, 23, and Willie Roberson, 22 years old.

JUSTICE FOR NEGROES.

It is more than four years since the case of the Negro boys condemned to death at Scottsboro began to trouble the consciences of Americans in all parts of the country. It is not necessary now to recall all the circumstances of the trial. Its conduct and some of the evidence admitted were of a sort to make many doubt the real guilt of the accused, but far more important than this was the growing conviction that they had been denied their constitutional rights and made the victims of race prejudice. Largely on this ground the case was appealed to the Supreme Court of the United States, which held that the constitutional point was well taken—namely, that Negroes were systematically excluded from the juries. For this reason the original verdict was set aside and a new trial ordered. That was had in due time, the same verdict was reached and the same appeal was taken to the Supreme Court. Yesterday it ruled again that the Negroes in question had been deprived of their constitutional rights, so that they are entitled to a new trial, which the court ordered. Chief Justice HUGHES said that there was no disagreement on the point at issue. It was that, when the evidence showed that Negroes eligible to jury duty were regularly excluded, the trial was vitiated in the constitutional sense and the verdict would not be allowed to stand.

This judgment shows that the highest court in the land is anxious to secure and protect the rights of the humblest citizen. The case originally seemed of comparatively little importance. But with the lapse of years it has taken on the proportions of a celebrated cause. The test under which the Supreme Court was placed has been trying, but the judges have met it in the finest tradition of judicial independence and integrity. They have showed that their love of justice extends to the smallest as well as the greatest. The records which they have made in this case cannot fail deeply to impress the whole country. People may well hope to be spared a renewal of the original proceedings in the lower court. Might not the Governor of the State find sufficient reasons in what has already taken place for issuing a pardon in order to do substantial justice and at the same time free the courts from the duty of going on with a case which has become a public symbol of the mischief that may be wrought when prejudice is allowed to invade the place dedicated to impartial justice?

Alabama

Lynchings- 1935
Legal Punishment for Rape.

5002

Supreme Court Again Decides With Leibowitz

Saves Two Negroes But Says Texas Democrats May Keep Party White

Belcher Case Out

Carmichael, Knight Will Go On With Scottsboro Trials Despite Decision

WASHINGTON, April 1.—(AP)—Once again the Supreme Court intervened today to save two negroes sentenced to death in the famous Scottsboro, Ala., cases, but it upheld the refusal of the Democratic Party in Texas to permit negroes to vote in its primaries.

In effect, the highest tribunal ordered new trials for both Clarence Norris and Haywood Patterson, two of the seven who probably would have been executed in 1932 had it not been for the court.

New trials were ordered in the first instance after the court concluded that the men were denied representation by adequate counsel.

Chief Justice Hughes in his opinion today said the constitutional rights of Norris and Patterson were violated because negroes were excluded from jury service at their trials.

"We think the evidence that no negro has been called for jury service in Jackson County (where the trials were held) for a generation established there has been discrimination," the Chief Justice said.

Intense feeling has been aroused by the Scottsboro cases, which followed alleged assaults upon two white women by a group of negroes near the little Alabama town in 1931.

"I am thrilled beyond words," said Samuel S. Leibowitz, New York attorney who argued the case before the Supreme Court, when informed of the verdict.

Lieut. Gov. Thomas E. Knight, Jr., who as Alabama attorney general, prosecuted Norris and Patterson, said that the cases would be carried "to their conclusion."

"Approximately 90 jurors have found the defendants guilty of the offense with which they are charged and which is punishable by death," he said.

Old Texas Case Decided

The Texas negro voting controversy has been before the court at intervals since 1924. The decision today was the fourth ruling by the court on an appeal by a Texas negro asserting the right to vote in Democratic primaries.

Texas statutes which prevented negroes from voting and which authorized the State Democratic executive committee to prevent negroes from voting in primaries were declared unconstitutional by the court.

But today R. R. Grovey, Harris County, lost his appeal from the decision by the Texas Democratic convention that only white persons might vote in party primaries.

"We hold the party was a voluntary association and was competent to decide its membership," said Justice Roberts, who delivered the opinion.

Belcher Case Dropped

Shortly after setting aside the sentences on Norris and Patterson, the court allowed the Government to drop the Belcher case. which originally was scheduled as a test of both NRA and the lumber code.

An attorney for the lumber code authority objected to dismissal but William E. Belcher, Alabama mill operator, who won in the lower courts after the Government charged him with violating the lumber code, offered no complaint. The Chief Justice refused to hear the code attorney.

Returning after a two weeks recess, the court held one of the busiest opinion days of the session, although it failed to act on a pending new deal case—the constitutionality of the railroad pension act. Among the decisions were:

A ruling that an Oregon law regulating advertising by dentists is valid.

An opinion that Federal courts handling the reorganization of bankrupt railroads have the right to prevent—temporarily—the RFC and other holders of railway notes from selling collateral.

A decision that an Arkansas law extending the time in which owners could redeem property sold for failure to meet assessments on improvement district bonds is unconstitutional.

The declaration that the 1932 Mississippi law for reopening insolvent State banks is constitutional.

The upholding—in effect—of a lower court decision which dismissed a suit brought by Pacific Air Transport, of Oakland, Calif., in an effort to force Postmaster General Farley to reinstate its cancelled air mail contract.

As To Scottsboro Case

In the Scottsboro opinion, Chief Justice Hughes said that "the testimony . . . tended to show that in a long number of years no negro had been called for jury service in that county."

The court added that direct testimony was "that specified negroes, 30 or more in number, were qualified for jury service. Among these were negroes who were members of school boards, or trustees of colored schools and property owners and householders. It also appeared that negroes from that county had been called for jury service in the Federal Court.

"We think that the definite testimony as to the actual qualifications of individual negroes . . . showed there were negroes in Jackson County qualified for jury service.

"Testimony leads to the conclusion that these and other negroes were not excluded on account of age, or lack of esteem in the community for integrity and judgment, or because of disease or want of any other qualification.

"The evidence that for a generation or longer, no negro had been called for service on any jury in Jackson County, that there were negroes qualified for jury service . . . that no names of negroes were placed on the jury roll, and the testimony with respect to the lack of appropriate consideration of the qualifications of negroes, established the discrimination which the Constitution forbids."

Regarding conditions in Morgan County where the trials were held the court said:

"Within the memory of witnesses, long resident there no negro had ever served on a jury in that county or had been called for such service . . . A clerk of the Circuit Court . . . testified that during his official term approximately 2,500 persons had been called for jury service and that not one of them was a negro . . .

"There was abundant evidence that there were a large number of negroes in the county who were qualified for jury service. Men of intelligence, some of whom were college graduates, testified to long lists said to contain nearly 200 names, of such qualified negroes, including many business men, owners of real property and householders."

"We find no warrant for a conclusion that the names of any of the negroes . . . were placed on the jury rolls.

"For this long continued, unvarying and wholesale exclusion of negroes from jury service we find no justification consistent with the constitutional mandate."

Carmichael And Knight To Press Trials

Despite the fact that the Supreme Court of the United States in its decision yesterday, for the second time reversed judgments of Alabama's trial and high courts condemning to death Heywood Patterson and Clarence Norris, two of the seven "Scottsboro Case" defendants—there will be no slackening in the vigor of the State's prosecution of all of the cases to their conclusion.

That much was made clear in statements issued yesterday afternoon by Atty. Gen. Albert A. Carmichael, and Lieut.-Gov. Thomas E. Knight, Jr., appointed by Mr. Carmichael as special counsel for the State to handle these cases.

Atty. Gen. Carmichael said: "I have just received notice that the Supreme Court of the United States has reversed the Patterson and Norris cases. We have not yet received a copy of the decision. In the natural course of events the cases will come up for trial at a later date. The cases, of course, will be prosecuted vigorously."

Declaring that "approximately 90 jurors have been found saying the defendants were guilty of the offense of which they were charged and for which the penalty is death," Lieut.-Gov. Knight stated: "I have been retained by the State to prosecute the cases and will prosecute them to their conclusion."

The lieutenant-governor announced that new indictments will be sought before a Jackson County grand jury, in each of the "Scottsboro cases." Five of the seven defendants in the cases are confined in the Jefferson County jail. The other two, Patterson and Norris have been occupying cells in "death-row" at Kilby Penitentiary, pending the outcome of their apeals.

Mr. Knight who as attorney-general prosecuted the cases through trial and appellate courts, and in recent months in his present capacity as special counsel, presented additional arguments in connection with the Norris and Patterson appeals, before the U. S. Supreme Cout was unable to say yesterday whether a special session of the Jackson County grand jury would be called.

Norris Happy

Norris was jubilant when news of the reversal of his case by the nation's highest tribunal, reached him. So were the seven other accused negroes in the Jefferson County jail, but Patterson appeared indifferent. For several months, Patterson has been "playing crazy," according to prison officials who are of the opinion that he is feigning insanity.

When told of the Supreme Court's decision in Washington, Patterson shouted: "Don't bother me, will you. Let me alone Go ahead and do what you want with me. I don't care. Don't make no difference." He appeared to be unaffected by his new chance for life.

While Norris was still jubilating, a telegram arrived for him from Samuel Liebowitz, New York attorney and counsel for Norris and all other defendants in the case, with the exception of Patterson. The message said: "We won you a new trial. Congratulations." Breaking off his previous relations with International Labor Defense attorneys with whom he had formerly been associated in the defense of the negroes, Liebowitz later announced he represented all of them except Patterson.

Unable to write, Norris enlisted the aid of Willie Winton, condemned Walker County negro, in writing a letter of appreciation to Liebowitz in answer to his wire. Winton is under sentence of electrocution, imposed following his conviction of the murder of two white men. At his trial and before the State board of pardons and Gov. Graves, he claimed self-defense. On the eve of the date set for his execution, March 22, Winton was granted a reprieve of 30 days by the governor in order that he might give further study to the case.

As Norris Put It.

As Norris shouted in dictation down the corridor, Winton wrote Liebowitz as follows: :

"Mr. Samuel Liebowitz,

Dear Sir:

"Your telegram was received and it is beyond words how I felt and feel over being granted a new trial. I am a happy person to know that the grand argument which you made for this new trial was a great success.

"I always did have great faith in getting one, but you know that one can never be too sure if he does not have an ace in the hole.

"All of my thanks and appreciation goes out to you and your backers.

"The high court of opinion should paive a avenue for my complete freedom in my next trial.

"Mr. Liebowitz, if it is possible, I would like very much to be transferred back with the other boys where I can get some exercise. I am in need of it at the worst. I hope it can be arrange so I can depart from here in short.

"Now I want you to thoroughly understand that my faith and confidence in you is 100 per cent.

"I do hope this year will bring great victory in my case. I know you will only take the wises steps to gain my liberty. Therefore I will continually be in the best of spirit and high of courage. Give my warmest regards to all. Sincerely yours, (Signed), Clarence Norris."

The crime of which Norris, Patterson and their codefendants were found guilty was the criminal assault upon two white women, Victoria Price and Ruby Bates, on board a Southern Railway freight train as it rumbled through the hills of Jackson County near Paint Rock, on March 25, 1931. Both women testified against the negroes at the original trial. Ruby Bates, however, has since repudiated her testimony, claiming at the second trial of Patterson that Mrs. Price "framed" the account of the attack. The testimony of Mrs. Price, on the other hand, has never wavered and she is still one of the State's principal witnesses.

Government Wins Delay In Decision Over NRA

WASHINGTON, April 1.—(AP)—With NRA already under heavy fire in Congress, the Government today sought and obtained Supreme Court permission to avert an immediate test of the constitutionality of that hub of the recovery program.

The Court granted a motion by the Justice Department to dismiss its appeal in the Belcher lumber code case, while a move was under way in the Senate to get a decision in the case as a guide to Congress in enacting legislation to extend the Blue Eagle's life.

Senator Hastings (R), Delaware, one of the authors of the Senate move, immediately hailed the Government's ac-

tion as evidence "the Department of Justice feels it can't sustain NRA."

It showed, he contended, "no honesty of purpose in trying to comply with constitution," and added a charge that Donald Richberg, NRA chief, is trying to "confuse" Congress.

Hastings and Senator Clark (D), Missouri, joined in a bi-partisan move when the Senate convened today to obtain a decision in the Belcher case. They introduced a resolution calling on Atty. Gen. Cummings to prosecute the appeal.

But even before their resolution was filed in the Senate chamber, Stanley Reed, the new solicitor general, stepped into the office of the Supreme Court, only a few yards down the Capitol corridor, and filed the motion to dismiss the case. Involving A. E. Belcher, Alabama lumber operator, the case presented to the court for the first time the issue of constitutionality of the National Industrial Recovery Act.

About three hours later, Chief Justice Hughes handed down the Court's permission to drop the case, after refusing to let other parties intervene.

The combined action of the Government and the Court made it doubtful whether there could be a clear cut decision on the constitutionality of NRA before the Court adjourns for the Summer or prior to congressional action on the bill to extend the recovery law.

Paying no attention to the legal developments, the Senate finance committee meanwhile went ahead with its investigation of NRA, receiving a report from a Federal Trade Commission attorney of price fixing by members of the Rubber Manufacturers' Association.

The Belcher lumber case presented to the Supreme Court the basic question of constitutionality of the hour and wage provisions of the recovery law.

Belcher was indicted for violating the hour and wage provisions of the lumber code but Judge W. I. Grubb of the Federal District Court in Birmingham held against the Government and the indictment was dismissed. Grubb ruled the NRA law unconstitutional. The Government appealed to the Supreme Court in an effort to expedite the decision.

With arguments scheduled to begin only a fortnight off, the Justice Department last week suddenly announced it would drop the appeal. It was immediately hailed by opponents of NRA as a confession of weakness on the part of the Government.

MR. HUGHES HAS NOT SAID ENOUGH

To the Honorable Charles Evans Hughes:

For more than 140 years Negroes have been "systematically excluded" from seats on the Supreme Court of the United States. Has that circumstance affected the justice of the Court's decisions involving the races?

For more than 140 years Negroes have been "systematically excluded" from the bench in Federal court districts.

For more than 140 years Negroes have been "systematically excluded" from seats on the bench of the Supreme courts of the States, except possibly in the Reconstruction years. There may have been some Negroes on the Supreme court of one of the Southern States in that period, although at the moment The Advertiser has no recollection of any exception to the rule.

For more than 140 years Negroes have been "systematically excluded" from the bench of nisi prius courts, at least in the Southern States, if not in all others. Have these circumstances prejudiced the cause of white or black citizen? If not, why not?

Yet the Supreme Court of the United States remands for rehearing a cause in which two Negroes were convicted of the capital offense of rape in Alabama, all upon the ground, not specifically that no Negro sat on the jury that convicted the defendants, but upon the ground that for a "generation"—about 30 years, we believe—Negroes had been "systematically excluded" from jury service in Jackson County, Alabama.

The Advertiser herewith takes the liberty of asking Mr. Hughes and his colleagues of the Supreme Court of the United States this question: If Negroes had served on Jackson County juries every year for 29 years before the "Scottsboro" infants came into court in their diapers and shaking their baby rattlers, but for some reason—any reason—had not been drawn to serve on the jury that tried the infants aforesaid, would the solemn Supreme Court of the United States have solemnly averred that justice had been outraged?

Does it follow that, in the light of the decision of the court as read by Mr. Hughes, no black man, no matter what the evidence against him may be, can have his sentence affirmed by the republic's highest court unless black men sat upon the jury that convicted him in the first instance?

Does it follow that an oathbound jury is entirely without virtue and respectability if only white men serve on it when Negroes are on trial?

Has the Supreme Court of the United States ever reversed the verdict of a trial court involving the liberty or life of an Indian upon the ground that no Indian sat upon the jury that convicted him? Or a Spaniard, of an Italian, or a Frenchman, or a Russian or a Japanese or a Chinese?

There is no relevancy in the observation of the Chief Justice to the effect that Negroes had been excluded from jury services for a generation before the Scottsboro infants were put to trial. The only relevant question is whether Negroes served on the jury that convicted these infants.

Suppose Negroes had been on all Jackson County juries for 29 years but that for some reason they were not accepted for jury service in the year that these puling infants were tried and convicted—would that not have been a miscarriage of justice?

We just wanted to know.

A PUSSYFOOTING SUPREME COURT

Alabama put two men charged with criminal assault to trial and in retaliation the Supreme Court of the United States, ignoring the evidence by which the men were convicted, put Alabama to trial because it disapproves of the color scheme of Alabama juries. The Advertiser, for one, wishes it knew of a way to find out what the Supreme Court of the United States thinks of the guilt or innocence of the defendants.

Graves Reputed Author Of Plan For Negro Jurors

Last Minute Cancellation Of Statement Believed To Indicate Opposition To Speak Today

Erasure Of Racial Lines Would Meet Criticism Of U. S. Supreme Court

By HARTWELL HATTON.

After setting the stage for "an important announcement" yesterday afternoon relative to the State's future jury policy in the light of the United States Supreme Court's Scottsboro decision, Gov. Graves changed his mind when the time came to make it and said it would be delivered today.

It had been rumored at the capitol that the governor would call on the jury commissions in the several counties to place the names of negroes in the boxes and when his announcement was held up at the last minute the impression was created that his plan had met with strong opposition among high State officials and possibly among his close advisers.

The governor only said that the announcement he had planned to make was found to need revisions and that nothing would be made public until the changes had been decided upon.

Should the jury boxes in the 67 counties be emptied and refilled with the names of negroes included along with the names of white citizens, the grounds for the United States Supreme Court's adverse decision in the Scottsboro case presumably would be removed.

Called Governor's Aim.

It was reported at the capitol yesterday that this was the aim of the governor. It was pointed out by those familiar with court procedure that the Scottsboro cases could then be re-initiated with the chief Federal question raised in the original cases eliminated.

After revising his plans yesterday afternoon, Gov. Graves indicated that he would occupy himself last night with preparation of a statement or announcement to be forthcoming today. After 8 o'clock he told a reporter that he would have the announcement ready today at 9 a.m.

Whether he will go through with his reputed intention of asking local jury commissions to insert negroes' names in their jury boxes was not apparent from any remark he made. Neither did it appear whether he had reconsidered in accordance with the advice of those opposed to such a course.

Senator J. Miller Bonner, of Wilcox County, meanwhile announced he would prepare a bill to present to the legislature when it reconvenes from a recess on April 30, limiting jury service to qualified electors. The senator said such a bill, he believed, would stand the constitutional test.

Black Belt's Viewpoint.

"While there may be other remedies to meet the situation caused by Scottsboro decision," said Bonner, "this one will go far to protect the black belt.

"Take my county, for instance, we do not have a single negro voter."

Alabama law prescribes that a person to be eligible to vote, except in certain instances, must pay a $1.50 annual poll tax, must be literate and understand the constitution. Only a small percentage of the negroes in the State are qualified electors, while under the jury law, in view of the recent Scottsboro ruling a vastly larger number might be qualified for jury service.

While the Alabama law does not prohibit any race or creed from serving on a jury, the authority to determine who meets these qualifications is vested with a jury commission. This commission after passing on the qualifications of eligible male citizens, places the names on a jury roll from which jury boxes are filled.

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Mobile, Ala., Press
November 15, 1935

Mixed Jury in Scottsboro Case



A county grand jury that included one negro member met at Scottsboro, Ala., and returned 18 new indictments charging nine negro defendants in the famous "Scottsboro case" with attacking two white women four years ago. The arrow in the upper left corner designates the negro juror, Creed Conyers, a farmer.—(Associated Press Photo).

Tufaula, Ala. Tribune
November 18, 1935

NO EXCITEMENT

When the grand jury met at Scottsboro the other day to reindict the nine negroes who have made the little Jackson county town famous, there was scarcely a handful of persons on the streets. The 36 veniremen, court officials, newspaper men and representatives of the ILD gathered in the court house to witness the selection of a grand jury. When the name of a negro was called, the judge ordered him to take his seat and when the panel was completed he went along with the seventeen white men and within a few minutes new indictments had been returned.

Scottsboro went about its business and there was nothing to recall the hectic days when the negroes were first brought to trial and ILD lawyers and trouble-makers stirred the section into a frenzy. Let us hope that the paid communists remain away when the case comes to trial in Decatur. Alabama courts can handle these cases justly and they should not be harrassed by outside interests.

Commenting on the scenes around the court house, the Scottsboro Sentinel editor wrote:

There was no excitement of any kind at the courthouse during the drawing, empaneling and reporting of the grand jury.

In fact, there appeared too little, or no interest at all, in the matter.

Not a ripple was caused when Conyer, the first negro ever to sit on a grand jury in this county, took his seat when his name was called.

After the final report in the afternoon, the jury consented to pose for photographs for the Associated Press and the United Press. Both were represented by special feature writers, and they were disappointed at the lack of interest or excitement in the entire proceedings.

WANTED: A NEW DEAL ON SCOTTSBORO

The Scottsboro boys are about to go to trial for the third time. For four years this case has been batted about and ballyhooed out of all relation to its importance solely because of selfish ambitions of the prosecution and the so-called defense.

If handled properly by Southern lawyers and not used to arouse race, class and sectional animosities, the case would long since have been closed and the boys ere this would have been walking the streets free men.

But unfortunately, the Communists got hold of it, and from that time to the present, Alabama has been fighting them and the North generally instead of trying the nine boys, with the result that no one has been victorious.

Alabama has spent a fortune on the trial with no tangible results. The Communists have collected hundreds of thousands of dollars "for defense," which have kept their officials living in clover for years, but has actually worsened the condition of the boys. The public has been ballyhooed until it is heartily sick of the whole business and a mass meeting in behalf of the Scottsboro boys will not draw a hundred people anywhere today.

What is needed in the Scottsboro case is a New Deal. The Communists should be kicked out lock, stock and barrel. Their irresponsible tactics, their unscrupulous activities and their unintelligible jargon have not even advanced the Communist cause, to say nothing of freeing the Scottsboro boys. They have become a laughing stock even to the infinitesimal moron minority that once harkened to their blather.

This case should be in the hands of the N. A. A. C. P., which had it at first. As it freed other Negroes and established valuable precedents, it would have secured the liberty of the Scottsboro boys.

Remember the case of the Elaine farmers, who were sentenced to death by the Arkansas court? The N. A. A. C. P. secured freedom for those men after the date of their execution had been fixed.

Birmingham, Ala. News
November 14, 1935

NEW GRAND JURY IN "SCOTTSBORO CASE"



Above is the Grand Jury of Jackson County which Wednesday reindicted nine Negro defendants in the "Scottsboro case" on charges of attacking two white women March 25, 1931. The jury included the first Negro within the memory of oldest residents of the county to serve on the Grand Jury. The Negro, Creed Conyers, of Paint Rock, a farmer, is shown in the extreme upper left hand corner. The foreman, J. Wiley Whitaker, is third from left, front row. Other members are O. V. Thomas, Bert Vann, Jeremiah Hester, Robert McMahan, Ben Rudder, J. Wyatt Moore, Europe Smith, Carl Gross, Jim Bryan Holland, Robert Wilborn, John A. Snodgrass, D. Hodge Rogers and Leonard Tiffin. (Associated Press Photo.)

Asheville, N. C., Times
November 20, 1935

The Scottsboro Case

DISCUSSING the Scottsboro case, in his editorial correspondence to The New York Times, John Temple Graves 2d puts forward a timely and sensible suggestion.

There is no longer in Alabama, he finds, a disposition to argue the guilt or innocence of the defendants. Many Alabamians, he thinks, would be well satisfied to see the Negro youths acquitted, provided their defense were conducted by some well known Southern lawyer or lawyers, so that the victory could not be used to exploit Communism among the Negroes.

The point is well made. Forgetting the past of this case, it is time for the defense to be placed in the hands of lawyers whose very presence will not excite animosity in the minds of Alabama people.

as practicing before the Alabama courts is concerned. He referred on the occasion in question to Alabama jurors as "those bigots whose mouths are slits in their faces, whose eyes pop out like frogs', whose chins drip tobacco juice, bewhiskered and filthy."

We confess that some of the previous tirades from the prosecution against Mr. Leibowitz and his associates were sufficiently intemperate to provoke a retort from him. The fact remains, however, that his retort was of such a nature as to rouse strong feeling against him in the vicinage of the defendants.

Since that is true, it would seem the part of wisdom for some one else to take over the case. The International Labor Defense, which retained him, offended pretty much everybody in Alabama with its abusive telegrams to the judiciary. Mr. Leibowitz then proceeded to make the situation still worse with his address in New York.

Something more than a year ago, he announced that he would withdraw as counsel "unless all Communists are removed from the defense." He was incensed over the "mysterious moves behind the scenes" of the I. L. D., a Communist affiliate. We are not advised whether he and the I. L. D. patched up their differences. As far as the public has been advised, both will be active at the forthcoming trial.

If it were only possible to place the Scottsboro defense in the hands of Alabama attorneys of standing, the forthcoming trial might be held in an atmosphere conducive to the rendering of an impartial verdict. But we have grave misgivings, under the circumstances. With Leibowitz in charge of the defense, all the old prejudices will be aroused. And a conviction this time is not apt to be set aside by the United States Supreme Court. There was a Negro on the Grand Jury which returned the recent indictments.

Richmond, Va., Times-Dispatch
December 8, 1935

Again Scottsboro

WORD comes from New York that Samuel S. Leibowitz will again appear as counsel for the defense in the Scottsboro trials, which are scheduled to open in Decatur, Ala., on January 6. This is bad news.

Without in the least detracting from the humanitarianism which has impelled Mr. Leibowitz to represent the nine Scottsboro defendants through a series of grueling court actions, we feel, none the less, that it will be virtually impossible for them to get justice, so long as he is in the case.

We intend no reflection upon Mr. Leibowitz's ability when we say this. On the contrary, we consider him a lawyer of great talent. But when he delivered an intemperate diatribe against Alabama jurors to a New York audience a couple of years ago, which diatribe was published all over Alabama, he destroyed his usefulness, in so far

New York Evening Post
DEC 24 1935

ALABAMA COUNSEL SOUGHT BY 9 NEGROES

DECATUR, Ala., Dec. 24 (AP).—The Daily said today it had learned from an authoritative source that efforts are being made to obtain two leading Decatur lawyers to defend the nine Negroes in the Scittsboro case.

Samuel S. Leibowitz of New York, who acted as chief counsel in three previous trials, announced more than a year ago that prominent Southern counsel would be obtained.

At Birmingham the nine defendants said they were satisfied with Leibowitz.

"We are plenty satisfied with Mr Leibowitz and want him," said Roy Wright, youngest of the nine Negroes and their spokesman.

Birmingham, Ala. News
December 24, 1935

WANT LEIBOWITZ

But Scottsboro Negroes Don't Object If Southerners Join Council

Reports from Decatur that two Morgan County attorneys were being sought for the Scottsboro defense, brought comment from the Negroes in Birmingham that they did not care who else might join their counsel as long as Samuel Leibowitz was in charge.

The Associated Press quoted The Decatur Daily as saying it had learned from an authoritative source that two prominent attorneys were being sought, and that one other attorney had declined to enter the case.

Leibowitz said more than a year ago that prominent Southern counsel would be obtained. The Negroes are to be arraigned in Decatur Jan. 6 for retrial on charges of attacking Victoria Price and Ruby Bates aboard a freight train March 25, 1931.

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U. S. HIGH COURT REVERSES DEATH VERDICT; UPHOLDS I. L. D. IN FIGHT FOR NEGRO JURORS

Four Year World Protest Led by International Labor Defense Forces High Court To Admit That Negro Boys Were Persecuted—Opinion for Norris and Patterson Makes History in Fight for Negro Rights in Black Belt

Four years of unceasing pounding of world protest by millions of workers, Negro and white, all over the world roused by the International Labor Defense and the Communist Party, yesterday found its mark as the United States Supreme Court in a unanimous decision wiped out the death sentences hanging over Clarence Norris and Haywood Patterson, condemned Scottsboro boys, by throwing the conviction out of court, and paved the way for the liberation of all the rest of the youths.

The verdict was based on the fact that the International Labor Defense gave indisputable proof that the Southern courts had systematically deprived Negroes of their rights to serve as jurors, and that Negroes had been fraudulently kept off the Scottsboro juries.

The decision, a tremendous victory in the struggle for Negro rights, is seen as directly connected with the recent mass outbreak in Harlem against jim-crow oppression and hunger, and the rising struggles of the Negro and white sharecroppers and tenant farmers in Arkansas and Alabama.

Decision Follows Appeal

The decision was handed down on the basis of the appeal carried for the second time into the Supreme Court by the International Labor Defense through its attorneys, Osmond K. Fraenkel and Walter H. Pollak.

Following its overwhelming victory in the court, the International Labor Defense will take immediate steps to win the unconditional and safe liberation of all the boys, the International Labor Defense announced through its executive secretary, Anna Damon.

In view of the denial of constitutional rights in the previous trials, the Supreme Court ordered that "the judgment must be reversed and the cause remanded for further proceedings not inconsistent with this opinion."

This left it up to Alabama to decide whether to attempt to try the defendants again or set them free.

Will Affect Other Cases

The decision yesterday set aside the convictions of Norris and Patterson, who were re-tried after the Supreme Court set aside their first conviction. The five other boys are still awaiting their second trial. But attorneys declared that they cannot be tried again on the present indictments since all the boys were originally named in the bills handed down by the Grand Jury, which has now been impeached by the Supreme Court decision. The present ruling, attorneys stated, will therefore apply to them.

The Court's decision, read by Chief Justice Hughes, stated that the evidence overwhelmingly proved the charge made by the I.L.D. that Negroes were systematically excluded from juries in Alabama. It found that there were many Negroes qualified to serve as jurors who were never called.

This is the second time that the I.L.D. has carried the fight to the Supreme Court, the court having reversed the death verdicts of seven of the nine boys in the first appeal, after which Norris and Patterson were convicted and sentenced again in a second trial.

Forgery Found

In his decision, Chief Justice Hughes found that there had been forgery of names on the Grand Jury rolls to make it appear as if Negroes had been called. The court decision raps the Alabama Supreme Court for not having noticed this and for having refused to quash the indictments on these grounds as demanded by the I.L.D. attorneys.

The Supreme Court in its opinion today found:

"We are of the opinion that the evidence required a different result from that reached in the State court.

"We think that the evidence that for a generation or longer no Negro had been called for service on any jury in Jackson county, that there were Negroes qualified for jury service, that according to the practice of the Jury Commission their names would normally appear on the preliminary list of male citizens of the requisite age but that no names of Negroes were placed on the jury roll, and the testimony with respect to the lack of appropriate consideration of the qualifications of Negroes, established the discrimination which the Constitution forbids.

"The motion to quash the indictment upon that ground should have been granted."

The Court said that regarding Morgan county, where the second trial was held, "the evidence that for many years no Negro had been called for jury service itself tended to show the absence of the names of Negroes from the jury rolls, and the State made no effort to prove their presence."

I.L.D. Led Fight

Four years ago when the nine Scottsboro boys were seized off a freight train and charged with having raped two white girls on the train, their death at the hands of a lynch mob was averted only that their death sentence might be more quickly rushed through in the court. They were tried and sentenced to die in less than 48 hours, with carnival-like scenes around the court.

It was at this point, April, 1931, that the I. L. D. entered the case, with the Communist Party's organ, the Daily Worker, sounding the first call for a mass fight against the frame-up.

It was the I. L. D. later which finally got Ruby Bates and Lester Carter, two of the white witnesses against the boys to confess that their evidence had been perjured and framed with the cooperation of the local authorities. Ruby Bates, one of the white girls who was supposed to have been raped, then joined the I. L. D. in its fight to save the boys.

The decision for the first time gives official recognition to the systematic jim-crow exclusion of all Negroes from jury service. The Supreme Court found that the Alabama courts, including the Alabama Supreme Court had ignored unmistakable evidence of forgery and fraud in the trying of the Scottsboro case.

The decision, the result of the mighty campaign of the Communist Party and the International Labor Defense, is of great historic importance since it now makes it possible for all Negroes to demand Negro jurors in their cases.

day held the constitutional rights of the negroes—Heywood Patterson and Clarence Norris—had been violated by "systematic exclusion" of negroes from juries in the county where they were indicted.

The negroes are two of nine indicted on charges of attacking two white women—Mrs. Victoria Price and Ruby Bates—aboard a freight train in Jackson county on March 25, 1931, and were convicted with the death penalty in Morgan county in December, 1933.

Lieutenant Governor Thomas E. Knight Jr., retained by the state to prosecute the cases, and Solicitor H. G. Bailey, who directed the grand jury investigation returning the original indictments, today reiterated plans to seek new indictments and bring the negroes to trial.

"I do not know what effect the opinion will have," said Solicitor Bailey at Guntersville where he is conducting a regular session of the Marshall county grand jury, "but something will have to be done."

ALABAMA STUDIES SCOTTSBORO CASE

Officials Silent on Implications of Supreme Court's Decision.

MONTGOMERY, Ala., April 2.—(AP)—Silence clothed official circles today on the effect of the United States Supreme Court's decision in reversing two death sentences imposed in the "Scottsboro case" because the names of negroes did not appear on the jury rolls of Jackson county.

The nation's highest court yesterday held the constitutional rights of the negroes—Heywood Patterson and Clarence Norris—had been violated by "systematic exclusion" of negroes from juries in the county where they were indicted.

The negroes are two of nine indicted on charges of attacking two white women—Mrs. Victoria Price and Ruby Bates—aboard a freight train in Jackson county on March 25, 1931, and were convicted with the death penalty in Morgan county in December, 1933.

Lieutenant Governor Thomas E. Knight Jr., retained by the state to prosecute the cases, and Solicitor H. G. Bailey, who directed the grand jury investigation returning the original indictments, today reiterated plans to seek new indictments and bring the negroes to trial.

"I do not know what effect the opinion will have," said Solicitor Bailey at Guntersville where he is conducting a regular session of the Marshall county grand jury, "but something will have to be done."

NO LAWS IN SOUTH BAR NEGROES FROM JURIES

By W. F. CALDWELL,
Associated Press Staff Writer.

There are no laws in southern states barring negroes from jury duty, although by custom comparatively few actually have been called.

This was emphasized today by officials of several states in noting the United States Supreme Court decision reversing the Scottsboro (Ala.) cases on the ground that negroes were systematically excluded from jury duty.

Commenting on this matter Attorney-General William McGraw, of Texas, said at Austin:

"Texas statutes and the conduct of criminal trials are in conformity with the decision of the Supreme Court. Generally when (negroes are) drawn for service a suitable excuse is presented and always accepted. Texans have demonstrated perfect ability to properly control the negro question within the constitution."

Attorney-General A. A. F. Seawell, of North Carolina, said the decision "gives us pause for thought. It may mean more appeal attempts to the United States court from verdicts of our court. The effect it will have cannot be predicted at this time."

From Assistant State Attorney-General W. F. Barry Jr., of Tennessee, came the prediction that "I don't think that decision will have any influence whatever in the south except probably on a re-trial of those cases."

Negroes are eligible for jury service in Arkansas if they hold a poll tax receipt which is a necessary qualification for an elector. Assistant Attorney-General Thomas Fitzhugh, of that state, said:

"It just happens that no jury commission selects negroes for jury duty. It may be just a coincidence."

Attorney-General Cary D. Landis said the Scottsboro decision will have no effect on judicial procedure in Florida. Calling attention to the fact that there is no law in Florida to prevent negroes from serving on juries and that jury lists are made up from qualified voters, the attorney-general continued:

"Negroes are allowed to register to vote. They then become eligible to vote and are qualified for jury duty. Negroes have served on state court juries in Florida but not in recent years."

The office of the Mississippi attorney-general pointed to the records of that state supreme court having set aside a conviction of a negro in open court. The commissioners are sen- of jurors.

Attorney-General John M. Daniel, had negroes on juries. I have not had Carolina, said negroes "sit opportunity to study the decision as juries in some counties." yet, but if the Supreme Court has held anta a few months ago a judge it necessary to have negroes on juries motion to quash an indict- chances are we will have to take cogniinst a negro on the ground zance of it."

ey-General A. P. Staples, of said:

Magnificent Victory On Scottsboro Won By Mass Movement

—— Statement of Central Committee, C. P., U.S.A. ——

Announcement of the Supreme Court decision on the Scottsboro Case, upholding the defense on every point, is a magnificent victory for the nine boys, and for the whole movement for Negro Liberation.

It is a smashing confirmation of the correctness of the defense policy, conducted from the beginning by the I. L. D., on the proposals of the Communist Party and with its full support, of the broadest mass movement, combined with the most expert legal defense.

The identical decision in the cases of both Haywood Patterson and Clarence Norris, once and for all disposes of the malicious slanders broadcast against the defense by Samuel Leibowitz and his associates of the "American Scottsboro Committee," who unsuccessfully tried to drive out the I. L. D. and the Communists, and failing that, to split the defense.

Every conscious worker who realizes that the Communist Party made possible this victory, will increase his support to this Party; thousands more must now understand that their place is in the ranks of the Communist Party.

Recent events in Harlem, demonstrating that the Negro masses will not forever remain passive under Jim-crowism, starvation, and special oppression, also played a part in bringing victory at this moment.

Let this victory be followed up at once!

Demand the immediate, unconditional release of the boys!

Build the solid united front of Negro and white against every injustice!

Organize now to take up and fight every case of discrimination against Negroes!

Build the International Labor Defense!

For the Central Committee, C. P., U.S.A.

EARL BROWDER, General Secretary
JAMES W. FORD

I.L.D. Hails Triumph

By ANNA DAMON
Acting National Secretary of I. L. D.

The complete victory won from the United States Supreme Court in the appeals of Haywood Patterson and Clarence Norris, is another triumphant proof of the might of mass pressure and mass protest. Without the untiring world-wide mass campaign organized and led by the International Labor Defense and the Communist Party during the four years of the Scottsboro case, this victory would have been impossible.

The most significant aspect of this victory is not alone the reversing of the death sentences against the innocent Negro boys, but the fact that for the first time in its history, the United States Supreme Court was forced to make an unequivocal, clear statement on the illegality of barring Negroes from jury service in the South.

For four years the International Labor Defense has battled this point. The I. L. D. knew that to prove the innocence of the nine Scottsboro Boys was not enough to save them. In its fight it tore open the whole frame-up lynch system of Southern boss rule, exposed the unconstitutional, systematic exclusion of Negro people from jury service in the South, demanded enforcement of this right along with all the other rights denied them by the lynch lords of the South.

The International Labor Defense is proud of its victory. And in congratulating all those millions of people, Negro and white, who helped achieve it, we call upon them to follow up this triumph with an uncompromising fight to obtain the complete freedom of all these boys. We call on them to flood the State Supreme Court of Alabama, at Montgomery, Alabama, with demands for the complete freedom of these boys. There must be no re-indictments!

The Supreme Court decision orders the State courts to take the next step. That step must be complete freedom.

Demand this freedom, immediate, unconditional, and with safeguards against the lynchers!

The Herndon case comes up for appeal the middle of this month. Every minute must increase the volume of demands upon this court for his complete freedom. We know what mass protest can accomplish. Let us celebrate the Scottsboro victory by another smashing blow to the whole system of Jim-Crow frame-up rule—the complete freedom of Angelo Herndon.

Scottsboro Prosecutor Seen Moving for New Indictment

Negroes Expected to Be Added to Jury Roll, But Whether They Will Serve Is Not Known

BOAZ, Ala., April 4.—Solicitor H. G. Bailey of Jackson County, first prosecutor in the Scottsboro case, is moving to have Negroes added to the Jackson County jury rolls preparatory to re-indicting the defendants, he said today.

The step is intended to get around the decision of the U. S. Supreme Court which reversed the death sentences against Haywood Patterson and Clarence Norris, on the grounds, raised by the International Labor Defense attorneys, that Negroes are systematically excluded from grand and petit juries in Alabama.

When revision of the jury rolls has been completed, a special grand jury session will be called to re-indict the nine innocent boys, Bailey indicated. He refused to say whether Negroes would be permitted to actually serve on the jury or be peremptorily challenged and excluded for "cause."

I.L.D. Fight Lauded

William N. Jones, a leading member of the staff of the Baltimore Afro-American and chairman of the National Scottsboro-Herndon Action Committee, yesterday hailed the Scottsboro decision of the U. S. Supreme Court, reversing the death sentences against Haywood Patterson and Clarence Norris, as a victory for the world-wide mass pressure organized and led by the Communist Party and the International Labor Defense. Ruby Bates, Scottsboro star defense witness, at the same time expressed her pride that she had been able "to have a share in the mass pressure campaign of the I. L. D. which forced the Supreme Court to order those innocent boys a new trial."

She urged that funds be rushed to the I. L. D. to enable it to push the fight to complete victory.

Jones called on "every colored man and woman in this country to rally now and make this a finished job." He declared that if those Negro leaders who have so far held back from the united front fight for the boys are "fair and honest enough now to face the truth that the proof of the pudding is in the eating, this decision will vindicate the effectiveness of a militant program of action aimed at the roots of the problem of discrimination."

The Scottsboro case, he said, may well become the starting point for a new leadership and new tactics in the struggle of the Negro people for complete political, economic and social equality. Jones' statement follows in full:

"The signal victory written in the far-reaching Supreme Court decision on the Scottsboro case should settle once and for all the attitude of the masses of colored people to the unbending fight the International Labor Defense has kept up in this case.

Communists Led Fight

"And back of the International Labor Defense, it must not be forgotten, has stood the far-flung organization of the Communist Party which has brought into the struggle the impact of world-wide mass action.

"Whatever happens in this celebrated case now, the shameful system of injustice in Southern courts has been given a mortal blow. If colored leadership is fair and honest enough now to face the truth that the proof of the pudding is in the eating this decision will vindicate the effectiveness of a militant program of action aimed at the roots of the problem of racial discrimination in Alabama courts. It will also vindicate the conclusion of some of us who have followed the developments in this case that only a program of mass action as set up by the International Labor Defense will ever be able to blast through this deep-seated structure of legal lynchings.

"We might just as well be frank enough now to admit that there is not enough religion and ethics in the South to cope with problems of this kind, and that any organization whose appeal is based wholly on these considerations is doomed to failure.

"The Scottsboro case may well become the starting point for a completely new movement, new type of leadership, new tactics around which our 14,000,000 colored folk may rally in their struggle for complete political, economic and social equality, for equal opportunities, in this country.

"As chairman of the recently organized National Scottsboro-Herndon Action Committee, I want to call on every colored man and woman in this country to rally now and make this a finished job. For while this decision will rip out the flagrant color bar in the jury system in the South, its practical effectiveness will depend wholly on our persistence in carrying on an unabated fight.

"Even this decision will not soften the consciences of officials like former District Attorney Thomas E. Knight, Jr. Such indomitable racial prejudice can only be crushed and beaten to the ground. The International Labor Defense has the program and will do this. Let's rally behind this organization."

Ruby Bates, who threw a monkey-wrench into the Alabama frame-up machinery by repudiating her former testimony and exposing how Alabama officials had coerced her and Victoria Price into testifying that the boys had "raped" them on a moving freight train, yesterday expressed her joy over the decision. Her statement follows:

Ruby Bates Hails Victory

"I can hardly find words in which to say the joy I felt over the victory the I. L. D. won from the United States Supreme Court just about four years after the whole Scottsboro case began. And I feel proud that I was able to have a share in the mass pressure campaign of the I. L. D. which forced the Supreme Court to order those innocent boys a new trial. I am glad that I was able to convince many peopple in different parts of the country about the Scottsboro frame-up and to get them to line up behind the I. L. D.

"I wish I could do a lot more. I wish I could talk to millions of people and tell them the truth about the Scottsboro case and ask them to do whatever they can to help the I. L. D. get those boys out free and safe, and to raise as much money as they possibly can to carry on. I know it will take a lot of money to defend the Scottsboro boys and I join my voice with the National Office of the I. L. D. in asking all the friends and members to send in right away as much as they can to Room 612, 80 East 11th Street, New York City."

Lynchings—1935
Legal Punishment for Rape

Alabama

5005

2 Youngest Scottsboro Boys to Have a Hearing

I.L.D. Moves For Trial in Juvenile Court of Ray Wright and Eugene Williams—Cost of Action To Be $2,000—Districts Lag in Drive

Steps to obtain hearings in juvenile court for Roy Wright and Eugene Williams, the two youngest boys held in the Scottsboro case, both of whom are minors, are being taken by Osmond K. Fraenkel, New York atorney retained by the International Labor Defense in the cases, it was announced yesterday.

Judge B. L. Malone, of the juvenile court of Decatur, Ala., has agreed that he will set the date for the hearing within the next few days, Fraenkel said.

"Judge Malone was interviewed over the week-end by S. B. Powell, Birmingham attorney associated with us in the case," Mr. Fraenkel said. "He agreed to set the date for the hearings, and told Mr. Powell that he had notified Attorney-General Albert A. Carmichael of Alabama to that effect."

The cases of these two boys were separated from the others on account of their ages by Judge James H. Horton, when Fraenkel made application for a writ of habeas corpus in their behalf, on June 1, 1933 charging that they were being held illegally without trial, he said. Both boys were 13 years old at the time of their arrest in 1931.

A mistrial occurred in the original trial of Roy Wright, in April 1931, and he has never been tried since. The Alabama State Supreme Court, in March, 1932, granted Eugene Williams a new trial on an appeal taken by the International Labor Defense.

Under Alabama law, Mr. Fraenkel stated, the judge of the juvenile court must pass on two issues whether a defendant is innocent or guilty, and if guilty, whether he can be reformed. If he finds a defendant incorrigible, the cases are sent back to the ordinary criminal court for trial.

Complete Trial

The hearings before Judge Malone, Mr. Fraenkel said, will have all the characteristics of a trial, and witnesses will be brought, as they were in the previous trials of Haywood Patterson and Clarence Norris at Decatur, Ala., to prove the innocence of Eugene Williams and Roy Wright.

"We will demand the complete freedom of these two boys," Mr. Fraenkel said.

Further legal steps in the cases of Patterson and Norris, whose convictions were reversed by a decision of the United States Supreme Court on April 1, are waiting on the mandate of that court, which will be handed down soon, he said.

Trial to Cost $2,000

Steps being taken to force hearings immediately on the cases of Eugene Williams and Roy Wright, youngest of the Scottsboro boys, who have been remanded to the juvenile court, will necessitate expenses, counting legal expenses alone, of a minimum of $2,000, Anna Damon, acting national secretary of the International Labor Defense, announced yesterday.

Meanwhile, receipts in the campaign for a $20,000 fighting fund to force the freedom of all the Scottsboro boys, following reversal of the convictions against them by the United States Supreme Court, dropped again yesterday to $108.95, a figure hundreds of dollars below the daily expenditure for the campaign and legal steps in the Scottsboro and Herndon cases.

Districts Fail to Respond

Among the collections turned in yesterday were $41 from the New York District of the Communist Party, and $10—the first contribution—from the Boston District of the International Labor Defense. The remainder of the figure was made up by individual donations.

Districts which have not so far responded to the appeals of the Central Committee of the Communist Party, and the National Executive Committee of the International Labor Defense, for a $20,000 Scottsboro Defense Fund of the I. L. D., include Detroit, Pittsburgh, Philadelphia, and New Jersey.

Total received in drive $2,411.13
Still to the raised: 17,588.87

Rush funds for the $20,000 Scottsboro defense drive to the International Labor Defense, Room 610, 80 E. 11th St., New York City.

Scorns 'Sidetrack'



LIEUT. GOV. KNIGHT

Knight Cool To Negro Jury Issue

Names In Boxes No Part Of Prosecutor's Duties, Liebowitz Riding South

By JOSEPH R. M'COY

Following receipt of information that Samuel Liebowitz, of New York, attorney for six of the seven negro Scottsboro case defendants, would arrive in Montgomery tomorrow for a conference with Lieut. Gov. Knight, special prosecutor of the cases for the State, it developed that the latter not only has no appointment with Mr. Liebowitz, but knows nothing of his reported prospective arrival here.

Communicated with by telephone, the Lieutenant Governor, advised of the reported conference, said: "I have not heard from Mr. Liebowitz and have no appointment with Mr. Liebowitz relative to the Scottsboro cases or anything else

"I have had nothing to do with exclusion of any race from juries in Alabama and I propose to have nothing to do with inclusion of any race on the jury rolls of any county. I feel that as special prosecutor it would be the height of impropriety for me to suggest to the jury commission who should or should not be included on the jury rolls of a county from which a jury would be drawn before which I would try a case."

Mr. Knight's statement infers that the matter of exclusion or inclusion of negroes on jury rolls in Alabama is a matter he will, as special State's prosecutor, refuse to discuss with Mr. Liebowitz or any other attorney in the Scottsboro cases, should he be broached by them. It is one, however, that they, as a matter of course, would reasonably be expected to bring up if they were not forewarned that such action would be useless, in view of the fact that recent reversal by the U. S. Supreme Court of the judgments of conviction of two of the Scottsboro defendants, Clarence Norris and Heywood Patterson, was based on the holding that the evidence tended to show negroes were systematically excluded from jury rolls in Jackson County on account of race, in violation of the 14th amendment to the Constitution of the United States, and that the constitutional rights of Norris and Patterson had been invaded.

Though the U. S. Supreme Court's mandate, officially advising the Supreme Court of Alabama of reversal of the cases, has not yet been received, and until it is, they cannot be remanded back to the Circuit Court of Jackson County where they originated, O. K. Fraenkel, also of New York, I. L. D. attorney for the Scottsboro defendants, has already made a trip to Alabama to call on his clients since the reversal decisions were announced in Washington. Liebowitz who claims he represents all of the defendants with the exception of Patterson, has not been here so far, but from New York dispatched a telegram of congratulation to Norris.

Lieut. Gov. Knight, who has prosecuted the cases throughout, in both trial and appellate courts, has already announced he will ask that new indictments in each be returned by a Jackson County Grand Jury. He can take no action until after the U. S. Supreme Court's mandate arrives and the cases are remanded by the Supreme Court of Alabama.

SCOTTSBORO BAIL HEARING FOR 2 IS SET

Lt. Governor Knight Announces Opposition to Any Bond

Daily Worker
4-19-35

Hearing on petitions for bail for two of the Scottsboro boys, Willie Robinson and Olen Montgomery, has been set for the first week in July, it was learned yesterday, the International Labor Defense announced.

The hearings, which will be in the nature of a trial, with witnesses brought to show the innocence of the boys, and briefs filed citing the decision of Judge Horton, and other documents, will be held in Decatur, before Judge W. W. Callahan, before whom Haywood Patterson and Clarence Norris were tried last year.

State Fights Bail

Lieutenant-Governor Thomas E. Knight, former attorney-general and now special prosecutor of the Scottsboro boys, has announced he will oppose the granting of any bail at all to these boys who have been proved innocent, and are not now even under indictments, being held on false warrants recently sworn out again by Victoria Price.

No date has yet been set for the hearings in juvenile court before Probate Judge Malone of Decatur, of Eugene Williams and Roy Wright, the two youngest boys. The I.L.D. is pressing to have these hearings held at the same time as the bail hearings. These also will be in the nature of a trial.

Fund Lag a Peril

The bail petitions, filed by Attorney C. B. Powell of Birmingham, will be argued by Attorney Osmond K. Fraenkel of New York, who has been in charge of the Scottsboro proceedings since the last trial, and Powell.

The slackening up in the Scottsboro $20,000 drive of the I. L. D. to meet the daily expenses of the campaign, and for the very heavy extensified collection of funds for penses of these hearings, is endangering the fight to free the Scottsboro boys, Anna Damon, acting national secretary, pointed out.

A flood of protests to Governor Bibb Graves of Alabama at Montgomery, demanding the uncondi-

I. L. D. COUNSEL FORFEIT BAIL

Lawyers Charged With Scottsboro Bribery Jump $4,000 Bond

HUNTSVILLE, Ala., May 30.—Failure of Sol Kone and Daniel Swift, New York lawyers, to appear in court here yesterday to face charges of attempted bribery in the Scottsboro case, resulted in the forfeiture of a $4,000 bond.

Accused of offering Victoria Price $1,000 to change her testimony against the Scottsboro boys, the New Yorkers were kidnapped in Nashville on October 1 and removed to Huntsville. On warrants sworn to by Mrs. Price they were arrested and charged with attempted bribery, and placed under $2,000 bail each, furnished by two Huntsville residents.

The case against J. W. Pearson, alleged go-between in the case, was nol-prossed. Pearson, who lives in Birmingham, appeared in court for trial.

TEST IN SCOTTSBORO CASE SET FOR JULY

Habeas Corpus Petition For Pair To Be Heard At Decatur

DECATUR, ALA., May 30.—(AP)—An expected test of evidence against two of the nine negro defendants in the "Scottsboro case" was postponed until an indefinite date in July today by Judge A. A. Callahan here, on agreement of opposing counsel.

The hearing of a habeas corpus petition filed for Olen Montgomery and Willie Roberson had been scheduled for 9 a.m., tomorrow. C. B. Powell, Birmingham attorney, acting for Osmond K. Fraenkel, New York attorney brought into the case by the International Labor Defense, in presenting the petitions.

Judge Callahan granted the postponement without fixing a date for the hearing.

Montgomery and Roberson are charged with attacking Mrs. Victoria Price aboard a freight train in Jackson County on March 25, 1931. Indictments against them in Jackson County were held invalid by the ruling of the United States Supreme Court in setting aside death sentences against Haygood Patterson and Clarence Norris, two other Scottsboro defendants.

The Supreme Court decision held the negroes had been deprived of constitutional rights by the "systematic exclusion" of negroes from the grand petit juries involved in their cases.

Mrs. Price swore out new warrants against the nine negroes following the court's decision. New indictments will be sought in Jackson County when the new grand jury convenes, probably next Fall.

Montgomery and Roberson were sentenced to death, along with six of the other seven defendants, in the first trials at Scottsboro.

One of these convictions was set aside because the defendant was held a juvenile, and the other seven were set aside by the United States Supreme Court, which held the negroes had not had benefit of adequate counsel at the first trials at Scottsboro.

Later hearings in the case were transferred to Morgan Circuit Court here under a change of venue.

Albany-Decatur, Ala. Daily
May 30, 1935

HEARING HERE ON PETITION OF TWO NEGROES DELAYED

Callahan Announces Postponement to Next July

EXACT DATE IS TO BE DECIDED

Counsel Agreement Is Reported By Jurist

Hearing of a habeas corpus petition filed in behalf of two of the nine defendants in the Scottsboro case, scheduled for hearing at nine o'clock Friday morning, has been postponed to July, it was stated today by Judge W. W. Callahan, presiding.

Judge Callahan added that the exact date of the hearing had not been determined and said the postponement followed an agreemnt by counsel.

The petition had been filed in behalf of Olen Montgomery and Willie Roberson by C .B. Powell, of Birmingham, said to have been acting for Osmond K. Fraenkel, of New York, retained as counsel by the International Labor Defense.

The petitions largely are based on a decision of former Judge James E. Horton in setting aside a death sentence imposed on Haywood Patterson ,another of the defendants, holding that the evidence was insufficient to warrant the verdict.

Montgomery and Roberson were once under death sentence imposed in Jackson county on charges of attacking two white women aboard a Southern railway freight train in Jackson county on March 25, 1931. Their sentences were set aside by the United States supreme court on November 8, 1932, the court holding that they had not had the benefit of adequate counsel.

Since that time neither of the negroes has been brought to trial, but both recently were named in new warrants sworn out by Mrs. Victoria Price at Scottsboro. This action was taken after the United States supreme court had set aside death sentences imposed on Patterson and Clarence Norris, holding their constitutional rights were violated because the names of no negroes appeared on the jury rolls in Jackson county where they were indicted ,and in Morgan county where they were tried.

Absence of the names of negroes, the court held was proof of "systematic exclusion."

Norris, Patterson Leave Death Cell

Clarence Norris and Heywood Patterson, two of the negro Scottsboro Case defendants, who for months have been confined at Kilby Penitentiary in the cell block reserved for condemned prisoners, were transferred early yesterday morning to the Jefferson County Jail in Birmingham, where their co-defendants are being held and will remain pending retrial.

The transfer was made by Sheriff J. S. Sandlin, of Morgan County, to whom the two prisoners were turned over by Warden Frank A. Boswell on an order issued by Circuit Judge W. W. Callahan, of Decatur. There was no opposition to the transfer by either Atty. Gen. Albert A. Carmichael or Lieut.-Gov. Thomas E.

Anniston, Ala. Star
June 11, 1935

SCOTTSBORO—You heard much of the poll tax amendment in the campaign last year. A big majority of the candidates for public office told the people they were for it and would use any influence they possessed to persuade the Legislature to submit it. You now wonder, of course, what obstacle has been thrown in the way. A short, concise answer may be made: The Scottsboro cases. Many members of the Legislature fear the result of ratification of the amendment that would permit any person, otherwise qualified, to vote after paying two or three years' poll taxes. Under the decision of the United States Supreme Court in the Scottsboro cases names of negroes have been placed in the jury boxes in Alabama. The next step, of course, will be to put the names of many other negroes on the poll lists. Many members of the Legislature fear the ratification of the poll tax amendment will result in a general demand on the part of negroes for their registration on payment of the two or three years' poll taxes. Under the present Constitution no person can become a voter until he has paid all poll taxes due since ratification of the Constitution in 1901.

'SCOTTSBORO CASE' WRIT TURNED DOWN

Judge Overrules Prisoner's Plea for Liberty.

The fact that there was no negro on the jury which convicted Carlos Cartino, negro, given a five-year sentence in federal court at Birmingham, Ala., March 5, 1934, does not entitle him to his freedom, despite the United States supreme court decision in the Scottsboro, Ala., case, it was decided yesterday by Judge E. Marvin Underwood in the district federal court here.

Cartino, found guilty of stealing interstate freight, and confined in the Atlanta federal prison, sought a writ of habeas corpus on the ground there were no negroes on either the grand jury that indicted him or the jury that heard the case. He cited the Scottsboro case as the basis for a claim that he was illegally convicted.

The government, however, introduced records to show that names of 66 negroes were placed in the jury box at the term of court at which Cartino was convicted, and Judge Underwood ruled that the fact that none was drawn for service did not invalidate the proceedings.

NEW SCOTTSBORO QUIZ PLANNED IN FEW DAYS

Jackson County Jury Board Nearing Completion of New Rolls.

MONTGOMERY, Ala., Oct. 15.—(AP)—A new investigation of the "Scottsboro case" by a Jackson county grand jury in special session, Lieutenant Governor Thomas E. Knight Jr. said today will be asked within a "few days."

The lieutenant governor, who has been retained as special prosecutor in the case in which nine negroes are charged with attacking two white women, said the jury board in Jackson county was nearing completion of drafting new jury rolls.

Previous indictments under which all of the negroes have been tried at least once were nullified by the United States supreme court in setting aside two death sentences in the case on the grounds that negroes were "systematically excluded" from grand and trial juries in Jackson and Morgan counties.

The original indictments were returned on March 31, 1931, within a week after the alleged attacks took place aboard a Southern Railway freight train in Jackson county, and the negroes were arrested at Paint Rock.

After first trials here in which eight of the nine were convicted, and the ninth gained a mistrial, the verdicts were set aside on appeal, and a change of venue was granted to Morgan county.

Lieutenant Governor Knight said if new indictments were obtained at Scottsboro, the cases would revert to Morgan county circuit court for trial under the original change of venue.

Montgomery, Ala., Advertiser
November 1, 1935

Scottsboro Case Refunds Barred

It was held in an opinion rendered yesterday to Comptroller Charles W. Le by the office of Atty. Gen. Albert A. Carmichael, that Morgan County cannot be reimbursed from the $35,000 appropriation made by the Legislature to cover the cost of disposing of the "Scottsboro cases" for payments to witnesses and jurors in these cases made by Morgan County and charged to Jackson County. Neither can payments to jurors and witnesses made by Jackson County in these cases, be refunded from the appropriation. First trial of the "Scottsboro cases" was held in Jackson County, where the crime charged occurred. Subsequent trials were held in Morgan County on a change of venue.

The act making the appropriation is clear and unambiguous, the opinion sets out, in stating that the money appropriated is for the payment of "unpaid costs and fees of jurors, officers and witnesses, etc." Throughout the act, it is cited, the word "payment" is used, the word "reimbursement" being omitted. "The law is well settled," the opinion says, "that though other meanings may be possible of inference, the clearly expressed meaning of a statute and the intent of the Legislature must prevail in its construction."

Information was sought by the Comptroller as to whether if a witness or juror has been paid by Morgan County and the payment charged to Jackson County, the appropriation could be used to reimburse Morgan County as an unpaid claim against Jackson County; also, if witnesses or jurors in these cases have actually been paid by Jackson County, could the county be reimbursed. The opinion answers both questions in the negative.

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Alabama

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Birmingham, Ala. News
December 15, 1935

LEIBOWITZ TO REMAIN IN SCOTTSBORO CASE

Negro Defendants Turn Down Suggestion Of Using Southern Lawyer's Aid

The nine "Scottsboro Negroes" who will face trial again early next month in Decatur on charges of attacking two white girls nearly five years ago Saturday said they were "satisfied" with Samuel Leibowitz as a defense attorney and that they believe they would fare better with his aid than with the services of a Southern lawyer.

Southern white men and women interested in the Negroes' case had suggested that the defendants might fare better with the aid of an outstanding Southern attorney than under the New Yorker's guidance.

Leibowitz, in New York after the last trial in Decatur, was quoted as saying "justice is impossible in that place."

Arraignment of the Negroes has been postponed until Jan. 6.

Andrew Wright, acting as spokesman for the nine, told a newspaper reporter Saturday at the Jefferson County Jail that the group "is well satisfied with Mr. Leibowitz's service."

"I believe we'll get along better with Mr. Leibowitz and I'll take him," Wright said.

"Me, too," the others said.

Letters from sympathizers addressed to "Scottsboro Boys, Alabama," were pasted on the cell walls.

Postponement at the request of Samuel S. Leibowitz, chief of counsel for the Negroes, was announced here Friday night by Lieut. Gov. Thomas E. Knight, Jr., retained by the state as special prosecutor. The postponement, the lieutenant governor said, was at the request and agreement of Mr. Leibowitz.

"The trials will proceed rapidly, with practically no delay due to the postponement of arraignment," Lieut. Gov. Knight said.

The Negroes were to have been arraigned under new indictments returned a month ago at Scottsboro by a Grand Jury that included one Negro in its personnel, the first within the memory of oldest residents to serve in such a capacity.

New indictments were made necessary by a United States Supreme Court decision setting aside death sentences imposed in Morgan Circuit Court (Decatur) on grounds there had been "systematic exclusion" of Negroes from Grand and Petit Juries.

The Negroes are charged with having attacked Mrs. Victoria Price and Ruby Bates, Huntsville mill workers, aboard a freight train in Jackson County, March 25, 1931.

Eight of the Negroes were sentenced to death in Jackson County in April, 1931, but the U. S. Supreme Court granted new trials to seven on the grounds they did not have adequate counsel.

In the case of the eighth the Alabama Supreme Court held he was a juvenile, and for the ninth a mistrial resulted when a jury could not agree.

Under a change of venue, Patterson and Norris were tried again in Morgan County and convicted. Under Alabama law the cases go back to Morgan County for trial under the new indictments.

The Negroes are held in jail here.

New York Evening Post

DEC 19 1935

SCOTTSBORO BOYS GET DEFENSE AID

United Front of Liberal Groups Formed for Defense of Alabamans

The defense of the Scottsboro boys, hitherto in the hands of the International Labor Defense, Communist affiliate, will be directed henceforth by an inclusive, non-political committee.

Five national organizations have banded together, it was learned today, to form a new "united front" committee for the defense of the nine Alabama Negroes accused of attacking two white women.

Convictions of two of the nine have been set aside by the United States Supreme Court because of the exclusion of Negroes from their juries. New indictments were voted by a Grand Jury last month, with a Negro farmer on the panel.

Leibowitz to Conduct Defense

The new defense committee will begin to function at once, in preparation for the new trials. Samuel Leibowitz, who took part in the negotiations leading to the new committee, will again, in association with Alabama counsel, conduct the defense.

The decision of the Communist Party to agree to a new committee was dictated in part by its new policy of co-operation with liberals and progressives, but also by the fact that Mr. Leibowitz has won the personal loyalty of the defendants who have placed their fate entirely in his hands.

The introduction of non-Communist elements into the defense committee is expected to have a salutary effect on Southern public opinion, which, to an extent, has linked the case of the Scottsboro boys with Communism and the Communist Party.

Sponsors Are Sought

The new committee will be made up of representatives of the National Association for the Advancement of the Colored People, the Urban League, the American Civil Liberties Union, the League for Industrial Democracy and the International Labor Defense.

The National Association is the outstanding organization in the nation concerning itself with the welfare of the Negro race. It has a large membership of philanthropic non-colored people of conservative political beliefs, as well as liberals.

One of the first efforts of the new committee will be to enlist a large and representative committee of sponsors to be chosen from all political parties, religions and races. The new committee will have a working agreement with the American Scottsboro Committee, composed of leading Negro ministers, social workers and educators.

PLEASE WRITE, ASK SCOTTSBORO BOYS

LEIBOWITZ READY TO DEFEND BOYS

Haywood

A plea for letters from those who believe in his right and a promise to try to answer all who write, was made public Wednesday from Haywood Patterson, one of the nine Scottsboro boys who will face the special grand jury in Scottsboro today where a new attempt to get lynch indictments against all the boys will be made.

The letter which Patterson sent to the International Labor Defense in New York City reads:

"My dear comrades and workers:

"It affords me the most greatest of pleasure to write to you this afternoon. It is very lonely here during all those lonesome and miserable days, and I want to tell you how the days are with me. A day seems mighty long and dark in such a place as this. It is easy to get discouraged and even stand in doubt of the fight which I know you are all continually carrying onward in my behalf. I am compelled and must suggest that I could so very much myself and be more comfortable and cheerful if each one of you workers who have an interest in me would write me a letter. Every letter is just like letting in rays of sunshine. And it will encourage me and give me more courage and new hope for life.

"I ever thank you one and all for your kindness in giving your assistance to one who is in my circumstances. Of course, I have not a university education but my promise is to do my very utmost to answer an interesting letter to each and every one who may be-dre to write me. I can tell you of he South, and you can tell me of the world outside.

"I shall appreciate the thought behind the deed as much as the leed itself.

"HAYWOOD PATTERSON,
"Jeffereson County Jail,
"Birmingham, Ala."

Scottsboro Trials Set for Next Month

Whether or not the new Scottsboro trials, tentatively scheduled for next month at Decatur, find him in the midst of a city political campaign, Samuel S. Leibowitz, candidate for the Democratic nomination as district attorney in Kings County, will go to Alabama to continue his defense of the victims of the now world famous Scottsboro frame-up.

"I shall let nothing interfere with my defense of these boys," Mr. Leibowitz yesterday informed The Amsterdam News. He reiterated the pledge made when his candidacy for office was first announced. "I will continue the fight for their freedom," he said, "and will serve as their counsel in Alabama until they have been freed and vindicated before the whole world."

9-7-35

The Scottsboro defense attorney announced his candidacy for the Kings county post last June. He entered the Democratic primaries in opposition to William F. X. Geoghan, incumbent. Should he emerge victorious in the primaries on September 17, he will be actively engaged in the campaign for election throughout October. At the time he announced his candidacy he said: "Election to any office in the United States could not make me desert those boys."

Announcement was made Tuesday in Montgomery by Lieutenant Governor Thomas E. Knight, Jr., that the new trials would probably be held next month. He also said that the county jury boxes were being refilled to include the names of Negroes in accordance to a requirement imposed by the United States Supreme Court which last spring reversed the convictions of Clarence Norris and Haywood Patterson on the grounds that Negroes were systematically excluded from jury service. Knight is the special prosecutor in the case. At the time that the case began in the Spring of 1931, he was attorney general.

Norris and Patterson are two of nine youths charged with assaulting two white women, Ruby Bates and Victoria Price, near Scottsboro in March, 1931. At a trial, dominated by an atmosphere of mob violence, eight of the boys were convicted and

sentenced to death. In the case of the youngest boy a mistrial was declared.

The International Labor Defense entered the case and gained from the Supreme Court a reversal of the decisions handed down by the Scottsboro Court. Mr. Liebowitz was retained by the I. L. D., and a second trial was held at Decatur. Patterson was again convicted, although Ruby Bates reversed her testimony and took the stand in his behalf. Presiding Judge James Horton ordered a new trial.

At the new trial in November, 1933, Patterson and Norris, the only two defendants tried, were both convicted and sentenced to death. An appeal was made to the Supreme Court, which resulted in a second reversal of the lower court's decision. Meanwhile Leibowitz had broken with the I. L. D. on the matter of tactics in defending the boys. The American Scottsboro Committee was organized to continue the defense of the boys with Leibowitz as counsel. Both groups continued in the case, the committee representing Norris in the last appeal, and the I. L. D., representing Patterson.

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Extend Scottsboro Victory, Aid Defense, Ford Urges

By James W. Ford

(Member Central Committee of the Communist Party)

Dr. George E. Haynes, vice-chairman of the American Scottsboro Committee, stated, as reported in the December 4th issue of the New Masses, that "if the boys stick with the I. L. D., the American Scottsboro Committee would wash their hands of them and let them take their medicine." [Emphasis mine—J. W. F.]

What has the I. L. D. meant for the boys? It has meant victory after victory! But that is not what you meant, Dr. Haynes! You meant that the boys should die! But your wish shall not come true as long as the I. L. D. exists, as long as we are able to build up a broad mass defense behind such able and honorable legal representatives as Osmond Fraenkel, Walter H. Pollak, Joseph Brodsky and Ben Davis, Jr.

The I. L. D. is now in urgent need of funds. It must have at least $10,000 at once! The I. L. D. relies mainly on developing mass campaigns to supplement court action, nevertheless the financial statement of the I. L. D. for three and a half years shows that the biggest item of the $61,825 collected—$38,181, or 62 per cent, went for legal and court proceedings and investigations.

Six thousand dollars are needed immediately in connection with the appeal to the Supreme Court. There is a $2,000 deficit from the old account that must be met; $2,000 are needed for incidentals. **This $10,000 should be raised in the next few weeks. Each district of the Communist Party is called upon to do its share and to help the I. L. D. in its district to raise the quota.**

We call upon all workers, intellectuals and justice-loving people to contribute to this fund. Send your contribution to the National Office of the International Labor Defense at 80 East 11th Street, New York City.

New York Times

JAN 9 1935

THE SCOTTSBORO CASE.

For the second time the United States Supreme Court has decided to review the findings of Alabama courts in the Scottsboro case. Its first intervention came in the Fall of 1932. At that time it ordered new trials for the seven Negroes then condemned to death on charges of attacking two white women. In reaching this decision it did not at all pronounce upon the question of guilt or innocence, but simply ruled that the ordinary methods of a fair trial had not been followed in the State courts and that a new trial must therefore be granted the defendants.

At present two of these defendants are again under sentence of death, while the five others are awaiting trial. The Supreme Court's decision to review the proceedings in the case of the two found guilty for the second time means that their sentences will be suspended until arguments in the case have been heard. The right to "due process of law" in all matters affecting life and property is guaranteed by the Constitution to the humblest citizen. The court once more stands forth as the defender of that right when it accepts the responsibility of determining whether the second case was fairly tried.

New York Evening Post

JAN 9 1935

Behind the Scottsboro Case

In reviewing death sentences against the two Scottsboro Negroes the Supreme Court of the United States will also be reviewing the whole judicial apparatus of the South as it is used for day-to-day repression of Negro rights.

Patterson and Norris, sentenced to die on February 8, are Negroes tried for rape by a jury drawn from a panel from which all Negroes were systematically excluded.

Exclusion of Negroes from jury panels is certainly a denial of the "equal protection of the laws" granted to all in the Fourteenth Amendment. It is a violation of the right of any man to be tried by "a jury of his peers" and a violation of the right of Negro citizens to serve on juries as clearly laid down in the Fifteenth Amendment.

The Supreme Court has held several times that exclusion of Negroes from jury lists was a violation of the Constitution. Except in the specific cases on which the court has ruled, however, most Southern States have continued the practice.

Exclusion made the conviction of the Scottsboro defendants just so much easier. But exclusion is constantly used for repression of the Negro in thousands of civil and criminal cases which don't make the front pages.

We shall see the workings of that machine exposed as the Supreme Court reviews the Scottsboro case. Americans will expect the high court to take positive action for democracy.

New York Herald-Tribune

JAN 8 1935

2 Scottsboro Negroes Win Final Review

Supreme Court Grants Plea of Patterson and Norris, Twice Sentenced to Die

Defers Mooney Appeal

Rejects Merrell Petition in Brooklyn Liquor Case

By The Associated Press

WASHINGTON, Jan. 7.—The Supreme Court agreed today to review the death sentence imposed by Alabama on Haywood Patterson and Clarence Norris, Negroes convicted of criminal assault on a white woman in the Decatur trial of the Scottsboro case. They had been sentenced to die on February 8.

Both contended they had been denied constitutional rights by being indicted by a grand jury and convicted by a trial jury from which Negroes had been excluded.

Once before the high court ordered a new trial for Patterson, Norris and five other Negro defendants in the widely known case. It held then they had been denied a fair trial in Alabama, in that they were not provided with counsel in time to prepare for their defense.

On the second trial Patterson and Norris again were convicted and sentenced to death. The others charged with the same offense are awaiting trial.

Alabama said it recogned that systematic exclusion of Negroes from grand and trial juries would be a denial of equal protection of the law and would be unconstitutional. It declared, however, that the evidence presented to the trail judge in the two cases and reviewed by the Alabama Supreme Court in the Norris case did not disclose that Negroes were systematically and arbitrarily excluded from the juries because of their race or color.

Mooney Decision Deferred

Reasons advanced by California why Thomas J. Mooney should not be released from a life sentence in San Quentin penitentiary were presented formally to the court today, but it deferred a decision until next Monday on whether it would review the celebrated case.

Mooney was convicted of complicity in the 1916 San Francisco Preparedness Day parade bombing. He has waged an eighteen-year campaign for freedom.

The court refused to interfere with a sentence of three months' imprisonment imposed in Brooklyn against Eugene E. Merrell, master of the yacht Aera, for bringing into the jurisdiction of this country liquor which had not been invoiced and on which the tax had not been paid. He was found guilty of violating the tariff act, but he contended the United States was in fact prosecuting him for violation of the national prohibition act and that since it had been repealed he could not be forced to serve the sentence.

His yacht was apprehended on October 5, 1933, by the Coast Guard between Block Island and Montauk Point and taken to New York City. Prohibition was repealed the following December 5.

Merrell asserted he was returning from a cruise among islands off the coast of Maine when he met the vessel Dorin in distress off the Bay of Fundy. The captain of the Dorin informed him, he asserted, that the Dorin was in serious condition but probably could make port if relieved of a part of its cargo.

Brooklyn Man Granted Review

Under these circumstances Merrell claimed he consented to a transfer of the liquor, with the understanding he would take it to New York, enter it at the Customs House, and put it in bond until such time as the prohibition law should be repealed. His yacht and its contents were confiscated and Merrell and members of his crew were placed on trial, but he alone was sentenced.

Harry Berger, of Brooklyn, convicted of conspiracy to counterfeit notes of the Dallas and Chicago Federal Reserve Banks, was granted a review by the court.

Berger sought to have set aside a sentence of a year and a day imposed in Federal Court at Brooklyn. He asserted he was in the real estate business, and had nothing whatever to do with the counterfeiting or passing of the notes.

Turn to MacCracken Case

The court turned today to the case of William P. MacCracken jr., which involves the Senate's power to punish for contempt. The court decided to hear oral arguments as to whether the Senate could punish MacCracken, former Assistant Secretary of Commerce, for failure to produce certain papers.

MacCracken, a lawyer representing aviation concerns, was called upon to produce the papers before the Senate's air mail committee. He reported he was unable to comply fully because a client's representative had borrowed some from his files. The Senate's sergeant-at-arms arrested him for contempt but the District of Columbia Court of Appeals ordered him released.

Federal Attorney Leslie C. Garnett, as counsel for the Senate, contended that punishment for contempt was an exercise of the Senate's constitutional authority. MacCracken's failure to produce the papers, he said, obstructed the Senate.

Rule Against Seaman

Seamen on vessels owned by the United States are barred from suing the government for double wages when payment of the amount due had been refused. The court today made this ruling in a case brought by Livingston H. McCrea, of New York. He signed on the American Shipper, a vessel owned by the United States, for a voyage from New York City to London and return. He contended the crew on the outward voyage had not been divided in equal watches, as required by the seamen's act of 1915, and on reaching London demanded his discharge and pay. When pay was refused he brought suit in the Federal District Court at New York, claiming double pay.

In a five-to-four decision, the court held that courts have no right to increase damages fixed by a jury. It approved the action of the First Circuit Court of Appeals in ordering a new trail of a suit brought by Peter Schiedt, of Medford, Mass., for damages for an injury by an automobile driven by David G. Dimick, of Portland, Me.

Chief Justice Hughes and Justices Brandeis, Stone and Cardozo dissented. They contended that trial courts can increase inadequate damages awarded by juries as well as decrease excessive awards. A jury awarded $500 damages to Schiedt, which he contended was inadequate. The trial court announced it would refuse a new trial if Dimick would agree to pay Schiedt $1,500. Dimick declined to agree.

Evidence that World War veterans had worked at gainful occupations after the lapse of their government insurance policies prevents them from claiming that they became permanently and totally disabled while the policies were in effect. This was ruled today by the court in a case brought by Irah D. Spaulding, of Pensacola, Fla., who carried a $10,000 war risk insurance policy which lapsed in November, 1923.

Brooklyn, N. Y. Eagle
JAN 9 1935

Guaranteeing a Fair Trial.

Again the Supreme Court of the United States has intervened in the famous Scottsboro case on the broad ground that all residents of the United States, including Negroes in the South, are entitled to a fair trial, or due process, as the law puts it. When seven of the nine Negro youths, accused of criminally attacking two white women nearly four years ago, were first convicted and sentenced to death the Supreme Court set aside their convictions and ordered a new trial on the ground that proper counsel had been denied them.

Two of the Negroes, Haywood Patterson and Clarence Norris, were retried first. It is their conviction which is now before the Supreme Court on the ground that they were indicted by and tried before juries from which Negroes had been systematically excluded. The Alabama Supreme Court ruled that their contention had not been established. Decision of the United States Supreme Court to review the case on these new grounds assures an exhaustive study of the situation regarding the use of Negroes on juries picked to try Negroes in the South. An opportunity is here presented for a ruling by the highest court in the land on a question which has long been the subject of bitter debate.

PEEKSKILL, N. Y.
UNION
JAN 10 1935

Behind the Scottsboro Case

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Exclusion of Negroes from jury panels is certainly a denial of the "equal protection of the laws" granted to all in the Fourteenth Amendment. It is a violation of the right of any man to be tried by "a jury of his peers" and a violation of the right of Negro citizens to serve on juries as clearly laid down in the Fifteenth Amendment.

The Supreme Court has held several times that exclusion of Negroes from jury lists was a violation of the Constitution. Except in the specific cases on which the court has ruled, however, most Southern States have continued the practice.

Exclusion made the conviction of the Scottsboro defendants just so much easier. But exclusion is constantly used for repression of the Negro in thousands of civil and criminal cases which don't make the front pages.

We shall see the workings of that machine exposed as the Supreme Court reviews the Scottsboro case. Americans will expect the high court to take positive action for democracy.—New York Post.

Court Gives Negroes Review; Holds NRA Oil Curb Illegal

WASHINGTON, Jan. 7.—(AP)—For the second time, the Supreme Court decided today to go over the findings of the Alabama courts in the cases of two Negroes accused of assaulting two white women almost four years ago near Scottsboro, Ala.

With only one dissent, the court also declared unconstitutional the first important bit of New Deal legislation to come before it—the section of the National Industrial Recovery Act under which the Government is attempting to control oil production.

Chief Justice Hughes read the long opinion that scrapped one of the vital laws passed during the Roosevelt administration to an audience which packed the tiny courtroom that was once the Senate chamber.

Originally, nine negroes were charged with the Scottsboro offense. One was acquitted, however, and one was excused because of his youth. Of the seven remaining two have been convicted and sentenced to death. Five others await trial.

The case arose from the accusations of two young white women, clad in overalls, who were riding a freight train from Tennessee into Alabama. The women said the negroes threw off several white men who also were on the train.

Since then a circuitous legal route has brought the cases to the Supreme Court several times. After Alabama courts convicted seven of the negroes and sentenced them to death, the Supreme Court set aside their conviction and ordered a new trial, saying the negroes had been denied proper counsel.

A change of venue and separate trials followed.

Clarence Norris and Haywood Patterson, convicted again, claimed they were indicted by and tried before juries from which negroes had been systematically excluded because of race.

The State Supreme Court ruled that the evidence did not prove that negroes were systematically and arbitrarily excluded. The United States Supreme Court raised the same constitutional questions. Their cases will be reached for oral argument in February or March and in the meantime, the death sentences will be suspended.

His voice resonant, the Chief Justice reiterated that Congress had delegated too much legislative authority to the President when it gave him the power to prohibit the interstate shipment of oil produced in excess of state quotas.

The decision caused a burst of discussion in the capital. Secretary Ickes asserted that, while the court had declared unconstitutional Section 9 (C) of the NIRA, it "did not rule on the oil code" embodied in other parts of the recovery act.

"We still have the oil code and will continue to operate," said Ickes. "We will attempt to regulate 'hot oil' with every resource we have."

From the Oklahoma oil fields came reports that the crude oil price structure was expected to crumble within 24 hours under the decision.

Donald R. Richberg, executive director of the National Emergency Council, tonight issued a statement warning against prophesies on the basis of today's decision as to what the Supreme Court may decide in the future about NRA.

"The Court, even by implication, has not cast a doubt on the validity of codes of fair competition," said Richberg.

From Senate and House members came few expressions of surprise, there were predictions that new legislation would be enacted for oil control, possibly through State compacts.

Justice Cardozo was the only high court member to disagree with the conclusion of the other eight that Congress had given away some of its intrinsic powers.

Although the oil statute was a part of the National Industrial Recovery Act, other portions of the law were not challenged in the suit brought by the Panama Refining Company and other concerns operating in the flush oil field.

Consequently, the codes affecting almost every industry in the United States stand for a later test, although some of the Chief Justice's language may not be read with pleasure by Administration and NRA officials.

The oil code was not passed upon because of a curious oversight on the part of the Administration. The section penalizing those who violated its terms was left out inadvertently and not inserted until September last year. Chief Justice Hughes said that consequently the Government could not prosecute those charged with violations of its terms.

"To repeat," said the Chief Justice near the end of his lengthy opinion, "we are concerned with the question of the delegation of legislative power.

"If the citizen be punished for the crime of violating a legislative order of an executive officer, or of a board or commission, due process of law requires that it shall appear that the order is within the authority of the officer, board, or commission, and, if that authority depends on determinations of fact, those determinations must be shown."

The Court also refused to reconsider its recent unanimous decision that the University of California had the right to suspend two students who declined to take military training.

SAME ATTORNEY TO TRY NEGROES

Knight Will Continue As Prosecutor In Famed Scottsboro Cases

1-25-35

By United Press.

MONTGOMERY, Jan. 24.—Lt.-Gov. Thomas E. Knight Jr., former attorney-general, will continue to represent Alabama in the prosecution of the Scottsboro cases.

Atty.-Gen. Albert A. Carmichael announced the appointment of his predecessor to the task late yesterday.

"He has handled the cases from their inception to the expiration of his term of office," Mr. Carmichael said. "Mr. Knight has conducted three trials and has twice appeared before the Supreme Court of the United States and the Supreme Court of Alabama in these cases."

Cases of two of the nine Negroes charged with assaulting two young white women on a freight train near Paint Rock, Ala., in 1931, are now pending before the United States Supreme Court.

They are Heywood Patterson and Clarence Norris. Both were twice convicted and sentenced to death, but obtained reversals in the Supreme Court on the ground that Negroes were systematically excluded from the trial juries. They appealed again on the same grounds.

Two of the other defendants were classed as juveniles. The other five are held in the Jefferson County jail pending outcome of the Patterson and Norris cases. The latter are in Kilby Prison.

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Durham, N. C. Sun
April 3, 1935.

Negroes on Juries

North Carolina, naturally, will give some attention to the United States Supreme Court ruling in the Scottsboro case. Two convictions were thrown out on the ground that Negroes were excluded from jury service.

Durham will recall that two such tests have gone to the North Carolina Supreme Court from this section within the past year or so. One was the Theodore Cooper, from Durham county, the other the Spice Bittings case from Person. The state court held that no new trial was justified, the protestants having failed to show that Negroes were excluded.

Since the cases in question closed before advancing beyond that point, the issue decided by the federal supreme court was not reached.

North Carolina's court declared the absence of Negroes from a jury is not prima facie evidence that they were barred.

If it had been proven that Negroes had been excluded, the state court might have decided the point as did the federal court and were the issue to be squarely presented in the future, it might do so then, although no inference to that effect should be read into the decisions in the Cooper and Bittings cases, since supreme courts do not offer inferences.

In the light of the federal decisions, test cases are certain to arise, in North Carolina as well as in other states. The question is one Durham county ought to give immediate attention. Juries here should be so drawn as to minimize the possibility of later reversals which undo all the effort of trials and which pyramid expense.

TROY, N. Y.
TIMES

APR 2 1935

SCOTTSBORO CASE DECISION.

Unless fundamental institutions of this country were assailed and constitutional guarantees contravened the Supreme Court of the United States could not have done otherwise than order a new trial in what has become famous as the Scottsboro case. It will be recalled that seven Negroes were indicted for an alleged assault upon a white woman and two of the number would probably have been executed three years ago had it not been for the intervention of the court at that time. Since then in one form or another the case has been in the courts. The decision of yesterday orders a new trial. The judgment of the highest tribunal will no doubt affect the legal status of the other five defendants who are still in custody.

The principle upon which the decision of yesterday is based is the important feature of the final judgment. It sustains the constitutional guarantee that a person accused of crime must be tried by a jury of his peers. In this case the court holds that rights of the defendant were violated because Negroes were arbitrarily excluded from jury service at the trial. The exclusion was effected through leaving the names of Negroes off the rolls of veniremen. This means that the qualifications for service as jurors rests with the trial courts instead of the people who make up the jury lists. And it upholds the principle, jealously guarded, that race and color shall not militate against a defendant. While the Constitution should be flexible there are some of its principles that should not be stretched and among such are those involved in the Scottsboro case.

TARBORO, N. C.
SOUTHERNER

APR 2 1935

The Scottsboro Case Again

The decision of the Supreme Court in ordering new trials for Clarence Norris and Haywood Patterson, two of the seven now famous "Scottsboro Boys", on the grounds that their constitutional rights had been violated because no Negroes sat on the jury that convicted them, throws the case back again into the lap of Alabama—which state, one suspects, would be more than happy to wash its hands of the entire affair.

The supreme court, no doubt, knows what it is doing; in fact, it has always enjoyed the enviable reputation of knowing what it is doing. Nevertheless, the grounds on which the new trial was granted seems a bit queer. In effect, the Supreme Court has said that no man of any race may be tried unless there are members of that race on the jury which, of course, is quite a new notion in American jurisprudence. By the same token, Bruno Hauptmann should have a new trial because there were no native born Germans on the jury that convicted him of the murder of the Lindbergh baby. By the same token again, there has never been a Negro legally convicted in Edgecombe county—or most of the South, for that matter—since the days of Negro supremacy during the reconstruction peroid. Nor is the matter confined entirely to the South, for Northern juries seldom have Negroes on them either.

If, as the decision of the court suggests, the Scottsboro boys did not get a fair trial because of race prejudice against them, would it not have been equally true, had there been Negroes on the jury, that the trial would have been unfair because of race prejudice for them? If it were impossible for white men to give the case impartial consideration, it follows that it would also have been impossible for Negroes to do so. The latter, it is suspected, would lean as far away from a straightforward course in one direction as the former would in another.

Since the Supreme Court has said that a jury must contain members of the same kind as the defendant, why not carry the idea a bit further, in order to be consistent, and declare that tall defendants be tried by juries of tall men, cross-eyed men by juries of cross-eyed men, brunettes by brunettes and red-heads by red-heads? After all, one's constitutional rights must be protected.

Three Murders

"JUSTIFIABLE homicide"—such is the cynical verdict handed down by a Georgia coroner's jury after two Negroes, Gent Garlin and his son James, were murdered in cold blood by a gang of deputy sheriffs.

The excuse was the usual Southern lynch lie—"suspicion of rape."

Two days ago, the State of California could not restrain its blood lust and executed a Negro boy, Rush Griffin, nineteen, while his case was being appealed!

The Scottsboro decision is a victory in the struggle for Negro rights, a victory won through the power of the mass fight roused by the Communist Party and the International Labor Defense.

But these cold-blooded killings of Negro workers go on every day. They are part of the terrorism of national oppression of capitalism against the Negro masses.

More than ever the fight for Negro rights, for the smashing of this terrorism, for the wiping out of jim-crow discrimination, for the liberation of the Scottsboro boys and Angelo Herndon must go forward.

Columbia, S. C. Record
April 4, 1935

THE SCOTTSBORO DECISION.

Southern states officials are inclined, it appears, to discount the supreme court decision in the Scottsboro cases, reversing the Alabama court's conviction of two negroes on the ground that negroes were systematically excluded from jury service in Alabama and that the defendants were thereby denied the equal protection of the law.

No law, it is pointed out, excludes negroes from jury service. But that is not the issue, which is one of fact, not law, whether, whatever the law may be, negroes are or are not excluded from jury service.

Neither the question nor the supreme court's decision is new. In the past the supreme court has held that deliberate denial of jury places to negroes in trials of negro defendants is a violation of the rights guaranteed by the constitution. A decision often quoted is that of Neal v. Delaware, handed down in 1880. In this case the supreme court held that the fact that no negro had ever sat upon a Delaware jury, although about 15 per cent of the population of the state were negroes presented a prima facie case of denial of the constitutional right of equal protection of the law. It had been, it declared, a "violent presumption" in the part of the state court that exclusion of negroes over many years had been solely because the whole black race in the state was unfit for jury service. The state of Alabama in the Scottsboro cases denied of course that negroes were wilfully excluded from jury service. The supreme court however, facing the fact that negroes were excluded, overturned the Alabama verdicts.

And the decision is therefore important in any other state or county where, whatever the law negroes may be in fact excluded from jury service. It offers an excuse for delay and a basis for another appeal when there are already too many opportunities for delay and too many avenues of appeal.

The Scottsboro case is hardly the perfect example of what can be done to postpone a final decision in a criminal case; there are grave reasons to doubt the guilt of the accused negroes. But it is none the less a rather good example, both of the possibilities of delay and appeal and of the occasional futility of such devices when they are resorted to in defense of those who may be innocent and not simply employing good political lawyers.

In March 1931, which was four years ago, nine negro youths were indicted at Scottsboro for the rape of two white girls on a freight train. April, four years ago, the nine, the oldest of them 19, were tried in three groups before three Alabama juries which found them guilty.

The cases were appealed to the Alabama supreme court, which affirmed the convictions. A writ of certiorari carried the cases to the United States supreme court which in December 1932 invalidated the decisions on the ground that the defendants had been vouchsafed such inadequate counsel as to deny them rights guaranteed by the federal constitution.

Patterson, one of the nine, was given a new trial in March 1933 with a change of venue and was again convicted. But Judge Horton, presiding, set aside the verdict as contrary to the weight of the evidence. One of the two supposed victims had by that time changed her testimony to give evidence that the negroes were innocent. Judge Horton, who won something like national acclaim for his conduct of the trial, was incidentally defeated in the primary when he came up for re-election in June 1934.

Third trials were held in November and December, 1933, with Patterson and Norris the defendants. They were again convicted and the case appealed to the Alabama supreme court, which again affirmed the convictions. Followed however the second appeal to the United States supreme court and now the new opinion reversing the Alabama courts again and invalidating the four-year old indictments.

UTICA, N. Y.
PRESS

APR 3 1935

ALABAMA AGAIN REBUKED

For a second time the United States Supreme Court has reversed convictions and death sentences imposed by Alabama courts upon negroes in the more or less famous Scotsboro case. For nearly half a dozen years seven young negroes have been in jail in Scottsboro, Ala., charged with criminal assault upon two young white women. The alleged crime occurred on a freight train in a car in which the negroes, the two women and two white male companions were stealing a ride. The allegation was made the negroes attacked the white men, overpowered them and assaulted the women.

For the alleged crime, a capital one in Alabama, the seven negroes were arrested, indicted, tried, convicted and sentenced to death. The Civil Liberties Union and a national negro organization interested themselves in the case of the accused. An appeal was carried to the United States Supreme Court, before which it was argued the condemned men had been unconstitutionally deprived of the aid of counsel in the preparation of a defense. The Supreme Court reversed the conviction and ordered a new trial.

Only two accused, against whom the state was said to have the strongest case, were brought to retrial, the others going over. They are still to be retried. The two retried in a change of venue were convicted and condemned. They were represented apparently by competent counsel throughout. Racial feeling was stirred undoubtedly in the state by the active participation of outside interests and outside legal counsel on behalf of the negroes, so that change of venue hardly insured fairer consideration and trial for the accused. There evidently has been a lot of perjury in connection with the trials. One of the women apparently was dropped as a state witness, when she became of doubtful support to the state's case. The defense's outside counsel by their conduct of their case were seldom tactful or discreet and seemingly often inflamed rather than sought to mollify white prejudice against the negroes. The jury found both the accused guilty a second time and the higher Alabama courts sustained the findings.

The United States Supreme Court, however, again upsets the verdict and orders a second trial. Chief Justice Hughes delivers the opinion, apparently unanimously concurred in by the rest of the bench, since there is no dissent. The reversal is based upon the ground that qualified negroes were systematically and arbitrarily excluded from both the grand and the trial juries. It had long been held, the Chief Justice said, that whenever—by any action of a state, whether through legislation, the courts, executive or administrative officers—persons of the African race were excluded because of race and color from jury service, the court proceedings were invalid. "We think the evidence that no negro had been called for jury service in Jackson County for a generation established there had been discrimination," the opinion declares. "We find no justification for excluding Negroes from the trial jury."

POUGHKEEPSIE, N. Y.
EAGLE NEWS

APR 3 1935

THE SCOTTSBORO DECISION

The decision of the United States Surpemeto accommodate itse
Court on Monday voiding the convictions ofout disruption of
two of the Scottsboro Negroes sentenced toThe immediate res
death in Alabama is welcome news to thought of many conviction
ful persons who have been following the case of crimes for which
for the last four years. That the defendants mayperiod of transition
be guilty of the crime of which they have beenmay be encountere
accused is quite possible, but the character ofoo, that Negroes w
the testimony upon which they were convicted duty will refuse re
was not worthy of credence and it is impossiblevict persons of the
not to believe that racial prejudice determinedthat white juries
the result. acquit. It is to be
It is gratifying that the Court has definitelypen. With their ri
ruled that the practice of many southern statestected, the best se
of barring Negroes from jury duty is unconsti-form for themselve
tutional and voids criminal proceedings in whichof the most consci
resort is made to it. This will be the b
It may be hoped that the South will be ablethe circumstances

Lynchings-1935
Legal Punishment for Rape

Alabama.

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State's Haste Spells New Efforts to Railroad Scottsboro 9

COURT CALENDAR IGNORED IN ANXIETY TO 'DISPOSE' OF CASES—INCREASED VIGILANCE AND PROTESTS NEEDED TO SPIKE SCHEME OF ALABAMA RULERS

IN THEIR determination to rush the nine Scottsboro boys through new lynch trials to the electric chair, Alabama officials are considering the unprecedented action of postponing a whole crowded calendar of ordinary cases set for trial in Decatur, Ala., to permit the holding of a special session of the court early in December to "dispose" of the Scottsboro cases.

Writing on the Scottsboro cases in the New York Times on Sunday, Joan Temple Graves, 2d, Alabama "liberal," openly expressed the desire of the Alabama ruling class "to be rid of the thing."

The policy of Thomas E. Knight, lieutenant-governor of the state and special prosecutor of the Scottsboro boys, who hopes to climb to higher office over their charred bodies, has been one of combined delay and railroading. Delay after delay blocked early action in the cases, to be followed by re-indictment and now by a speed in railroading through a mass lynch trial unprecedented even in the previous history of the Scottsboro boys.

Because of the use of more skillful efforts by the lynchers, designed to block the way to further appeals to the higher courts, the danger to the boys is now greater than ever. There is not a moment to be lost. The broadest united protest movement must be developed everywhere. Trade unions, organizations of every type, must be drawn into action in every city. Governor Bibb Graves of Alabama must receive a flood of resolutions protesting against Knight's railroad policy, and demanding the safe and unconditional release of all nine boys.

Large sums of money will be needed to carry through this fight. Preparations for the defense of the boys have been started. Money to support this fight should be rushed to the International Labor Defense, 80 East Eleventh Street, New York City.

The re-indictment of the boys is not just "another stage" in the Scottsboro cases. It is a new historic development in the battle of opposing class forces, in the resistance of the Alabama rulers to world opinion, to the rising flood of protests against the hideous "rape" frame-up and the world-wide fight against the bestial oppression of the Negro people and the Negro and white toilers of Alabama.

The inclusion of a lone Negro on the Jackson County grand jury which returned the new indictments marks the introduction by the lynchers of more skillful efforts and technicalities to make the death warrant perfect. The fundamental questions in the case all flare up now more than ever, even more clearly marking the case as a symbol of the brutal national oppression of the Negro people and of the struggle for Negro liberation, for civil rights.

BALTIMORE, MD.
MORNING SUN
NOV 11 1935

Says The Supreme Court, Not The Constitution, Saved The "Scottsboro Boys"

To the Editor of The Sun—Sir: J. W. Johnson, in *The Sun* today, is concerned with the saving of the Constitution. He cites for support of his theories the Alabama cases where Negroes were saved by the Constitution. A little study of the facts, J. W., will show you the error in your argument.

In the first place, the Negroes were saved by the laudable action of the Supreme Court in an effort to save the unfortunate youths from another legal lynching. Nowhere in the admirable Constitution that you are trying to defend is the Supreme Court given any authority to do what they did in these cases. The Constitution proves itself inadequate because it never has given the Supreme Court the right to declare anything unconstitutional.

In the second place, when the same Prof. Felix Frankfurter (whose New Deal ideas I also detest) was fighting to uphold the Constitution and prevent the brutal execution of the thousand times proven innocent Sacco and Vanzetti, the Supreme Court turned a deaf ear upon his pleas. They claimed it was beyond their powers. If the Constitution has proven itself inadequate for all occasions, why can't we change it to conform to modern needs? Zebedian.

Baltimore, Nov. 7.

LINCOLN, NEB.
MORNING STATE JOURNAL
NOV 18 1935

Again the defendants in the Scottsboro case are to be tried. Indictments have been returned against them on the basis of the crime with which they were charged in 1931. The supreme court stepped into the case after the last conviction and held that Negroes had been systematically excluded from jury service in Jackson county, Alabama, so the convictions in these cases involving Negroes were faulty. Jackson county is using Negro jurors since the supreme court acted in this manner. There is, of course no hope of an improvement in the machinery for dispensing justice just because the system has been changed to conform with the law. As long as the prejudice against the race remains in the south, methods for legally keeping them from jury service in cases where prejudice dictates the verdict, will be found. Jackson county merely neglected to keep up appearances. It had made the mistake of dropping the pretense of drawing Negroes for jury service.

Columbia, S. C. State
November 21, 1935

Again the Scottsboro Case.

We have long been wondering what Alabama really thinks about the Scottsboro case. So very little has been publicly said about it there, outside of the court rooms and off the political stump. One is permitted, however, to draw some conclusions from reading between the lines.

In the introduction to a special article on this case appearing in The New York Times, and written by John Temple Graves, 2nd, son of the celebrated Southern orator and editor of that name, we find this:

New indictments in the Scottsboro case point to an early resumption of all the noise, bitterness, notoriety and expense that attended the earlier trials. Alabamians still are divided on the merit: of the case, but of one mind in the wish to be rid of the thing for better or for worse.

There is no present disposition in the press or anywhere else to debate the guilt or innocence of the defendants any longer. Comment everywhere runs now to regret that the ugly business must be brought forth again and to hope that this time it will be settled permanently one way or another. To meet the decision of the supreme court a Negro sat on the grand jury that found the new indictments.

Tom Knight, who was attorney general at the time of the last trials and who conducted the prosecution in that capacity, has since been elected lieutenant governor, largely as a result of prestige won in opposing "Communists and New Yorkers" allied against him in the case. Detailed as special prosecutor for the new trials, he is said to have gubernatorial ambitions which new triumphs in the Scottsboro case would serve handsomely. Those close to him

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are convinced that he believes absolutely in the guilt of the Negroes, who are charged with assaults upon two white girls.

In the opinion of many Alabamians the prime thing to be considered today is whether the International Labor Defense shall be permitted to win a famous victory and exploit it to further the Communist movement among Southern Negroes. These Alabamians would be well satisfied if the defense could be taken over by some well-known Southern lawyer or lawyers and an acquittal won under such command. They do not believe acquittal would be wise if the International Labor Defense were in a position to claim credit for it and they do not believe an acquittal will be possible if the defense is conducted by this or any other group identified with what has come to be known as "outside interference in Alabama's affairs." This is in all probability the essentially realist attitude toward the case.

From the very outset the tactics of the spokesmen for the International Labor Defense and other Northern organizations ostensibly rallying to the defense of those accused Alabama Negroes, as well as the conduct of the Northern lawyers sent down there to defend them in their several trials, increased instead of lessened the jeopardy of the defendants. Those people, seemingly for publicity purposes for themselves, not only intensified the already existing race feeling, but created new and bitter prejudices. No policy could have been adopted better calculated to insure the conviction of those defendants by Alabama juries, than the policy pursued by these "outsiders" who injected themselves into the case in the role of defenders. What crass stupidity to assail Alabama juries and judges and courts while the lives of the accused rested upon unprejudiced action by the courts!

Prejudice may be condemned; it may be bitterly denounced. And all that is said against it may be true, but it cannot be removed by such methods. One wonders whether the International Labor Defense and its agents were really concerned in saving the lives of those defendants?

John Temple Graves of Alabama says: "Alabamians would be well satisfied if the defense could be taken over by some well-known Southern lawyer or lawyers and an acquittal won under such command. They do not believe acquittal would be wise if the International Labor Defense were in position to claim credit for it." So it seems that because of these new prejudices created the International Labor Defense has become more conspicuous as a defendant in the dock than the six Negroes, and to prevent its triumph it is regarded as "unwise" to set the Negroes free.

Of course, it is deplorable that "expediency" should ever be considered instead of "justice." But when bitterness has been created that is what happens. Nowhere is it easy to hold the scales of justice evenly balanced; when prejudice gets a foothold it is impossible. It is most deplorable that exploitation of persons or organizations should be placed above human lives or justice.

Birmingham, Ala., Age-Herald
December 4, 1935



"Judges alike of the facts and the laws . . ."

* * *

THE PEOPLE of Alabama are divided on the question of the guilt or innocence of the Negroes in the Scottsboro case. But they are of one mind and heart in desire to be rid of the case forever, to have Alabama freed of the passion, ill-fame and expense that go with it. New indictments and the scheduled resumption of trials make the prospect seem bitterly without end just now. Even if a final legal disposition is obtained, racial, sectional and class feeling promises to foster for years to come unless there is created within the next few days a radically different atmosphere. In this column's opinion it is possible to create that different atmosphere. It can be created by a little realism on the part of all parties involved, by a realism which will recognize certain facts and act upon them.

* * *

Everybody will admit that the only consideration in determining the fate of the Scottsboro Negroes should be whether they are guilty or innocent. But everybody knows that this particular consideration is confused now and almost lost in matters having to do with the relations between the white and black races, between the North and the South, between the Jew and the Gentile, between the Communist and the anti-Communist.

* * *

Obviously the sensible ambition for all parties, whether they believe the Negroes guilty or whether they believe them innocent, is to free the approaching trial of these other considerations. Everyone should desire that and everyone should be willing to accept whatever will assure that, even if it involves admitting some unpleasant things on both sides. A truly fair trial, one in which no prejudice of any sort operates or is suspected of operating against either the prosecution or the defense, is the only possible way in which Alabama can really be rid of this case or of its fearful consequences. Remove racial feeling, sectional feeling and class feeling from the case in a manner which will convince everybody that the removal has really been made, and it will be possible to close the whole hateful chapter honorably and peacefully.

* * *

The only way to remove these racial, class and sectional feelings is to recognize their existence. The only way to isolate the case into a question of guilt and innocence alone is to face courageously and sensibly the fact that the case is not at all isolated as it stands.

* * *

Two things are obvious to anyone near enough the scene to know the situation and objective enough to admit what he sees. One is that no Alabama jury is likely to let the International Labor Defense or any other Communistic organization win a famous victory. Another is that, rightly or wrongly, so much resentment of outside interference has been created that no Alabama jury is likely to let any outside lawyer win a victory, particularly if he comes from New York. This point applies against Samuel S. Leibowitz, and there are other and more personal ones against him as well. It isn't necessary either to approve or to disapprove. These things are facts. They exist. They are the realities of the Scottsboro case.

* * *

It sums up to this: There can be no trial of the case on its merits, no real end to the thing, if the defense is conducted by Communists or by outsiders of any sort. Most especially there can be no fair trial nor any end if the defense is conducted by Samuel S. Leibowitz.

* * *

Once these circumstances are recognized and faced, a solution of the situation suggests itself. Let the defense be handled by an Alabama lawyer. An Alabama lawyer who believes absolutely in the innocence of the defendants, who is experienced and competent in every respect, and who would know that international fame awaited him if he were successful. It might be that the Alabama Bar Association could be persuaded to nominate such a lawyer. It might be that, if the association's zeal were suspected, the nomination might come from other sources. It might be that some lawyer would nominate himself and be able to persuade Patterson, the first Negro to be tried, that his only hope lay in having Southern counsel before a Southern jury.

* * *

The Scottsboro defense should be turned over in toto to an Alabama or some other Southern lawyer. He might accept advice from distinguished Northern counsel, but the command should be his and his alone. He should be a fine lawyer, but even if he were not, even if he were the sorriest shyster in the state, he would have more chance of getting an acquittal for the Negroes than Samuel Leibowitz has, than the I. L. D. has, than anyone from outside the South has.

* * *

Here is something for the Scottsboro Negroes to think about. It may mean life or death for them. It is something for the Association for the Advancement of Colored People to think about. It is something for the Southern Interracial Commission. Naturally Northern organizations which have espoused the defendants in this case will incline to suspect a plot of some sort or to doubt the zeal or competence of Southern counsel. But no one can consider the facts with knowledge and with dispassion and not realize that the only hope of a fair and unprejudiced trial now is with some well known Southern lawyer commanding the defense. Friends of the Negroes can ask for nothing better than this, and neither can friends of Alabama.

"SCOTTSBORO AND COMMON SENSE"

Editor, The Advertiser:

In your issue of Dec. 6 on your editorial page you reprinted a letter from The Birmingham Age-Herald from the facile pen of John Temple Graves, II. I have heard a number discuss this subject and about all any of us can get out of it is an empty boxcar loaded with a group of willing hobos including several negro boys and two white girls on the one hand and some political aspirants on the other and we are tired of it all; besides, it is giving us some very uncomplimentary notoriety in other States. Personally, we should like to see it forgotten. Perhaps the Scottsboro authorities at the first should have put them all on their chain gang for 30 days and sent one color West and the other East, or have paid no attention to any of it. We see hundreds of what are called hobos every time we are where a train of cars is passing North or South, East or West. Then why make such ado about this particular case?

O. P. SPIEGEL.

Montgomery, Ala.

Alabama

Lynchings—1935
Legal Punishment for Rape

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Montgomery, Ala. Journal
April 5, 1935

All Dixie States Expected To Follow Alabama's Lead And Put Negroes on Juries

By W. F. CALDWELL
Associated Press Staff Writer

Alabama's action in ordering new jury lists drawn to conform with the United States supreme court decision in the Scottsboro case may be followed by other southern states calling more negroes for active jury duty.

No negroes are barred by law from jury duty in the south but few have actually been called to sit on cases. In most of the states jurors must be qualified voters and this in itself has kept a great many negroes off the jury list.

Conviction Set Aside

In granting new trial to the Scottsboro negroes, the supreme court set aside their conviction in the Alabama court on the ground of systematic exclusion of negroes from the jury.

This ruling caught the attention of the law enforcement officers in the south.

An editorial in the Richmond News Leader supported the general belief that some negroes had been called for jury duty in that state since the trial of George Crawford, who was convicted of slaying Mrs. Agnes Ilsley, wealthy sportswoman.

"Here in Virginia, the way was opened by the Crawford case," the News Leader said. "Although Judge McLemore denied the motion to quash the indictment on the ground of racial discrimination in drawing the jury, the argument in November, 1933, so impressed Virginia jurists that most of them quietly directed the inclusion of negroes on grand juries. This has been done without creating the slightest ripple."

Major W. Calvin Wells, president of the Mississippi State Bar association, said the Scottsboro decision "may have great effect" on state courts. The Mississippi law does not bar negroes from jury service because of race or color.

The North Carolina supreme court has held twice in the last year or so that negroes were not entitled to new trials when major grounds for appeal were allegations of exclusion of negroes from the jury. The court held that the simple fact negroes were not on juries was not conclusive evidence they were barred from the jury box.

Negroes serve on federal juries frequently in North Carolina and the same is true in federal courts in Georgia and other southern states.

Not Barred in Florida

Florida juries are drawn from lists of qualified voters supplied the court by county officers. Negroes are entitled to vote in Florida and when they do, become eligible for jury duty.

Jury commissions in South Carolina have discretionary power in selecting jury panels.

Negroes holding poll tax receipts—a necessary qualification to vote—are eligible for jury duty in Arkansas. Assistant Attorney General Thomas Fitzhugh, of that state, said "It just happens that no jury commission selects negroes for jury duty. It may be just a coincidence."

Under Control in Texas

Texas statutes and the conduct of criminal trials "are in conformity with the decision of the supreme court," said Attorney General William McGraw, of Texas. "Generally when (negroes are) drawn for service a suitable excuse is presented and always accepted. Texans have demonstrated perfect ability to properly control the negro question within the constitution.

Jury commissioners are the sole judge of qualification of jurors in Alabama. The names of the jurors are drawn from the lists of eligibles supplied to the judges by jury commissioners. Usually the lists are revised every two years. There is no law barring negroes from jury duty in that state.

NEGROES CALLED ON FEDERAL JURIES

Though a checkup failed to reveal any instances of negroes serving on juries of the United States court for the middle district of Alabama recently, negroes have in former years been named to both trial juries and grand juries, it was stated Friday.

O. D. Street, Jr., clerk of the court, said that he could recall no negroes having served on juries during his term of office, during the past two years, but said that they had been admitted previously.

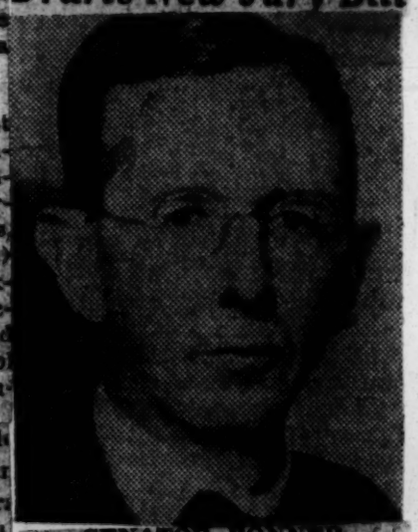
Those serving on the juries were always of the educated negro class, and there were never more than two or three in any jury panel.

HAILED AS VICTORY FOR COLORED RACE

NEW YORK, April 5.—(AP)—The orders that negroes be included on Alabama jury lists, issued today by Governor Bibb Graves to court officials in the state, were acclaimed by the National Association for the Advancement of Colored People.

Arthur B. Spingarn, for 21 years chairman of its national legal committee, declared, "it is a very fine step. It should advance not only the rights of negroes, but also the whole attitude of that section of the country towards enforcement of the law."

Drafts New Jury Bill



SENATOR BONNER of Wilcox county, who is drafting a bill to restrict jury service in Alabama to qualified voters. His measure, which is expected to be introduced when the legislature reconvenes April 30, would greatly curtail the number of negroes eligible for jury service, he asserts.

Scottsboro, Ala., Sentinel
April 4, 1935

THE U. S. SUPREME COURT AND OUR ALABAMA JURY SYSTEM

(An Editorial in Tuesday's Montgomery Advertiser)

The Supreme Court of the United States has bluntly laid down the law to Alabama on the question involving the right of negroes to serve on juries.

In reversing a Jackson County court in the conviction of two of the "Scottsboro" infants, the Supreme Court seems to have ignored the evidence and confined its comments mainly if not entirely to the fact that no negroes were on the jury which convicted two negroes of a felony. The Advertiser has read only a press summary of Chief Justice Hughes's position, but it would appear that he is concerned, not with the evidence upon which the defendants were convicted, so much as with the color of the jury that convicted them.

The Court charges that negroes were "systematically excluded" from jury service in the county of trial and that the few names of negroes in the jury box were fraudulently admitted.

The Advertiser does not know whether this charge of fraud is just or not. It may be that the names of negroes were admitted after the issue involving the right of negroes to serve on Alabama juries was raised.

The Advertiser does know that generally speaking the names of negro citizens are not in the jury boxes in the counties of Alabama, although negroes may and do serve on Federall juries in this State.

What qualifications must a juror possess under the law? He must be a person of good character, good standing and good intelligence—at least, this is the theory upon which names are admitted to the jury box. The jury commissioners of Alabama, inquiring for new names to put on their lists, never ask whether one is black or white, yellow, brown or bronze. The citizens to whom these verbal inquiries are addressed, instinctivey report only the names of white persons. The race question is rarely if ever raised between jury commissioners and citizens whom they question.

From a strict technical standpoint negroes are not excluded from juries; in common practice they are, of course.

At last the Supreme Court, following up previous warnings, reverses the verdict of a State court upon the ground of race discrimination in the selection of jurors.

It now follows that Alabama jury commissions must immediately put the names of reputable negro citizens in their jury boxes. Otherwise we cannot hope again to have the Supreme Court of the United States affirm the findings of a State court wherever a negro's liberty or life is at stake.

The Advertiser therefore would urge that county jury commissions in Alabama act immediately to make it possbile for the State of Alabama to win a case involving a negro in the Supreme Court of the United States.

Otherwise, we wish to say that Mr Hughes's pontifical deliverance is a lot of baloney.

Here is the Supreme Court of a great republic, reviewing the trial of two men charged with an offense that stands first among felonies in this State, reversing the verdict of an oathbound jury upon the ground that it does not like the color scheme of that jury.

The Supreme Court of the United States tells Alabama, in effect, that it is not primarily interested in otherwise credible evidence demonstrating human depravity, but that it is primarily interested in the academic political "rights" of a politically dispossessed race.

The Advertiser may be dumb, as well as "lost and ruint," but to save itself it cannot see what the political rights and privileges of negroes in Alabama have to do with the guilt or innocence of the gorillas who are charged with criminal assault upon two women, it being agreed that rape is a felony under the law in this backward State.

Either these gorillas committed rape, or they did not.

If they committed rape the jury, (even though white) knows the truth and reported it faithfully.

If they did not commit rape, we believe that this jury would have said so.

Suppose the defendants had been Italians. There are no Italians in Jackson County. So far as we know there are not today any Italians in Montgomery county, despite its relatively large population. Certainly there are no Spaniards, no Japanese, no Tahitans, no Indians, no Eskimos either in Montgomery or other counties.

In that event not many juries in Alabama could hope to have their verdicts affirmed by the Supreme Court of the United States if a member of either of these races should ...ve here tomorrow and commit a ...pital offense.

It seems to The Advertiser that if the Supreme Court of the United States, presided over by Charles Evans Hughes, had a more sensitive regard for the victims (actual and potential) of felonious assault and less regard for the politically dispossessed in the home State of these victims, it would not devote an entire opinion to an academic politics question, but would offer some comment on the evidence by which the gorillas aforesaid had been convicted.

After all, the rape of a wench is not morally different from the rape of the proudest gentlewoman in the republic, and it seems to us that any man of sound instincts would see this truth. Rape happens to be a capital crime in Alabama.

We are sorry that the Supreme Court of the United States seems to have no immediate interest in th... phase of the subject.

NEW YORK TIMES
APR 7 1935

SCOTTSBORO RULING DISTURBS THE SOUTH

Move to Put Negroes on Jury Lists in Alabama Follows Supreme Court Decision.

NEW TRIAL IS DISLIKED

By JOHN TEMPLE GRAVES.
Editorial Correspondence, THE NEW YORK TIMES.

BIRMINGHAM, Ala., April 5.—Thirty-six hours after the United States Supreme Court ordered new trials in the Scottsboro cases last Monday an audience of some 4,000 white men and women in Birmingham's municipal auditorium gave a Negro one of the greatest ovations ever bestowed upon a Negro in the South. He was William L. Dawson of Tuskegee Institute, whose Negro Symphony No. 1 had just been played by the Birmingham Civic Symphony Orchestra, and who, with a group of Negro friends in evening dress, occupied the stage boxes as honor guests of the association.

It was a tribute, of course, to a fine musician, without regard to color, but there was an additional note in it that took source from the news of the Scottsboro decision and was concerned exclusively with his color. Distressed at prospective renewal of hateful emotion and prejudices involved in this case and confused in their own minds about the right and wrong of the matter, these Alabamians undoubtedly had a certain satisfaction and relief in giving unstinting homage to a Negro of whose desserts they were sure.

South Is "Confused."

That the Supreme Court's decision, setting aside the conviction of two Scottsboro defendants on the ground that Negroes had been excluded from the jury rolls, has resulted in both distress and confusion in the South is evident in the silence of Southern newspapers and the ambiguity of the first statements issued by officials. In so far as the Scottsboro case itself is concerned, the guilt or innocence of the Negroes long since has ceased to be the paramount issue in the minds of most Alabamians.

The real question is whether there is to be a spectacle of defeat for communism and of punishment for rape. That circumstances make such a spectacle necessary to the social stability of this section, in spite of the fact that Samuel Leibowitz, counsel for the Negroes, has dissociated himself from the International Labor Defense and that the crime is doubtful, is the inflexible if misguided conviction of many Alabamians who will insist that a fresh start be made now in the business of getting the accused men to the electric chair.

Governor's Action.

Prompt action by Governor Bibb Graves to have the names of Negroes placed in Alabama jury boxes in conformity with the decision and his statement that "Alabama is going to observe the supreme law of America" are being taken as fresh examples of a political realism and an executive courage which have made him one of the strongest Governors in Alabama's history. Nearly all daily newspapers in the State gave the announcement a leading place on their front pages.

Birmingham papers are unanimous in praise. Although there has not been time yet to estimate the general reaction, indications are that the statement gives Alabamans a clue to which they are quite likely to respond, in spite of efforts on the part of some politicians to seek new devices against bona fide admission of the Negro to jury service.

Thus far, Southern comment on the Supreme Court decision runs more to the general than to the particular implications in the matter of admitting Negroes to jury service. Although there are many suggestions that the subterfuges and legal fictions employed heretofore to exclude Negroes will have to be replaced now with other devices to accomplish the same end, more thoughtful opinion, particularly in the press, inclines to a belief that the decision must be accepted in dead earnest and that Negroes must be admitted to jury duty henceforth in Southern courts if convictions are to stand on appeal to the highest court in the land.

Views of the Press.

That the change in Southern practice will not be as revolutionary in what it calls for or what it threatens as some Southerners may fear, is the opinion of The Birmingham News. Pointing out that Negroes serve already on Federal juries in Alabama and that they are included in jury rolls and sometimes drawn for service in State courts in some counties, The News thinks the conclusion inescapable "that Alabama will have to take steps to correct the situation criticized by the Supreme Court wherever it holds true. The court's opinion unquestionably calls for remedial action in those counties where Negroes are excluded from the jury rolls."

Long before last Monday's decision the matter of admitting Negroes to juries had been under discussion in the South and many voices were being lifted in favor of it. Not only are the ideas of Southern white people changing but the Negro himself is continually improving and many who would have held him unfit for the duties and rights of citizenship a decade or so ago consider him qualified today. It is safe to suggest that the South is not half as shocked at the prospect of Negro jurors as it is at the threat of another Scottsboro trial.

HOPE AGAIN REVIVED



International
Haywood Patterson, one of the "Scottsboro boys," in his cell.

SPRINGFIELD, MASS.
REPUBLICAN

APR 8 1935

Negro Jurymen

Gov Bibb Graves of Alabama in his prompt response to the decision of the supreme court of the United States requiring acceptance of Negroes as qualified jurymen has performed an important public service. His unequivocal acceptance of the ruling as part of the "supreme law of America," to be upheld "in letter and spirit," is calculated to discourage any disposition that may exist to nullify the ruling by evasion or subterfuge.

In no state in the Union are Negroes directly denied by law the right of jury service. In most, if not all, of the southern states they occasionally serve, in some counties, in the state as well as in the federal courts. The exceptions have been violations of the constitutional right by prejudiced officials rather than by the direct action of prejudiced legislatures or courts. The requirement now emphasized is for an extension in practice of a right generally recognized in principle. While some alarm is expressed in the South lest the policy dictated by the supreme court may weaken the states' defenses against a particular class of atrocious crimes, it is gratifying to know that the response in official and other influential circles has been generally reassuring.

A test of the new policy, which it may be assumed will be inaugurated, will come when it is put into practice. It is, of course, important that Negro jurymen, as well as white jurymen, shall be qualified by intelligence and character for the important service. It will be recalled that, during the last trial of the Scottsboro defendants, one explanation offered for the absence of Negroes from the jury list was that there were none in the jurisdiction who were qualified. The

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NEW YORK SUN

APR 3 1935

BACKS BAN AGAINST NEGROES ON JURIES

Bankhead Says South Will Continue Practice.

WASHINGTON, April 3 (A. P.).—A belief that the selection of juries in the South will continue according to long established practices was expressed today by Senator Bankhead, Democrat, of Alabama. He voiced his opinion in an interview on the results of the Supreme Court's decision setting aside the convictions of Clarence Norris and Haywood Patterson, two of the Scottsboro defendants.

The South probably will go on handling its affairs in much the same way that it always has, Mr. Bankhead said.

The basis for the Supreme Court's ruling was a finding that Negroes had been barred from jury service in the locality where Norris and Patterson, Negroes, were tried for an alleged assault on a white woman in Alabama.

"It's entirely a race question," Senator Bankhead observed. "Suppose a Jew or an Italian were convicted in New York. Would he have justified complaint if there were no Jews or Italians on the jury? Of course not.

"And I don't think that Southern lawyers who are counsel for Negroes will demand that Negroes be on the jury.

"Of course, the question might be raised for technical reasons, but the average Southern lawyer won't bring it up.

"Incidentally Negroes probably would be quicker to turn in a guilty verdict than whites," he concluded.

Some Things That Are Needed to Complete Scottsboro Victory

MUST BE MASS DEMAND; FUNDS URGENT "NO NEW INDICTMENTS, NO NEW TRIALS," IN FIGHT FOR BOYS' LIBERATION

IT WAS reported some time ago that the grandchildren of former Governor B. M. Miller of Alabama had the most elaborate stamp collection in the South. Daily Worker

These youthful connoisseurs had the assistance of their grandfather in assembling this stamp collection. Where did all the stamps come from? They came on envelopes which arrived from England, France, Germany, Spain, China, Japan and the Soviet Union.

In those envelopes were protests of workers and farmers, from students and intellectuals, from Young Pioneers throughout the world. 4-9-35

These are the protests whose cumulative effect compelled the U. S. Supreme Court to reverse the lynch decision against the framed-up Scottsboro boys. In this momentous decision the highest court of the land was forced to declare that Negroes must be placed on the jury rolls in the South. New York,

Joy swept through the hovels of the Negro workers in the industrial towns of the South and the shacks of the sharecroppers with the announcement of the reversal of the Scottsboro decision.

But the victory is not yet complete!

The Alabama authorities are taking steps leading toward the re-indictment of the Scottsboro boys.

There is no basis for their re-indictment. There is no basis for continued trials of these tortured Negro boys.

The decision of the U. S. Supreme Court itself tears to shreds the frame-up structure that Attorney General Knight and his fellow lynchers have constructed in the Alabama courts.

One of the two original complainants, Ruby Bates, has appeared in open court to testify to the frame-up character of the first trial in Scottsboro.

One of the principal witnesses in the case, Lester Carter, was held in jail in Scottsboro for 16 days without the opportunity to testify, because the authorities feared that he would help riddle the frame-up. When Carter testified for the defense in the Decatur court he described vividly the plot of the Alabama officials to execute the nine Negro boys on charges of which they were absolutely innocent.

No more re-indictments! No more trials of the Scottsboro boys!

The Daily Worker heartily endorses the present campaign of the International Labor Defense to obtain funds urgent to carry on the fight to a successful conclusion. Even its sworn foes must now acknowledge that without the persistent fight of the I. L. D. the Scottsboro boys would now be dead.

The I. L. D. has thus far spent $75,000 in the fight to save the boys. Within the next 60 days $20,000 more must be raised.

The Daily Worker pledges that its columns will be wide open to the I. L. D. in its campaign to raise this much needed sum.

Help make the Scottsboro victory complete! Send your contributions at once to the International Labor Defense, Room 610, 80 East Eleventh Street, New York.

WASHINGTON, D. C.
POST

APR 3 1935

Comment On The Scottsboro Ruling.

Memphis (Tenn.) Commercial-Appeal—"It is commendable of the prosecuting authorities of Alabama to want to punish criminals, but we seriously doubt the wisdom of a retrial of the Scottsboro case. In view of the repudiations and denials there is a question of legal guilt. New York lawyers and agitators have fattened off the publicity. The Supreme Court's ruling about Negro juries will not change the manners and customs of Alabamians. Further controversy will only inflame the people to a resentment that will be bad for both races."

New York Times—"The test under which the Supreme Court was placed has been trying, but the judges have met it in the finest tradition of judicial independence and integrity. They have showed that their love of justice extends to the smallest as well as the greatest. The records which they have made in this case can not fail deeply to impress the whole country. People may well hope to be spared a renewal of the original proceedings in the lower court. Might not the Governor of the State find sufficient reasons in what has already taken place for issuing a pardon in order to do substantial justice and at the same time free the courts from the duty of going on with a case which has become a public symbol of the mischief that may be wrought when prejudice is allowed to invade the place dedicated to impartial justice?"

Montgomery (Ala.) Advertiser—"Otherwise, we wish to say that Mr. Hughes' pontifical deliverance is a lot of boloney. It seems to The Advertiser that if the Supreme Court presided over by Charles Evans Hughes had a more sensitive regard for the victims (actual and potential) of felonous assault and less regard for the politically dispossessed in the home State of the victims it would not devote an entire opinion to an academic political question, but would offer some comment on the evidence by which the gorillas aforesaid had been convicted.

"After all the rape of a wench is not morally different from the rape of the proundest gentlewoman in the Republic and it seems to us that any man of sound instincts would see this truth. Rape happens to be a capital crime in Alabama."

Birmingham (Ala.) Age-Herald.—"Let the Scottsboro cases now be vigorously and fairly prosecuted and concluded in the light of the clear-cut Supreme Court ruling. Let us confront and assume the responsibilities which that decision generally emphasizes."

Hartford (Conn.) Courant.—"The case of the Scottsboro boys has become deeply involved in all sorts of prejudice, social and economic as well as racial. To lift it above such entanglements, to put it on a basis of simple fact, to lay it before a judge and a jury whose sole interest shall be the determination of the truth, to prosecute it fairly will be no simple task, but it is not an impossible one, and Alabama, whose courts have twice been rebuked by the highest tribunal, would seem to have no greater duty at the present time to see that it is accomplished in a way that will give no one further occasion to criticize.

The protection of its citizens, resting on the assurance that equal justice will be accorded to all, is the first and the highest duty of a State. If Alabama wishes to secure its reputation as a State in which the primary obligations of civilized life are fulfilled, it will now bend every effort to giving the boys a fair trial and seeing to it that, if acquitted, they are fully protected against violence from all sources. Not the boys but Alabama is now on trial."

LYNCHBURG, VA.
NEWS
APR 6 1935

THE SCOTTSBORO CASE

The decision of the supreme court of the United States in the Scottsboro case has been received with acclaim in many quarters. Nearly all commentators have expressed their satisfaction that the Negroes who were convicted by an Alabama court on evidence that appears to have been inadequate and in some instances perjured, are to have a new trial if Alabama decides to press the charges, or are to go free. Few newspapers outside Alabama have resented the opinion, or done other than approve it.

The News is one of those that believes there is grave doubt of the guilt of the condemned men. Yet it finds it impossible to feel any great enthusiasm about the decision of the highest court in the land. Its lack of enthusiasm, needless to say, in face of confession of doubt of guilt, is not the result of the decision itself, but of the basis for that decision. That basis was that since no Negroes have ever served on juries in Alabama, Negroes are thereby shown to be excluded from such service and the Negro defendants therefore were denied their constitutional rights of a fair trial by their peers. Nor is the lack of enthusiasm due to any concern about granting to Negroes the right to serve on juries. That is a question that is certain to be raised more and more frequently and there will be few convictions in the southern states of Negroes accused of major felonies that can be regarded as final until the question is finally and definitely settled. The opinion of the supreme court in the Scottsboro cases may hasten such settlement. The inability of The News to find any real satisfaction in the supreme court's decision is the consequence of fear that the basis of that decision was a makeshift. The supreme court apparently was convinced after two hearings of this case that the Negroes had not received justice, that there was serious doubt about their guilt. But new trials were not ordered on that ground; they were ordered because Negroes are not permitted, or because evidence indicates that they are not permitted, to serve on juries in Alabama.

Comment gives clear indication of public opinion. Where approval has been expressed it has been because the Negroes are to have a new trial, no matter what expedient was resorted to to give them a new trial. Where disapproval has been expressed it has been based on the belief that the Negroes are guilty. The reasoning on which the decision was based has been held of no moment, almost as unworthy of comment.

"We do not believe," says the Greensboro Daily News, "that the supreme court is going to send back for trial every case in which a Negro has not been provided with a jury of his peers?" That is equivalent to saying that the supreme court's reasons for giving a weighty decision were not the true reasons. How the supreme court will keep from sending back every such case, The Daily News says, "is the supreme court's business, not ours."

Perhaps, it is none of our business, but if another case is appealed on that ground to the highest court in the land and that court does not send it back for a new trial its action will be a plain confession that its reasoning in the Scottsboro case was manufactured for the occasion and is to be accepted only in a Pickwicklian sense. That, The News submits, would not be very exalted stand for the supreme court to take and would not make for any exalted opinion of that body. Many closely divided opinions have weakened the prestige of the court; fear that many more nearly unanimous opinions are reached first and reasoning to sustain them sought afterwards will weaken it still further. It is to be hoped that future decisions in similar cases will remove some of the cause for that fear.

WASHINGTON, D. C.
POST
MAR 29 1935

Soviet Dropped Scottsboro Aid, Dean Charges

Labor Defense Unit Must Depend on America, Houston Asserts.

Desertion of the International Labor Defense by Moscow, with reference to prosecution of the Scottsboro case, was the charge made by Dean Charles H. Houston, of Howard University, last night before the Liberal Arts Club of that institution, where he and Bernard Ades, attorney for the I. L. D. organization, presented opposing views on tactics of legal defense.

"The International Labor Defense has been left high and dry, and holding the bag," said Dean Houston, "since Russia was recognized. Moscow has soft-pedaled the Scottsboro case, and called off the parades and demonstrations, not only here, but also in foreign countries.

"The group which remains here, however nobly it holds on, must effect an American ideology if it would succeed. While the National Association for Advancement of Colored People has never actually been [illegible] case, through legal representation, it has been concerned with reference to tactics employed, and it believes this American ideology would be of more aid to the defense than tactics formerly utilized."

Ades expressed the opinion that the National Association for Advancement of Colored People was never a part of the Scottsboro legal defense because of a bankruptcy of ideas, and because of its purpose in organization, to benefit the upper strata rather than the masses of colored population.

BOSTON, MASS.
Transcript
APR 2 193[illegible]

The South Hears from the Supreme Court

In its decision that convictions in the Scottsboro case must be set aside because of the systematic exclusion of Negroes from jury service in Alabama, the Supreme Court of the United States takes action which may be far-reaching in its effect. The decision applies not only to the case of the Negroes whose fate was involved in the case before the court. There was, in addition, laid down a rule that must govern in all States. No color line is to be drawn in the selection of citizens for jury service. The Supreme Court went to the record in the Scottsboro case. It found that there was such discrimination.

There is natural interest in what Alabama will do with reference to the cases of the Negroes and their companions accused of assault upon two white women, but of greater interest is the reaction in the South to this declaration concerning the status of Negroes with reference to jury service. It is a complicated problem in States in which the distinction between the races is sharply maintained by law and custom. Exclusion of Negroes from jury service is not limited to Alabama. It obtains elsewhere in that part of the land where Negroes must travel in Jim Crow cars, and in many other ways must not trespass upon the prerogatives of the Whites.

These distinctions may endure, but in the administration of justice there is, in the light of the Supreme Court decision, no warrant for discrimination against a great body of the inhabitants of the Southern States. It cannot be justified on the plea that Negroes by training and attainment are not qualified to serve as jurors. The Court finds that there were available in Alabama Negroes who were college graduates, who had found places in the professions, who had acquired property. It is absurd to say that such men have not sufficient intelligence and character to make acceptable jurors.

The decision will recall, here in Massachusetts, the excitement occasioned two years ago when the late Judge James A. Lowell granted a writ of habeas corpus in the case of a Negro wanted in Virginia to answer to a charge of murder. Because of the exclusion of Negroes from jury service in that State Judge Lowell, in granting the writ asked: "Why send this Negro back to Virginia when I know and everyone knows that the Supreme Court will say the trial is illegal?" Judge Lowell was overruled when the case was appealed but the correctness of his statement concerning the attitude of the Supreme Court is now given signal demonstration. The court was not called upon to consider the rights of the man accused of the murder in Virginia. He was extradited, tried and convicted, but accepted a sentence of life imprisonment, and did not appeal. However, what Judge Lowell said in Boston was a forerunner of the decision now made in the Scottsboro case, for which the Supreme Court finds precedent in the fifty-year-old Delaware case to which Judge Lowell also made reference.

YOUNGSTOWN, O.
VINDICATOR
APR 2 1935

Scottsboro Establishes a Principle

Yesterday's decision of the Supreme Court in the Scottsboro case was a victory for American justice in general, as well as for the Negro boys sentenced to death for a crime which it seems they did not commit.

"We think," Chief Justice Hughes said, "the evidence that no Negro has been called for jury service in Jackson County (where the trials were held) for a generation established there had been discrimination."

In other words, in order to obtain a conviction against the two defendants, Clarence Norris and Haywood Patterson, the state of Alabama deliberately excluded Negroes from the jury, just as it had been accustomed to bar Negroes from juries for many years past.

But for the Supreme Court's decision, the boys would probably have been executed. They will now receive a new trial, as will the five other defendants. Since much of the testimony upon which they were originally convicted has been proved false, it is likely that they will finally be granted their freedom. For their years in prison and the suffering they endured with the death penalty constantly hanging over them, they will at least have the satisfaction of knowing that they established the principle that the South can no longer railroad Negroes to prison or to death, but must give them a fair trial.

Alabama.

Lynchings—1935
Legal Punishment for Rape.

5012

No Southern State Bars Negro On Juries B[illegible]e Called

Alabama Officials On Supreme Court Decision

By W. F. CALDWELL
Associated Press Staff Writer

ATLANTA, GA., April 2.—(AP)—There are no laws in Southern states barring negroes from jury duty although by custom comparatively few actually have been called.

This was emphasized today by officials of several states in noting that the U. S. Supreme Court decision reversed the Scottsboro case on the grounds that negroes were systematically excluded from serving on Alabama juries.

Commenting on this matter, Atty. Gen. William McGraw, of Texas, said at Austin:

"Texas statutes and the conduct of criminal trials are in conformity with the decision of the Supreme Court. Generally when (negroes are) drawn for service, a suitable excuse is presented and always accepted. Texans have demonstrated perfect ability properly to control the negro question within the constitution."

Atty. Gen. A. A. F. Seawell, of North Carolina, said the decision "gives us pause for thought. It may mean more appeal attempts to the United States court from verdicts of our courts."

From Asst. State Atty. General W. F. Barry, Jr., of Tennessee, came the prediction that "I don't think that decision will have any influence whatever in the South except probably on a retrial of those cases."

Negroes are eligible for jury service in Arkansas if they hold a poll tax receipt, which is a necessary qualification for an election. Asst. Atty. Gen. Thomas Fitzhugh, of that state, said:

"It just happens that no jury commission selects negroes for jury duty. It may be just a coincidence."

Atty. Gen. Cary D. Landis said the Scottsboro decision will have no effect on judicial procedure in Florida. Calling attention to the fact that there is no law in Florida to prevent negroes from serving on juries and that jury lists are [illegible] from qualified voters, the Attorney General continued:

"Negroes are allowed to register to vote. They then become eligible to vote and are qualified for jury duty. Negroes have served on state court juries in Florida but not in recent years."

The office of the Mississippi Attorney General pointed to the records of that state's Supreme Court having set aside a conviction of a negro sentenced to hang for killing a white man when the district attorney admitted that negroes had been excluded from jury duty because of race and color. The court held that was sufficient to quash the indictment.

Jury commissioners in Alabama select the prospective veniremen and place their names in a box from which they are drawn by the presiding judge in open court. The commissioners are the sole judges of the qualification of jurors.

Atty. Gen. John M. Daniel, of South Carolina, said negroes "sit on some juries in some counties."

In Atlanta a few months ago, a judge denied a motion to quash an indictment against a negro on the ground that negroes were excluded from jury duty. At that time a negro was sitting as a juror on a civil case in Atlanta.

Since Maryland's noted Euel Lee case two years ago, negroes in that state have been included on every panel from which a jury is drawn and in some instances served on the jury. Asst. Atty. Gen. Henderson said "Maryland had its own Scottsboro case two years ago."

In Oklahoma, Atty. Gen. Mac Q. Williamson said the Scottsboro decision does not affect the administrative procedure in that state for jury selection.

He continued:

"In Oklahoma we have three jury commissioners in each county who have discretionary powers in drawing jury panels from lists of taxpayers. Jury commissioners in their discretion can select any reliable taxpayers whom they believe will make good jurors whether the selections be Indians, Chinamen, negroes or whites."

Negroes May Be Placed On Alabama Jury Rolls

Silence clothed official circles in Montgomery yesterday on the effect of the U. S. Supreme Court's decision in reversing two death sentences imposed in the "Scottsboro case" because the names of negroes did not appear on the jury rolls of Jackson County.

The nation's highest court Monday held the constitutional rights of the negroes—Heywood Patterson, and Clarence Norris—had been violated by "systematic exclusion" of negroes from juries in the county where they were indicted.

The negroes are two of nine indicted on charges of attacking two white women—Mrs. Victoria Price and Ruby Bates—aboard a freight train in Jackson County on March 25, 1931, and were convicted with the death penalty in Morgan County in December, 1933.

Lieut. Gov. Thomas E. Knight, Jr., retained by the State to prosecute the cases, and Solicitor H. G. Bailey, who directed the Grand Jury investigation returning the original indictments yesterday reiterated plans to seek new indictment and bring the negroes to trial.

"I do not know what effect the opinion will have," said Solicitor Bailey, at Guntersville, where he is conducting a regular session of the Marshall County Grand Jury, "but something will have to be done."

While Atty. Gen. A. A. Carmichael and other officials withheld comment pending receipt of the opinion from Washington, Roderick Beddow, prominent criminal attorney in Birmingham, said the names of qualified negroes would have to be put on the rolls.

Beddow said it would not make material difference, adding, "negroes have been drawn for jury duty in Jefferson County, but they do not wish to serve. My experience has been that they invariably asked to be excused.

"I also have observed that for any other than capital crimes, white juries are more sympathetic toward a negro defendant than they are toward a white man charged with the same offense."

While official comment was withheld, the holding of the nation's highest court that negroes were "systematically excluded" from jury duty and that the indictments in the "Scottsboro case" should have been quashed on those grounds, indicated that the names of qualified negroes probably would be placed on the jury rolls.

The opinion and ruling of the U. S. Supreme Court will be forwarded to the Alabama Supreme Court, which then must act on its recommendations and ruling, returning the cases to the courts where the negroes were tried.

No official action can be taken before this procedure is carried out, and then, if the circuit solicitor or the Attorney General requests it, Judge A. E. Hawkins, original trial judge in the case said, a special session of the Jackson County Grand Jury would be called.

If a special session is not called, evidence for new indictments would be submitted at the regular session in September.

Initiative from the defense was expected, however, as Anna Damon, acting national secretary of the International Labor Defense in New York, announced immediate steps would be taken to free the negroes.

A writ of habeas corpus in behalf of Patterson, she said, already had been forwarded to C. B. Powell, Birmingham attorney for the I. L. D., and that other steps would depend upon a study of the complete text of the Supreme Court's decision.

Patterson and Norris remained in Kilby Prison here, while the other seven defendants, whose trials were postponed to await the outcome of the appeal to the Supreme Court, are held in the Jefferson County Jail at Birmingham.

THE SUPREME COURT AND OUR JURY SYSTEM

The Supreme Court of the United States has bluntly laid down the law to Alabama on the question involving the right of Negroes to serve on juries.

In reversing a Jackson County court in the conviction of two of the "Scottsboro" infants, the Supreme Court seems to have ignored the evidence and confined its comments mainly if not entirely to the fact that no Negroes were on the jury which convicted two Negroes of a felony. The Advertiser has read only a press summary of Chief Justice Hughes's position, but it would appear that he is concerned, not with the evidence upon which the defendants were convicted, so much as with the color of the jury that convicted them.

The Court charges that Negroes were "systematically excluded" from jury service in the county of trial and that the few names of Negroes in the jury box were fraudulently admitted.

The Advertiser does not know whether this charge of fraud is just or not. It may be that the names of Negroes were admitted after the issue involving the right of Negroes to serve on Alabama juries was raised.

The Advertiser does know that generally speaking the names of Negro citizens are not in the jury boxes in the counties of Alabama, although Negroes may and do serve on Federal juries in this State.

What qualifications must a juror possess under the law? He must be a person of good character, good standing and good intelligence—at least, this is the theory upon which names are admitted to the jury box. The jury commissioners of Alabama, inquiring for new names to put on their lists, never ask whether one is black or white, yellow, brown or bronze. The citizens to whom these verbal inquiries are addressed, instinctively re-

[illegible] large popu[illegible]ided over by Charles Evans Hughes, had [illegible] no Spaniards, a more sensitive regard for the victims [illegible] no Indians, (actual and potential) of felonious as[illegible]ntgomery or[illegible]sault and less regard for the politically [illegible] dispossessed in the home State of these [illegible]uries in Ala[illegible] victims, it would not devote an entire [illegible]heir verdicts[illegible] opinion to an academic political ques[illegible] Court of the[illegible]tion, but would offer some comment on [illegible] of either of[illegible] the evidence by which the gorillas afore[illegible]re tomorrow[illegible] said had been convicted.

After all, the rape of a wench is not [illegible]e.

[illegible]r that if the[illegible] morally different from the rape of the [illegible] States, pre[illegible]proudest gentlewoman in the republic, and it seems to us that any man of sound

[illegible] rape is a felony under the law in[illegible]county, despite its relatively [illegible]large [illegible] this backward State.

Either these gorillas committed rape, or they did not.

If they committed rape the jury, (even though white) knows the truth and reported it faithfully.

If they did not commit rape, we believe that this jury would have said so.

Suppose the defendants had been Italians. There are no Italians in Jackson county. So far as we know there are not today any Italians in Montgomery

instincts would see this truth. Rape happens to be a capital crime in Alabama.

We are sorry that the Supreme Court of the United States seems to have no immediate interest in this phase of the subject.

port only the names of white persons. The race question is rarely if ever raised between jury commissioners and citizens whom they question.

From a strict technical standpoint Negroes are not excluded from juries; in common practice they are, of course.

At last the Supreme Court, following up previous warnings, reverses the verdict of a State court upon the ground of race discrimination in the selection of jurors.

It now follows that Alabama jury commissions must immediately put the names of reputable Negro citizens in their jury boxes. Otherwise we cannot hope again to have the Supreme Court of the United States affirm the findings of a State court wherever a Negro's liberty or life is at stake.

The Advertiser therefore would urge that county jury commissions in Alabama act immediately to make it possible for the State of Alabama to win a case involving a Negro in the Supreme Court of the United States.

Otherwise, we wish to say that Mr. Hughes's pontifical deliverance is a lot of baloney.

Here is the Supreme Court of a great republic, reviewing the trial of two men charged with an offense that stands first among felonies in this State, reversing the verdict of an oathbound jury upon the ground that it does not like the color scheme of that jury.

The Supreme Court of the United States tells Alabama, in effect, that it is not primarily interested in otherwise credible evidence demonstrating human depravity, but that it is primarily interested in the academic political "rights" of a politically dispossessed race.

The Advertiser may be dumb, as well as "lost and ruint," but to save itself it cannot see what the political rights and privileges of Negroes in Alabama have to do with the guilt or innocence of the gorillas who are charged with criminal assault upon two women, it being agreed

NEW YORK SUN

APR 6 1935

Back to Alabama.

For a second time the United States Supreme Court returned the case of the "Scottsboro Boys" to the State courts of Alabama. A new trial was ordered for Clarence Norris, one of seven Negro youths convicted of having raped two white girls in 1931. The case of Heywood Patterson, another of the seven, came up at the same time, and though no new trial was ordered, because of technicalities, it was evident that the same principle ruled. The Supreme Court held that Norris did not receive equal protection of the law, because no members of his race were permitted to sit on the Grand Jury which indicted him. All the defendants were convicted in the superheated atmosphere of Scottsboro, Ala., immediately after the girls, one of whom later recanted had accused them. Finally the case found its way to the highest court, and new trials were ordered on the ground that the seven did not have sufficient opportunity to put in a defense. Norris and Patterson were retried, convicted again, and now more new trials are on the schedule.

On the same day the Supreme Court ruled that Texas has a right to practice its favorite method of effectively disfranchising Negroes by forbidding them membership in the Democratic party, therefore keeping them from voting in its primaries, which in such a strongly Democratic State are the scenes of the real contests, instead of the general elections.

Scottsboro

Action of the United States Supreme Court in again reversing the decisions in the Scottsboro case, and the court's condemnation of "the systematic exclusion of Negroes from jury duty" is one of the high court's most significant rulings affecting racial problems.

It is its second rebuke to the prosecutors of the now famous case, and means in simple words that Negroes must be allowed to sit on juries, else no verdict affecting a Negro can be held legal. If the Negro has money enough to take his case to the high court. It means that no state will have the legal right to try Negroes in its courts if it can be shown that the names of Negroes are excluded from its jury panels. For Alabama in particular the decision means that the Scottsboro case is now further from a solution than ever before.

In the four years since the youths were taken from a train at Paint Rock and charged with the South's one unpardonable crime, an international conflagration of bitterness has seethed about the sordid affair. Bold headlines on every newspaper have chronicled three trials. One of the women in the case—unfortunate, illiterate billed as "a typical Southern worker"—has appeared on the campuses of Eastern universities "lecturing" to enthusiastic audiences on the ponderous subject of "Social Injustice in the South."

A play, purporting to be based on the case, has appeared on the Broadway boards, causing effete New Yorkers to burn with righteous indignation at the barbarity of their Southern brothers. A judge who presided ably at one of the trials has been hunted into political oblivion and his picture displayed on the front pages of Eastern journals as one "crucified on the altar of Southern bigotry."

Radical groups vying with each other in the "defense" of the Negroes have passed the hat throughout the civilized world after making impassioned appeals to "save ignorant children from being thrown to the lions."

What is to be done?

Let us be through with the whole affair at the earliest possible moment. Changes in our court procedure necessary to bring the case to a speedy and successful conclusion should be made at once.

Biggest Tasks Loom Now In Scottsboro Struggle

STATEMENT OF NATIONAL EXECUTIVE COMMITTEE, INTERNATIONAL LABOR DEFENSE

Daily Worker

The tremendous victory of the reversal of the death sentence against the Scottsboro boys imposes new and greater tasks than ever before upon the entire revolutionary and labor movement in its struggle for national liberation of the Negro people.

The first of these tasks is the development of a broader movement than ever before, to push this victory to its conclusion—the unconditional and safe release of the Scottsboro boys.

The lynchers are determined to re-indict the Scottsboro boys. They have expressed their intention of going through with their plans to burn these boys.

4-9-35

New Indictments Loom

The State of Alabama is preparing to hand down new indictments against the Scottsboro boys, preparing to make them face once more new frame-up trials, new living deaths, and finally the electric chair.

This is what we must now fight to defeat.

Flood the Alabama officials, Governor Bibb Graves, Lieutenant-Governor Thomas E. Knight, the State Supreme Court, all at Montgomery, with the demands:

No new indictments against the Scottsboro boys!

Immediate, unconditional freedom for the nine innocent Scottsboro boys!

Cost to Be Great

This demand from the millions of toilers must be backed by legal steps, writs, briefs and other expensive moves which the courts put in the way of execution even of their own decisions.

Together with the development of the mass campaign for the freedom of the Scottsboro boys and Angelo Herndon, whose case now goes before the U. S. Supreme Court, will cost tremendous sums.

To date the I. L. D. has spent more than $75,000 in the Scottsboro struggle.

Within the next two months the I. L. D. must raise $20,000. The daily expenses are very heavy. Thousands of dollars are needed immediately.

Huge Responsibility

Never in the history of the labor defense movement has any organization been faced with the responsibility now shouldered by the International Labor Defense.

We appeal to all working class organizations, to all the friends of labor and the Negro liberation movement to once more lend support in raising fighting funds to organize and carry on the battle. Add your contribution as a challenge to the torture-chain-gang system, to the fight for the freedom of the Scottsboro boys, Angelo Herndon, and all class war prisoners. Rush funds immediately to the International Labor Defense, Room 610, 80 East 11th Street, New York City.

NATIONAL EXECUTIVE COMMITTEE,
INTERNATIONAL LABOR DEFENSE,
Anna Damon, Acting National Secretary.

Scottsboro Case Action Scheduled

Following the return yesterday from Washington, where he attended the annual meeting of the American Law Institute as Chief Justice John C. Anderson of the Alabama Supreme Court, it was made known that the court will, some time between now and Thursday, take up the mandate of the Supreme Court of the United States, reversing the judgments of Alabama's courts in the cases of two of the so-called Scottsboro case defendants, Clarence Norris and Heywood Patterson.

It is expected that on or about Thursday of the present week, the State's highest tribunal, in compliance with the mandate from Washington, will remand these cases back to Jackson County where they originated. There, it is understood, Lieut. Gov. Knight, special prosecutor for the State, will file a motion without delay, asking that the original indictments which the U. S. Supreme Court held are defective, be quashed; and thereafter will request that new indictments be returned by a Jackson County Grand Jury.

Quashing of the indictments, however will not result in even the temporary release of the defendants, as some time ago, Mrs. Victoria Price, star witness for the State in the cases went from her home in Huntsville to Scottsboro, where she swore out new warrants for the arrest of all of them. On these warrants they will be held pending their reindictment and trials.

Alabama.

Lynchings-1935
Legal Punishment for Rape.

5013

Let Inter-Racial Committee, Black And White, Pick Scotts boro Defense Attorneys," - Editor

The Scottsboro Case

The State of Alabama should for the sake of BETTER relationship between the white and black people of this state, now and for years to come, take unprecedented steps to see that the truth is established in the trial of the Scottsboro boys.

Conviction or acquittal without the naked truth being brought out, no matter whom it favors or disfavors, may be that type of solution of a problem that creates more problems than it solves.

There are a lot of people who believe the boys guilty and many who do not believe them guilty. These boys should not be convicted or acquitted on mere belief, unsupported by facts, beyond a shadow of doubt. Because to do so means that the ill-designing of the two schools of thought will make innocent people suffer to satisfy prejudice, hate and all the strife creating

—Free It of Hate Food

efforts now afoot in this state.

For the state or the defense to lose in the interest of justice, pure and simple, means a victory for ever the loser.

We have absolutely no sympathy for any man, be he white or black, who violates the person of any woman. We have less sympathy for any one who would try to defeat the ends of justice for any one guilty of such offense.

We feel that it is beneath the dignity of civilized society to attempt to persecute the unguilty to further any end. So, since we have those who believe the boys innocent, let us all do away with racial prejudices, sensational hates, political ambitions, do all we can to keep down these monsters in ourselves and others and do what we can to see that the end of justice is

—Get the Naked Truth

served for both the Scottsboro boys and the State of Alabama.

This will require courage to give and take on both sides. It will necessitate the best white and Negro citizens of this state getting together and seeing that the defense is supplemented by a capable, justice loving lawyer of the South — a Southern lawyer who wants to see justice done more than anything else.

This is a case in which so much more than the Scottsboro boys is involved, that people who are to live here cannot afford to allow grand stand playing, camouflaging and trickery to dominate from any group.

We don't think the prosecution will play a square game with the International Labor Defense no matter what is what, nor the I. L. D. with the prosecution no matter what is what. Both sides are able to

—Preserve Inter-racial Goodwill

keep this thing in court for 20 years. This means an increase in tax, hatred, strife, dishonor, suffering of the innocent and hundreds of wholly unnecessary things.

There are people who doubt the sincerity of both the present prosecution and defense. Therefore, it might be a better thing for all concrned to ask the Inter-Racial Committee and a committee of white and Negro churchmen to pick three defense attorneys and allow the interested organizations and individuals to defray the expense. A shifting in the prosecution set-up would not be a bad idea.

These suggestions may all be entirely wrong, but the WEEKLY REVIEW is taking into consideration the enormous potentialities both for good and harm in the situation as it is today.

Alabama Launches New Drive Against Scottsboro Boys

INCLUSION OF LONE NEGRO JUROR DOES NOT ALTER CASE—MASS PROTESTS MUST BE WORKERS' ANSWER—FUNDS NEEDED FOR DEFENSE

THE new indictments returned yesterday against the Scottsboro Boys mark the active resumption of the drive of Alabama officials to railroad these nine innocent working class youth to the electric chair.

By including a lone Negro on the Jackson County Grand Jury, the Alabama rulers made a pretense at adhering to the decision of the United States Supreme Court which upheld the contention of attorneys retained in the case by the International Labor Defense that the constitutional rights of the defendants had been violated by the systematic exclusion of Negroes from Alabama grand and petit juries. The Federal Court itself left the way open for this monstrous travesty on justice by refusing to rule on the fundamental issues raised by the International Labor Defense.

The inclusion of this lone Negro on the grand jury does not alter one iota the facts of the hideous frame-up of the boys, whose innocence has been overwhelmingly proved in the courts of Alabama and before the U. S. Supreme Court. It does, however, show how the mass fight for the boys has forced the Alabama lynch rulers to retreat from the cynical position expressed by the Jackson County Sentinel (Scottsboro) in 1932, that a "Negro juror in Jackson County would be a curiosity. And some curiosities are embalmed, you know."

The new indictments are a danger signal which must galvanize the entire working class and the Negro people, and every opponent of lynch law and the suppression of democratic rights into action in a militant, mighty struggle for the lives and freedom of the Scottsboro Boys, for the democratic rights of the Negro people and the white and Negro toilers of Alabama.

The history of the Scottsboro case, extending nearly five years, is the stark record of a ruthless ruling class conspiracy to carry through the wholesale lynch massacre of nine framed-up sons of the working class and the Negro people.

Held in jail for over five years, subjected to the most bestial torture and brazen denial of their constitutional rights, these nine youths, two of whom were under 14 years of age at the time of their arrest, are to be subjected to a new ordeal in the lynch courts of Alabama, to a new threat to their young lives.

The renewed threat against their lives, comes at a time when Angelo Herndon has been returned to the Georgia chain gang by the United States Supreme Court, which refused to review the conviction of this heroic young Negro labor leader who has been sentenced to 18 to 20 years on the Georgia chain gang.

These two attacks on the Negro people and the toiling masses, white and Negro, of the United States, must be answered by a thunder of protests and renewed determination to build an American People's Front against fascist reaction and war. Mass meetings, demonstrations and other protest actions must be organized in every section of the country. Funds for the defense of the Scottsboro Boys and Angelo Herndon should be rushed at once to the International Labor Defense, 80 East 11th Street, New York City.

Arraignment Of Negroes Put Off

Scottsboro Date Moved Up To Jan. 6 On Request Of Samuel Leibowitz

BIRMINGHAM, ALA., Dec. 13.—(AP)—Lieut. Gov. Thomas E. Knight, Jr., retained as special prosecutor in the "Scottsboro case" announced here tonight that the arraignment of nine negro defendants in the case at Decatur, had been postponed from Dec. 16 to Jan. 6.

The postponement, Knight said, was at the request and agreement of Samuel S. Leibowitz, of New York, chief of counsel for the negroes.

"The trials will proceed just as rapidly as had the arraignment not been postponed," the Lieutenant Governor said, in announcing the postponement.

Arraignment is necessary under the new indictments recently returned by a Grand Jury at Scottsboro in Jackson County, which included the first negro within the memory of the oldest residents.

The negroes are charged with attacking Mrs. Victoria Price and Ruby Bates, Huntsville, Ala., mill workers, aboard a freight train in Jackson County March 25, 1931.

Reindictment was made necessary by a U. S. Supreme Court decision this Spring which set aside the death sentence on Clarence Norris and Haywood Patterson, two of the defendants, holding their constitutional rights had been denied them.

The nation's highest tribunal upheld defense contention that negroes were "systematically excluded" from grand and petit juries in Jackson County where they were indicted and in Morgan County where they were tried under a change of venue.

Since the decision negroes names have been placed in jury boxes throughout the State, and three recently served on a grand jury in Morgan County.

Judge W. W. Callahan earlier in the afternoon had said Leibowitz asked that the arraignment be postponed by Dec. 23, but under Alabama statutes all circuit court sessions end the last Saturday before Christmas and resume on the first Monday after Jan. 1.

The negroes this week were served in the Jefferson County jail here with capiases under the new indictments, and after arraignment will be brought to trial again at Decatur.

Eight of the negroes have been under death sentence once, Patterson three times and Norris twice.

RUMOR COLORED JUROR FORCED TO VOTE "YES"

Two Indictments Returned Against Each Boy; New Trial Is Speeded

CASE NOTORIOUS

Witnesses, Former Judge Long Ago Denounced Efforts To Send Victim to Chair

SCOTTSBORO, Ala., Nov. 15.—(Special)—Nine young boys, whom international public opinion after weighing all evidence presented against them, has long since determined the victims of the most unreasoning injustice, must stand again the harrowing or deal of a trial on obviously trumped up charges of assault.

One member of their own race was on the special grand jury of eighteen that voted new indictments for the persecuted Scottsboro boys. Each of the boys was named in two indictments based in the alleged rape by the group of two hobo white girls in a small Alabama town more than four years ago.

Little time was used by the jury in returning the indictments, and little evidence presented, it is reported. Two colored men were named last week in the lists from which the jurors were selected to meet the decision handed down by the United States Supreme court that the boys had not been denied their constitutional rights because members of their race had been systematically excluded from juries which had previously convicted them.

Believe Juror Threatened

Creed Conyer, a laborer of Paint Rock, Ala., was the colored man who aided the seventeen whites in returning the new indictments. The International Labor Defense has already announced it will investigate rumors that Conyer was threatened with a horrible fate if he failed to vote an expression of prevailing Alabama sentiment regarding the boys.

The case, the details of which are now known to every intelligent citizen of this country, has attracted international attention because of the viciousness with which the deaths of the boys have been sought by the degenerate Southerners regardless of the implications of the nation's highest court that there was clearly no sufficient evidence to convict them.

Long ago, two of the three prosecuting witnesses for the state admitted they signed original affidavits against the boys only because of intimidation at the hand of Alabama police. The judge in the first trial in the lower court who completed a term of office shortly after the trial, was overwhelmingly dereated for reelection because he publically opposed further persecution of the boys after the first U. S. Supreme court decision.

A new appeal for generous contributions to a defense fund is being prepared by the I.L.D. More than a quarter million dollars have already been spent in prosecution and defense of the case, various estimates state. New trials for the boys are being pushed rapidly by local authorities.

Lynchings - 1935
2
Legal Punishment for Rape

Alabama

5014

GREENSBORO, N. C.
NEWS

APR 4 1935

ANOTHER COMMUTER.

For the second time the Supreme court has intervened in the Scottsboro case and ordered for its principals a new trial.

In the first instance, when it handed down a ruling in 1932, the highest court held that denial of adequate counsel represented a violation of the defendants' constitutional rights. In that connection there is intermission to wonder how many defendants, referring to the ignorant, black, poor white or helpless kind, in capital cases have "adequate counsel." Does a young lawyer, or two, frequently appointed by the trial court as the hearing is about to begin constitute "adequate counsel"? The Scottsboro defendants were in position to carry their fight to the highest court; most of the type referred to, however, are not.

In the present instance the tribunal from which there is no appeal has ruled that exclusion of negroes from jury service made the procedure invalid and the conviction which it involved unconstitutional. The Supreme court of Alabama, previously ruling on the same issue, had held that the exclusion was not designedly discriminatory, but the Nine Old Men at Washington, weighing the facts, thought "the evidence that no negro has been called for jury service in Jackson county for a generation established there had been discrimination." The decision from that angle is an indictment of Alabama and southern justice, capable of sharp repercussions and necessary readjustments. Its implications go far beyond the Scottsboro case.

Back of the two interventions, although predicated on rulings which are themselves of recognized importance, there is the suspicion that the Supreme court does not believe the defendants guilty.

How corrective steps are to be obtained by ordering a new trial is a practical question which the learned jurists themselves did not attempt to answer. It is not conceived here that an acquittal, in the light of what has already transpired and the atmosphere which must be as prejudicial as it ever was can be obtained in Alabama. Already it is announced that new indictments will be sought, and it is significant that this announcement comes not from the attorney general but from former Attorney General Knight who now speaks as lieutenant-governor. The Scottsboro case has apparently become a political spring-board which is working.

About the only immediate conclusion at hand is that the principals will not die; they'll spend the rest of their life in jail while their case becomes a legal commuter between Washington and Alabama.

HIGH POINT, N. C.
ENTERPRISE

APR 2 1935

SCOTTSBORO REVERSAL
NO MERE INCIDENT

REVERSAL of the convictions of Clarence Norris and Haywood Patterson, two Negroes who have spent the past four years on the threshold of the death chamber for the Scottsboro, Ala., assault cases, by the United States Supreme Court is of the greatest significance in the South because its basis brings a step nearer an issue which ultimately must be met by our people.

Chief Justice Hughes, reading the decision in which he was supported by seven other of the justices, said that the systematic exclusion of Negroes from jury rolls was sufficient reason to reverse the convictions of the two men whose lives were at stake. The import of the ruling is that Alabama authorities must seek new indictments against the seven Negroes accused of attacking two white girls on a freight train. Already the Negroes have been tried and re-tried in Alabama, and always the jury has returned a verdict of guilty.

The Supreme court's criticism of the exclusion of Negroes from the Alabama juries is the "body blow" to Southern state courts that Circuit Solicitor H. G. Bailey, who prosecuted the original indictments, termed it. Sharp and unqualified, its effect must extend beyond the Scottsboro cases.

There is a serious indictment of justice that draws a line, color or whatever, as Chief Justice Hughes recalled in the case that no witness, including some who had dwelled most of their lives in Jackson County, Alabama, was able to recall that a Negro had served on a jury there—and there were, as he observed, many Negroes who could meet every requirement for jurors in the way of literary tests, age and sound health.

Hardly a decision of such social significance to the South has been rendered since Chief Justice Roger B. Taney, 78 years ago, held to the other side with the Dred Scott decision. The Scottsboro case means a great deal more than the probable release of principals in one of the most significant legal battles of the age.

EAST ST. LOUIS, ILL.
JOURNAL

APR 3 1935

Reprieve.

Mr. Dooleys observation, that even supreme court justices read the newspapers, is a timely comment upon the decision in Washington which again halts the execution of seven Negro boys in Alabama.

The technicality upon which the appeal was based—the failure to include Negroes upon Alabama jury lists—has served its purpose in this particular case. The supreme court speaks again, as it has many times before, in behalf of the full rights of citizenship for the Negro race. Alabama, of course, will continue its discrimination, but the boys of the celebrated Scottsboro case are saved.

This is the case that arose when two girl tramps of unsavory past claimed that they were assaulted by seven Negroes in the gondola car of a freight train on which they were stealing a ride. The evidence was of the flimsiest—one of the girls testifying later that the whole story was a falsehood—but in the meanwhile Alabama's "southern pride" became involved. The sentiment was created throughout the state, that either the Negroes must be put to death, or the blacks of the state, and "damn Yankee" meddlers, would be out of hand.

So violent and unreasoning is local prejudice, there is reason for doubt whether even the authority of the United States supreme court will finally rule. The new danger of the Scottsboro boys is illegal lynching, in place of the legal lynching that had been intended.

Knoxville, Tenn. News Sentinel
April 3, 1935,

Justice

EIGHT U. S. SUPREME COURT justices united in striking down the conviction of two Scottsboro defendants. The Court held that Negroes had been illegally barred from acting as jurymen in the trials. Alabama now must either dismiss the famous case or re-indict and retry the defendants with Negro jurymen on the panels.

This is the High Court's second rebuke to the prosecutors of these Negro youths and their companions. In November, 1932, the Court ordered retrials on the ground that Alabama had denied the defendants due process on other grounds.

In these two opinions the Supreme Court has done much more than save the lives of obscure boys. It has done more than hearten the faith of 15,000,000 American Negroes in their country's courts. It has helped re-enforce the very foundations of the republic.

In his first inaugural address Jefferson said that equal and exact justice to all men of whatever state or persuasion, through trials by juries impartially selected, forms the surest bulwark against anti-republican tendencies. This is even truer today than in 1801.

Knoxville, Tenn. News Sentinel
April 3, 1935,

No Scottsboro Cases in Knox, Says Gen. Bibb

Negroes Are Not Barred From Jury Service Here, Declares Official.

The U. S. Supreme Court will never reverse a Knox County case on the ground Negroes are barred from jury service, as the high court did in the Scottsboro, Ala., case yesterday, says Attorney General Bibb.

"Our lists from which we select juries contains scores of Negroes," the attorney general said. "They are not barred from jury service."

"And I can remember two cases at least where Negroes were members of the jury. Lindsey Graves was one of them in a case tried a few years ago. And there was another case where a Negro named Jackson was a juror."

Recently Attorney Ray H. Jenkins, proposed an all-Negro jury to try Arthur Greenway, Negro, charged with violating the age of consent. Attorney General agreed that the jury be half and half. The plan was never carried out, however, and Greenway was acquitted by an all-white jury.

High Point, N. C. Enterprise
April 2, 1935

SCOTTSBORO REVERSAL
NO MERE INCIDENT

REVERSAL of the convictions of Clarence Norris and Haywood Patterson, two Negroes who have spent the past four years on the threshold of the death chamber for the Scottsboro, Ala., assault cases, by the United States Supreme Court is of the greatest significance in the South because its basis brings a step nearer an issue which ultimately must be met by our people.

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Hardly a decision of such social significance to the South has been rendered since Chief Justice Roger B. Taney, 78 years ago, held to the other side with the Dred Scott decision. The Scottsboro case means a great deal more than the probable release of principals in one of the most significant legal battles of the age.

Sylacauga, Ala., News
April 5, 1935

The United States Supreme Court has reversed for the third time the Scottsboro case. The Court charges negroes were systematically excluded from the jury box, and a few names of negroes were fraudulently admitted in the box. The unwritten statute may again have to be invoked to cover such heinous cases.

New York Organizations Give $812, Pledge $5,600 For Scottsboro Defense

Answering the call of the International Labor Defense and the Central Committee of the Communist Party, trade unions, mass organizations, and sections of the Communist Party in New York City yesterday made direct donations amounting to $81 to the Scottsboro defense fund of the I. L. D., and gave in pledges to raise a total of $5,600 within two months.

The Central Committee of the Communist Party announced Tuesday a direct donation of $500 to the defense fund.

This was the immediate response of the class-conscious workers of New York to the appeal for a $20,000 fund to fight against the fulminations by the Alabama lynch officials of their unabated intention of prosecuting the Scottsboro boys to their death, following the recent victory of the I. L. D. in obtaining reversal of the death verdicts against Clarence Norris and Haywood Patterson from the U. S. Supreme Court.

Mass Campaign Needed

Along with the drive for funds, a campaign must be developed, to rouse the broadest masses to organized expression of their demand that there shall be no new indictments against the nine innocent Scottsboro boys, that they must be granted immediate, unconditional and safe release.

The trade unions, mass organizations and the Communist Party organizations over the whole country are being urged to follow the lead of New York district, to collect funds at once and rush them in to the national office of the International Labor Defense, Room 610, 80 East 11th Street, New York City.

Total received yesterday	$1,322
Central Committee, C.P.	500
Sec. 3, District 2, C.P.	25
Sec. 14, District 2, C.P.	100
Sec. 15, District 2, C.P.	112
Sec. 24, District 2, C.P.	100
International Workers' Order	300
Jewish Bureau	30
Russian Bureau	50
Dentists' and Doctors' Group	50
Professional Workers' League	25
Buffalo District, Communist Party	10
Still to be raised in $20,000 Scottsboro fund drive	$18,678

CALL FOR VOLUNTEERS

The National Office of the International Labor Defense is in great need of assistance for its campaign to free the Scottsboro boys and Angelo Herndon. Ten workers are needed. The I. L. D. cannot pay for this service, but ...

CORTLAND, N. Y.
STANDARD
APR 3 1935

THE SCOTTSBORO DECISION

A sens[e] of relief, accompanied by a sense of despair, will, we think, be the general response to the action of the Supreme Court in again setting aside the Scottsboro convictions and once more ordering—as it can only do—a new trial. There will be relief that a gross miscarriage of justice has again been averted. There will be despair over the appalling difficulties of securing a right and just conclusion in cases of this kind, once the fierce emotions of race prejudice, sectional pride, social and economic antagonisms, bigotries and ignorances have been stirred. It is now four years, almost to a day, since the Scottsboro case started upon its long and shocking history. There have been fine episodes in it—one thinks, for example, of Judge Horton's courage and fairness—but for the most part it has seemed fated to bring out the worst weaknesses and vices in the American judicial, political and social systems.

Twice the Supreme Court of the United States has convicted the state of Alabama of failing in its constitutional duty to assure justice to Negroes accused of rape; once an Alabama judge has set aside a jury's conviction as palpably contrary to the evidence, only to see another jury under another judge promptly convict upon essentially the same record. This is a damning indictment of the Alabama court system; and one cannot help thinking that if the citizens of that state had expended upon getting a really fair trial for the defendants a tithe of the energy which they have devoted to proving themselves right by securing their exceution, the results would have been much happier for Alabama and for the country. Unhappily, when passions have been thoroughly aroused, communities do not respond in that way, either in Alabama or (as the Mooney case and too many others sufficiently demonstrate) anywhere else. But after the Supreme Court decision it may perhaps be realized that to carry these proceedings any farther will accomplish nothing save to make worse a tragedy from which there can be no good issue now.—New York Herald Tribune.

BIRMINGHAM, ALA.
AGE HERALD
APR 6 1935

Graves Meets The Issue

Governor Graves has acted promptly, decisively and courageously to t[he] end that Alabama jury practice sh[all] be in conformity with the recent ru[l]ing of the United States Supre[me] Court in the Scottsboro cases holdi[ng] systematic exclusion of Negroes fro[m] jury rolls is unconstitutional.

"Without in any manner assuming or intimating," the governor has wri[t]ten all circuit judges, "that the co[n]tents of your jury boxes in any wa[y] fail to conform to this Supreme Cou[rt] opinion, I write to suggest that in th[e] event there be any non-conformity i[n] this regard, that you speedily tak[e] proper steps to remedy any suc[h] defects."

The state's chief executive calle[d] attention to the 1931 jury law, de[-] clared he would ask the Legislatur[e] to enact the legislation needful in the filling or refilling of jury boxes and suggested that "in any case in which this question is injected into the pleadings, the case be passed, continued or, if need be, nol-prossed until a new indictment may be presented by a Grand Jury to which this objection will not apply."

Copies of the governor's letter were sent all solicitors.

In a public statement, the governor said in part:

I have received the Supreme Court's decision in the Scottsboro case, holding in effect that when there is systematic exclusion of Negroes from juries, it is discrimination against the race in violation of the United States Constitution.

This decision means that we must put the names of Negroes in jury boxes in every county in the state.

Alabama is going to observe the supreme law of America.

The governor is the chief law enforcement officer of the state and the conservator of all laws. All laws, of course, include the supreme laws of the land.

It is unusual for the governor to undertake to suggest to the judicial department things which under our state policy are peculiarly within its jurisdiction. However, I have a duty to perform and an oath to abide by.

"In the exercise of this power," the governor's statement explained, he sent his letter to the judges.

The Age-Herald already has expressed its conviction that the state should and must accept the plain implications of the Supreme Court ruling. It has voiced its concurrence in the theoretical, legal and moral soundness of that ruling. It now commends the governor for a brave, intelligent and forthright meeting of the issue.

It seems to this paper that, while it might have been possible for a chief executive to evade such a direct and personal facing of the situation and his responsibilities as characterizes the action of Governor Graves, the Alabama executive has proceeded in accord with a high conception of his duty that is well within the bounds of the prerogatives of his office and state leadership. His suggestions and recommendations surely cannot be rightly regarded as constituting an invasion of judicial functions.

Governor Graves has set an example for all the officials and citizens of the state in their attitude toward the Supreme Court ruling. If that example is generally adopted—as this paper believes it will be—Alabama can look forward without alarm to a successful solution of whatever problems the ruling may raise.

While these problems now may rise on a broader scale than in the past, they will hardly be different in kind from those already overcome in this state.

It would seem undoubtedly to be the highest wisdom to deal with any such difficulties separately as they come up, to avoid the anticipation of troubles that may never occur and to suppress fears based on vague possibilities and generalities in the situation as a whole.

There is no reason to believe that the governor does not mean exactly what he says concerning his attitude. In their cooperation with him, *The Age-Herald* hopes that officials, legislators and citizens will so construe his purposes and spirit and act accordingly.

Miami, Fla. Herald
April 2, 1935

MR. CHIEF JUSTICE HUGHES writes the opinion of the Supreme court reversing the death sentences of two negroes, Morris and Patterson, condemned in the Scottsboro case, in which one of two white women found in a box car with seven negroes, confessed that she and her companion accused the negroes of crime to save themselves from disgrace.

Chief Justice Hughes finds that excluding negroes from the jury, which he considers proved, would "make the indictments invalid." The Supreme court decision, it is believed, may free all seven of the accused Scottsboro negroes.

Lynchings-1935
& Legal Punishment for Rape

Alabama

5015

MOB ACTION FEARED BY LEIBOWITZ WHEN CASE IS CONTINUED

Amsterdam News
4-6-35

Youths Will Be Taken to Alabama Town if Rearrested

New York Times

MILITIA IS ASKED

Highest Court Scores Jury Exclusion in Making Reversal

While the civilized world rejoiced yesterday at the unequivocal reversal of the Scottsboro convictions by the highest tribunal in the land, Attorney Samuel S. Leibowitz moved swiftly to prevent the possible lynching of Clarence Norris and Haywood Patterson when the youths are returned to the small Alabama town in accordance with the laws of that state.

The New York attorney, whose brilliant summation before the U. S. Supreme Court resulted in one of the most clear-cut declarations of the Negro's rights in the history of the country, has wired Governor Bibb Graves of Alabama demanding that troops be dispatched to protect the young defendants if they are rearrested on their release from the death cell of Kilby Prison in Montgomery.

If the state insists upon prosecuting the cases further, Norris and Patterson, upon being rearrested, must be carried directly to Scottsboro, Ala., the scene of their original trial. Attorney Leibowitz informed The Amsterdam News Tuesday that he will go to Alabama this week and be present at Kilby Prison when the boys are released, probably temporarily, in accordance with the mandate of the United States Supreme Court. This tribunal held that the defendants had not been properly indicted because of the systematic exclusion of Negroes from the grand jury rolls of Jackson County, of which Scottsboro is the county seat.

Lynching Feared.

Because of the intense feeling in the small Alabama community over the case, which has become an international issue, Attorney Leibowitz feels that an attempt might be made to lynch the defendants so that the Scottsboro cases may be ended "once for all." He cited this belief in his wire to Governor Graves. A lynching would also obviate the immediate necessity of placing Negroes on grand and petit juries in Alabama, as directed by the higher court.

Announcing its decision exactly four years and six days after Norris, Patterson and seven other Negro youths were seized on a freight train at Paint Rock, Ala., on March 25, 1931, and accused of assaulting two white women hoboes, the United States Supreme Court struck a tremendous blow at the exclusion of Negroes from jury service in the South.

Written by Chief Justice Hughes and confining itself to the Norris case, the first decision held that Negroes had been arbitrarily and systematically barred from jury duty in Jackson County, where the nine youths were indicted and tried the first time, and in Morgan County, where the cases were heard a second and third time on a change of venue. Because of this exclusion, the decision stated unequivocally, the whole court and grand jury proceedings were invalidated. A new trial was directed for Norris.

Technicality Raised.

Because of a technicality raised by Alabama, the U. S. Supreme Court reversed the Patterson conviction and death penalty, but sent that case back to the Alabama Supreme Court for that tribunal to decide whether it will grant him a new trial despite the technical objections. Justice Hughes' opinion made it clear, however, that, should the state court deny Patterson a new trial, the U. S. Supreme Court would direct an order for the action.

The State had contended in the Patterson case that the U. S. Supreme Court had no jurisdiction because a bill of exceptions had not been filed within the required time in the Alabama courts. In ordering the reversal, Justice Hughes wrote: "We have power to make such disposition of the case as judgment requires."

As a result of the clear-cut decision of the high tribunal, Alabama is faced with two alternatives. It can allow the boys to go free when the order is served through the State Supreme Court on the Kilby Prison warden, or it can rearrest them and seek to reindict them with a grand jury whose rolls contain the names of qualified Negro residents of Jackson County.

May Drag Case.

Because of the enormous expense already incurred by the state in its attempts to execute the defendants, it is believed in some circles that Alabama may decide to nolle prosse the cases. Observers familiar with the racial vagaries of the South believe, however, that the state will promptly rearrest the boys and continue its prosecution. This course has already been indicated by Lieutenant-Governor Thomas E. Knight, Jr., who, as Attorney-General, prosecuted the three previous trials. Serving now as special prosecutor, Knight has announced that the cases will be fought 'to their conclusion."

As a result of the U. S. Supreme Court's decision, which was delivered Monday, Alabama is faced with another problem. The ruling of the high tribunal charges Kelly Morgan, grand jury clerk of Jackson County, with forgery. The court accepted Mr. Leibowitz's contention that the names of six Negroes were forged on the Jackson County jury rolls after the boys had been indicted. This action was obviously taken in an effort to combat the charge of racial exclusion.

The New York attorney established this contention in the second Decatur trials when he called a handwriting expert to testify that the names had been forged. Mr. Leibowitz presented these jury rolls to the high tribunal and was upheld in his charge. As a result of this, the state would appear obligated to prosecute Morgan for forgery. It is unlikely, however, that the action will be taken.

Second Reversal.

Monday's ruling marked the second time that the U. S. Court has reversed the Scottsboro decisions. Following the original conviction of the nine defendants in a mob-dominated courtroom at Scottsboro in 1931 and the sentencing of eight of them to death, the International Labor Defense secured a reversal of the death sentences when the high tribunal held that the boys had not had full opportunity to consult counsel.

Attorney Leibowitz entered the case in December, 1932, when he accepted the invitation of the I. L. D. to become trial attorney in the cases. He stipulated that he would pay his own expenses and accept no remuneration.

On a change of venue, Patterson was retried before Judge James Horton in Decatur early in 1933. Despite the fact that one of two women hoboes, Ruby Bates, recanted her previous testimony and charged that the whole case was a frameup, Patterson was convicted a second time. Judge Horton reversed the conviction, however, and Patterson and Norris were tried again in Decatur later in the year before Judge William W. Callahan and again convicted and doomed.

In October of last year, Attorney Leibowitz and Attorney George W. Chamlee of Chattanooga split with the I. L. D. after two New York attorneys were arrested in Nashville, Tenn., and charged with an attempt to bribe Victoria Price, the remaining complaining witness against the boys. At this time Attorneys Leibowitz and Chamlee revealed that the I. L. D. lawyers had failed to file a bill of exceptions for Patterson in the specified time. It was this failure which raised the technicality in that case before the U. S. Supreme Court.

Finally, after a long and bitter fight over which faction would represent the boys in their appeal to the high tribunal, Attorney Leibowitz made the oral arguments before the U. S. Supreme Court for both Norris, who had insisted that only Mr. Leibowitz could represent him, and for Patterson, who had changed from one group to the other. Walter Pollack, retained by the I. L. D., also made a shorter address in behalf of both of the boys when Mr. Leibowitz had finished. The trial counsel has been designated as their representative by eight out of the nine defendants.

Lawyer Hailed.

Mr. Leibowitz stated yesterday that he would continue to represent the boys with the support of the American Scottsboro Committee, 289 Fourth avenue. This committee, composed of prominent church and lay leaders, was organized to raise funds for the defense after the New York attorney split with the I. L. D. Hailing the U. S. Supreme Court decision yesterday, Dr. George E. Haynes, executive vice-chairman of the committee, stated:

"We feel especially encouraged by the sweeping victory before the U. S. Supreme Court for the freedom of the boys and the constitutional right of Negroes to trial by a jury of their peers. This result is due to the brilliant legal work of Attorney Samuel S. Leibowitz, whom the committee has supported unswervingly in the face of much opposition and misrepresentation.

"We expect to continue this struggle until every one of these boys is free, and we confidently expect the full-hearted support of all justice-loving citizens.

A contribution of $200 raised by the students and faculty of Knoxville College, Knoxville, Tenn., was announced last Saturday by the American Scottsboro Committee. A committee under the leadership of Prof. C. W. Blackburn conducted the fund-raising campaign.

"The citizens of Knoxville have expressed their sympathy and interest in the Scottsboro boys through their contribution of more than $200 for their defense," Prof. Blackburn stated. The gifts were made as individuals and through various organizations. It is their sincere desire that other groups of Negro citizens throughout the country join them in this co-operative fight for the freedom of these boys."

Scottsboro Interlude

IN A decision setting aside the verdicts and death sentences imposed on HAYWOOD PATTERSON and CLARENCE NORRIS in the now famous Scottsboro cases, the United States Supreme Court wiped away completely the entire history of those long litigations back to the very moment they were arrested. Even the indictments charging the seven boys and young men with rape upon two white girls were invalidated. And in this respect, they have been given a fresher, more complete lease on life than they have had since their incarceration in March, 1931.

The outlook for justice to these boys is brighter today than it has been in four years.

And, recalling the unpardonable miscarriages of justice which have kept them in the shadow of the electric chair all during that time, we well may heave a sigh of relief. May we not be over optimistic in hoping that even the people of Alabama will soon tire of shaming themselves in the eyes of the nation!

The Supreme Court's decision, read by Mr. Justice HUGHES, is sweeping and unequivocal. It meets boldly and squarely the pri- on the point has been unquestioned have been pinned down to earth latest Scottsboro decision of the mary question that has dominated for more than fifty years, but the and branded as outlaws. Supreme Court. But its factual the Scottsboro travesty from the facts which in the Scottsboro cases No longer can wholesale exclu-significance is that now, with the beginning; and that is the consti-are alleged to violate that law have sion of colored people from jury slate wiped clean, these seven untutionality of judicial proceedings been elusive and fraught with rolls be shielded from the light of judicial proceedings have at least a in which Negroes are systemati-subterfuges. At last all these de- behind discretionary fighting chance for justice and cally excluded from jury services and schisms for denying to powers vested in commissioners freedom. because of race or color. The law the Negro his constitutional rights That is the legal import of this

U. S. SUPREME COURT VOIDS THE SCOTTSBORO DECISION

AN EDITORIAL

The supreme court of the nation on Monday last set aside the lynch decision rendered by a jury in the criminal court and sustained in all of its infamy by the state of Alabama in the mock trial involving Clarence Norris and Haywood Patterson of the equally infamous Scottboro case.

The decision setting aside this mockery of justice was rendered by Chief Justice Charles Evans Hughes, who in his opinion said, "The question here is one of fact, whether the right has been denied. We think the evidence that no Negro has been called for jury service in Jackson County for a generation established there had been discrimination. We find no justification for excluding Negroes from the trial jury."

The court's decision breathed contempt for the methods used in the Alabama court in arriving at its verdict and pronouncing the sentence of death upon the two defendants and charged that the methods by which Negroes were excluded from jury service in that state was fraudulent.

The court further stated that the absence of Negroes from the jury roll should have caused the judge who tried the case to have quashed the indictment. Twenty million black people and a hundred million white people in America know in their hearts that the whole proceedings embracing the Scottsboro trial had its inception in cowardice, insincerity, framed and prepared by men who live and perpetuate themselves in politics through hypocrisy, racial hate and prejudice.

The jurors who heard the evidence knew that the Scottsboro boys were framed. The presiding judge was equally well acquainted with the same set of facts; the attorney general, the gallant Mr. Knight, the chivalrous southern gentleman knew that his hands would have been stained with the blood of innocent men had these boys hung; yet the whole machinery of the state confederated in a conspiracy to do under the pretense of law and order that which would have constituted a legalized lynching, had they been successful, merely to satisfy their lust for human blood.

It is fortunate that there is in America a supreme court of the nation, an institution presided over by men of unquestionable character, high attainments and free from the unholy influences of those in high places who would debauch the spirit, as well as the letter, of the law.

It is a happy reflection to continue to realize that there are men in this country occupying places of judicial omnipotence whose decisions and opinions cannot be shaped by mob violence, whether that violence is committed by an actual mob of men or whether that violence is committed by judicial propaganda coming up to them from a lower court.

The world knows and Alabama is in possession of proof positive that the Scottsboro boys did not commit the assault for which they have been convicted. The facts in the Scottsboro case were distorted and reliable witnesses not permitted to testify, all at the behest and under the direction of the attorney general, the chivalrous Mr. Knight.

The state of Alabama through its judicial authority, if it can muster up sufficient respect and honesty, can remove this stain from its name and at least in part restore itself to the respectability and confidence of the nation by releasing the Scottsboro boys unconditionally. Will Alabama do the decent thing or will she let her state be branded as one of head-hunters?

Senator Says Alabama Will Still Bar Negro Off Juries

WASHINGTON, April 4.—The decision of the United States Supreme Court that Negroes must be allowed to sit on grand and petit juries, in Alabama will have no effect on the selection of juries in that state, Senator Bankhead (D., Ala.) declared Wednesday in commenting on the reversal of the convictions of Clarence Norris and Haywood Patterson.

Expressing a belief that the exclusion of Negroes would continue despite the plainly-stated mandate of the highest court in the land, Senator Bankhead said that "I don't think that Southern lawyers who are counsel for Negroes will demand that Negroes be on the juries. Incidentally Negroes probably would be quicker to turn in a guilty verdict than whites."

Attorney Samuel S. Leibowitz, the New York [illegible] who represnted the Scottsboro defendants in trial and before the U. S. Supreme Court, has announced, however, that not only will he see that Negroes are placed on the Jackson county jury which will reindict the boys, but he will insist that every one of the 666 male Negro residents of that county be canvassed for jury duty.

South Must Uphold Law

Leibowitz

"The most significant victory, not only for Negroes but for all minority groups in America, since the Dred Scott decision."

This is the opinion of Attorney Samuel S. Leibowitz on the clear-cut ruling of the U. S. Supreme Court that Alabama must not deny Negroes their constitutional rights by barring them from grand and petit jury service in that state. The decision was made in the reversal Monday of the Scottsboro convictions.

Hailed by his legal associates for the greatest personal triumph in his successful career, and swamped by congratulatory messages from all parts of the country, Attorney Leibowitz discussed the importance of the decision Tuesday in his offices at 225 Broadway and outlined his plans for the future defense of the nine Scottsboro boys.

"As a result of the high court's ruling," he said, "Alabama is faced with two alternatives—both of them decidedly unpleasant to the Southern state. She can allow the boys to go free when the order is served on the warden at Kilby prison, or she can rearrest them and seek to reindict them with Negroes sitting on the grand jury of Jackson County.

"If she chooses the latter course, Alabama may rest assured that Negroes will serve not only on the Scottsboro grand jury but on all other grand juries in that county. For we will fight them to the last ditch and see to it that every one of the 666 male Negro residents of Jackson County are canvassed for service. We will not allow them to stick the names of six or seven Negroes in the jury box and evade the law in this manner.

"Furthermore, we shall insist upon being present when the jury roll is drawn to see that justice is done. And once a Negro is drawn for this particular case, he will necessarily serve on every case that comes before that panel. You can't challenge grand jurors like petit jurors, you know."

The discussion was interrupted by the entrance of Mr. Leibowitz's secretary and confidential investigator, John Terry, who was even more elated than the famous lawyer over the decision. Terry, who has visited the boys more than a score of times in prison and who treasures his large collection of letters from them, had come in to anounce another delegation which wished to congratulate Mr. Leibowitz.

The lawyer finished hurriedly. You can thank the hundreds of unselfish persons who have supported us in this fight. The American Scottsboro Committee, your publisher (William H. Davis), and the many others who have helped us win this great decision. With such support behind us, Alabama will soon find out that the fight has realy just begun."

The Scottsboro Case

Now that the supreme court of the United States has again reversed the Scottsboro case, the state of Alabama announces that it will try the negroes again.

Frankly, there is serious doubt about the wisdom of such a step.

It is quite commendable by the prosecuting authorities to persist in their efforts to punish criminals and uphold the peace and dignity of the state. But they are getting nowhere by baiting the supreme court.

The crime of which these negroes stand accused is [illegible] some doubt; manifestly so, in view of the repudiations and denials. The extreme penalty is open to more doubt. The negroes have been in jail for four years. Their fight has been made a sort of martyrdom by New York agitators who desire nothing more than to reap the full benefit of publicity, to say nothing of fat fees raised by well-meaning persons whose sympathies have been enlisted. So notorious has the case become that the guilt or innocence of the negro boys has been lost sight of.

The supreme court, in its latest pronouncement, threw the convictions out because no negroes had been called for jury service. Of course, this is not going to change the customs and manners of the people of Alabama. But if agitated and pursued it may inflame the people to resentment which will not work to the well-being of either the white people or the negroes.

Alabama should take a note from the experience the state of Arkansas had in the Elaine riot cases. This case finally got to be an issue so bitterly drawn that the late Justice Holmes and Justice McReynolds made history in their sharp disagreements. It was sent back, and Arkansas quietly forgot it. The state surrendered none of its dignity in so doing, and the people of the state were not a whit worse off because of it.

PHILADELPHIA, PA.
BULLETIN

APR 2 1935

THE SCOTTSBORO DECISION

The decision of the Supreme Court ordering a new trial for the Scottsboro defendants, CLARENCE NORRIS and HAYWOOD PATTERSON, makes unequivocal declaration that systematic barring of Negroes from Grand or trial juries deprives men of their race who may be placed on trial in such communities of the equal protection of the laws which is their constitutional right. Chief Justice HUGHES said there was no question about the constitutional point involved, the issue before the court turning on whether in fact such systematic exclusion had taken place. The court found that it had.

The implications of this opinion are much more sweeping than those of the previous decision ordering a new trial. That decision was based on the fact that the defendants were hurried to trial without their counsel receiving adequate time to prepare their case. That denial of constitutional right did not involve the fundamental matter of racial discrimination. The principle now asserted, or reasserted, is of prime importance. Its effect must be to summon Negroes to service on Grand and trial juries and to invalidate verdicts where discrimination as to service is clearly demonstrated.

The role of the High Court as the vindicator of the constitutional rights of the humblest citizen is again emphasized. No single decision can prevent or remedy all cases of unconstitutional discrimination again American citizens because of race or color but they all contribute greatly to the ultimate recognition of those rights in practice as well as theory. This will be a landmark in the struggle for equality before the law.

The rest of the country has never been satisfied that even-handed justice was meted out to the defendants in the Scottsboro cases, although the conduct of Judge JAMES E. HORTON, who presided at the first trial won general commendation. The Alabama courts are again, by mandate of the Supreme Court called on to do justice in this case. They have a last chance to vindicate the process of justice there as fair and impartial.

CINCINNATI, O.
POST

APR 6 1935

THE south was stunned by a Supreme Court decision ordering new trials for two Scottsboro defendants because Negroes were banned from juries. It was law colliding with reality in a history-making decree. Governor Graves of Alabama accepted it gracefully, suggested to all trial courts that Negroes be added to jury rolls. "The Supreme Court must be obeyed," he said.

The government sidestepped its first decisive test of the constitutionality of NRA, withdrawing the Belcher lumber case, then found another in a New York poultry code violation. A decision is hoped for before NRA expires June 16.

The railroads were denied their blanket 10 per cent freight increase, but were granted rate boosts on selected haulage, principally heavy raw materials, by the I. C. C. It is expected to mean 85 millions more annually in revenue.

New dealers were cheered by the March Treasury report showing "in the black" figures of 50 million dollars, the first in a blue moon. The fiscal year's deficit is heavy, however.

Lynchings—1935
Legal Punishment for Rape.

Alabama.

5016

Savannah, Ga., News
September 25, 1935

Race Issue Comes Forward

Reports from Scottsboro, Ala., announce that the way is being cleared for a bitter legal battle on the race issue in a new trial of the famous Scottsboro assault cases. Judge Hawkins has ordered the jury commission to fill the jury box in keeping with the most recent decision of the United States Supreme Court. From this box will be drawn a new grand jury which will be asked to re-indict the nine negro defendants. New warrants were sworn out early in the summer by one of the alleged victims of the attack.

The race issue has been sharpened by a letter of Gov. Bibb Graves to all Alabama trial judges to fill jury boxes in keeping "with the supreme law of the land." Death sentences of the defendants were reversed by the Supreme Court in a ruling which held in effect that their indictments were illegal since members of their race had been excluded systematically from service on the grand jury. It is generally regarded as pure guess work to speculate on how many names of negroes may appear in the new jury lists. It has been pointed out that Jackson (Scottsboro) county has the smallest negro population of any Alabama county. It is estimated that the work of filling the jury box will take at least three weeks. When the work is completed, the jury commission will notify the judge who will take steps for drawing a new grand jury.

Another Scottsboro Case?

New Republic

SIR: On October 14, the Supreme Court of the United States granted a petition to review by writ of certiorari a decision by the Supreme Court of Mississippi that three Negroes, Ed Brown, Henry Shields and Yank Ellington, convicted of first-degree murder, were not denied due process of law. The facts revealed in the official record of the case seem to demand public attention.

Raymond Stewart, a white man, was found murdered in his farmhouse on March 30, 1934. That evening the defendant Ellington, who lived on the Stewart property, was taken from his home by state officers, severely whipped and twice hung by his neck from a limb of a tree in an effort to force from him information concerning the murder. (Official transcript of record: pages 69-70, 107-108, 111-112.) The defendants Brown and Shields were next arrested, taken to jail, stripped and whipped with a strap that had a buckle on the end, until they confessed. (Record: pages 43-47, 60-61, 102, 105-106, 113.) Later, Ellington was arrested and on the way to jail was whipped until he too confessed. (Record: pages 70-114.) The whippings were admitted at the trial by the state officers (record: pages 101-106, 110-114), Deputy Sheriff Dial characterizing them as being "not too much for a Negro; not as much as I would have done if it was left to me." (Record: page 112.)

11-13-35

The nature of the confessions is illustrated by the testimony of the defendant Brown: ". . . They put me down three times. Two times I said 'No, sir.' Until the last time, I said: 'I ain't never harmed Mr. Stewart in my life.' They said: 'Get down again.' He took the strop away from the little fellow and it looked like he was going to kill me, and I said 'Yes, sir.' He said: 'What about the lamp?' I said: 'I don't know.' He said: 'Put him down again' and I said 'Yes, sir.' He was whipping me so hard I had to say 'Yes, sir.'" (Record: page 45.) . . .

Less than twenty-four hours after the whippings, the defendants were called before the sheriff and gave the "voluntary confessions" admitted at the trial. (Record: page 21.) The sheriff admitted he had heard of the prior confessions and knew at the time that the defendants had been whipped. (Record: page 24.) Shields was limping and could not sit down (Record: page 24); marks of the rope on Ellington's neck were plainly visible and the sheriff admitted that during the questioning he suggested that certain of their answers were "unreasonable" and that then the defendants changed them. (Record: pages 23-24.) . . .

The trial court ruled these confessions admissible after a preliminary hearing at which their competency was contested but at which the defense introduced no evidence of the beatings. Later, when the facts were brought out, the defense counsel failed to move to strike out the confessions. Because of this failure to say the proper words at the proper time, though the facts were finally known to everyone at the trial, including the prosecuting attorney and the trial judge (Record: page 176), the Supreme Court of Mississippi affirmed the trial court's judgment.

This result seems even more appalling in the light of the circumstances in which the defendants obtained their counsel. Five days after the murder, the defendants were indicted; two days later they were tried. Counsel were appointed by the court the afternoon before the trial, were given only time for a hurried conversation with the defendants before they were taken to jail and while conferring with them on the following morning, were several times interrupted by the court requesting them to "hurry up and get on with the trial." (Record: page 147; affidavit of defense counsel John A. Clark.) The counsel appointed were so loath to defend the Negroes that they flipped a coin to determine which one would publicly challenge certain of the talesmen; one of them has sworn that he was told by the officers that the Negroes had voluntarily confessed and that before the trial began he believed them guilty. (Record: page 148.)

This lack of opportunity for adequate representation by counsel was dismissed by the court on rehearing with the statement that no request was made by counsel for additional time to prepare for the trial. The correctness of the decision of the Supreme Court of Mississippi in the light of prior Mississippi precedents is questionable, but it is too late for such arguments. The question now to be decided is whether the constitutional rights of the defendants have been violated.

Counsel for the petitioners supplied by the National Association for the Advancement of Colored People argue that the knowing use of illegal evidence coerced from the petitioners by state officers through physical violence constitutes a fraud on the defendants as serious as that condemned by the Supreme Court recently in the Mooney case. They argue, moreover, that there was here as effective a denial of counsel as that which resulted in a reversal of the first Scottsboro conviction, and point to the failure to move to strike out the confessions as evidence of the half-heartedness and ineptness of the defense afforded them.

RALPH T. SEWARD.
International Juridical Association.

New York City.

'SCOTTSBORO' YOUTHS GO BEFORE JURY TODAY

Constitution

U. S. Ruling Makes New Indictment Necessary; Negroes on Rolls

11-13-35

SCOTTSBORO, Ala., Nov. 12.—(AP) From its starting point nearly five years ago, "the Scottsboro case" tonight had been moved back to Jackson county, where a new grand jury tomorrow will again investigate the alleged mass attacks on two white women on March 25, 1931.

The venire of 36 from which the 18-man grand jury will be selected, contained the names of two negroes, the first to be called in Jackson circuit for many years, but whether they will serve was not known.

Lieutenant Governor Thomas E. Knight Jr., special prosecutor retained by the state, said he would call as many witnesses as necessary, and would ask that true bills be returned against the nine negro defendants charging them with attacking Mrs. Victoria Price and Ruby Bates.

Mrs. Price has appeared in all seven trials in the case thus far, but the Bates girl after appearing in the first four here in April, 1931, two years later at Decatur, repudiated her previous testimony. She asserted she was not molested. Lieutenant Governor Knight said the grand jury would be informed her whereabouts are unknown.

New indictments were made necessary under a decision of the United States supreme court last March.

The nation's highest tribunal held that there had been "systematic exclusion" of negroes from the grand and trial juries in Jackson and in Morgan county, where the trials were held under a change of venue.

Samuel S. Leibowitz, representing the defendants, had contended the absence of negroes from the jury rolls in the two counties violated their constitutional rights.

Scottsboro Case Nine Reindicted

Negro Sits On Grand Jury Finding New True Bills; Victoria Price Is Called

SCOTTSBORO, ALA., Nov. 13.—(AP)—Eighteen new indictments charging the nine negro defendants in the "Scottsboro case" with attacking two white women were returned late today by a Jackson County Grand Jury that included one negro as a member.

Each of the defendants was indicted twice, one charging an attack upon Mrs. Victoria Price, and the other alleging an attack of Ruby Bates. The indictments alleged that the negroes attacked the two women on March 25, 1931, aboard a Southern Railway freight train as it traversed Jackson County.

On receipt of the report Judge A. E. Hawkins, presiding, who drew the name of Creed Conyers, negro, for duty on the grand jury, recessed the body.

The negroes named in the indictments are Haywood Patterson, Clarence Norris, Charlie Weems, Olen Montgomery, Roy and Andy Wright, Eugene Williams, Willie Roberson and Ozie Powell.

Under Alabama procedure the new true bills, will be certified to the presiding judge of Morgan Circuit Court before whom they will be tried under a change of venue granted early in 1933.

Cases For Trial

The Morgan County judge probably will call the cases for trial in a special session of court at an early date, marking resumption of the nearly five-year-old legal battle that has twice gone to the United States Supreme Court.

Mrs. Price appeared before the grand jury and seven other witnesses were called in the investigation, including Dr. M. H. Lynch, of Scottsboro, who examined the women the afternoon of the alleged attacks.

Other witnesses called were Lee Adams, Luther Norris, and Tom Dobbyns, farmers residing along the railroad who testified in previous trials to having seen a struggle aboard the train, Harry Hill, Will Brannum, Tom Rosseau and Walter Hall, of Paint Rock.

Judge Hawkins, in charging the grand jury made no mention of the Scottsboro case, but told the jurors they would investigate "such matters as may be brought before you."

Two Negroes Summoned

Two negroes had been summoned for probable duty on the grand jury to meet in special session, but in qualifying the venire one of them, Bird Hill, of Bridgeport, was disqualified because of his age. He told Judge Hawkins he was 74, and the law specifies the maximum age of 65 years for a juror.

In the drawing of 18 names from the venire of 36, Creed Conyers, of Paint Rock, negro farmer and chairman of the board of trustees of the negro school there, was the fourteenth draw.

The box had been well shaken and Judge Hawkins drew the name, calling Conyers around to take his seat.

In charging the grand jury, Judge Hawkins did not mention the "Scottsboro case" but told the grand jurors a number of men were in jail and to keep them there was an expense to the county.

"It will not be necessary for you to remain in session long," Judge Hawkins said, adding that when it completed its work the grand jury should make a report and he would discharge or recess the body as he saw fit.

Mrs. Price Called

It was apparent, however, early this afternoon that the grand jury was taking up the "Scottsboro case" as Mrs. Victoria Price, one of the alleged victims of the attack of which the nine negro defendants are accused, was one of the first witnesses called.

Others connected with the case also were taken into the grand jury room for questioning, but some of the witnesses questioned were not identified with the "Scottsboro case" indicating that the grand jury had expanded its inquiry to include several cases.

The negroes accused of mass attacks on Mrs. Price and Ruby Bates aboard a Southern Railway freight train on March 25, 1931, were not brought here for the grand jury hearing. They are in jail at Birmingham where they have been confined since the last trials in the case two years ago.

The drawing of the names of two negroes on the grand jury venire, and the subsequent drawing of one of them to sit on the body met the constitutional question raised in previous trials, and sustained by the United States Supreme Court.

High Court's Reversal

The nation's highest tribunal held last Spring that there had been "systematic exclusion" of negroes from juries in Morgan County where the trials were held under change of venue, and set aside death sentences imposed on Clarence Norris and Haywood Patterson, two of the defendants.

It was this decision that necessitated a new grand jury investigation, after a revision of the jury rolls to include the names of qualified negroes.

Since the United States Supreme Court's decision the names of negroes being drawn for jury duty in Alabama has been almost the rule, instead of the rare exception.

Solicitor H. G. Bailey who conducted the first grand jury investigation in the case here on March 31, 1931, was in charge of the probe today. Lieut. Gov. Knight, retained as special prosecutor by the State, was here for a brief conference with Mr. Bailey and then left.

NEW YORK SUN

NOV 14 1935

NEW CHARGES IN SCOTTSBORO

Indictments Voted to Meet Supreme Court Rule.

TWO NEGROES IN THE VENIRE

Third Trial of Nine Accused of Assault to Begin Soon.

SCOTTSBORO, Ala., Nov. 14 (A. P.).—Prosecution of nine Negroes in the Scottsboro criminal attack case was back today where it started four and half years ago, with each defendant indicted twice by a mixed Grand Jury impaneled to meet a Supreme Court objection to its all-white predecessor.

Death in the electric chair faces the Negroes if they are convicted again.

Creed Conyers, Negro farmer and school board trustee, served on the eighteen-man jury which late yesterday returned the true bills charging attack.

Conyers lives at Paint Rock, Ala., near the scene of the asserted mass assault on two white girls, Mrs. Virginia Price and Ruby Bates, aboard a Southern Railway freight train, March 25, 1931.

He was one of two Negroes on the venire of 36. Names of the jurors were drawn from a box.

Mrs. Price testified yesterday. Officers said Miss Bates, who once repudiated her prosecution testimony, could not be located.

It was not announced how the jury balloted on the true bills. A two-thirds vote is required for indictment.

Twice the Supreme Court has ruled for the defense on appeals of the convicted Negroes. First it held their counsel had been inadequate.

Last spring it set aside death sentences imposed on Clarence Norris and Haywood Patterson on the ground there had been "systematic exclusion" of Negroes from grand and trial juries in Jackson county and in Morgan county, where the hearings were held under a change of venue in 1933.

The new indictments were the State's answer. Attorneys expected a special session of the Morgan county court would be called soon for retrial of the Negroes, who are in jail at Birmingham.

Birmingham, Ala. News
November 15, 1935

The New Indictments In The Scottsboro Case

Regardless of individual opinions and feelings about the Scottsboro case, no one, it is safe to say, relishes the prospect of going through once more the same sort of ordeal which every previous trial in these notorious proceedings has imposed upon Alabama. The case has dragged on for more than four years now, to no result. Repeatedly it has gone from the trial courtroom through the Alabama Supreme Court, then the United States Supreme Court, and back again. It has been a costly affair for Alabama; the expense to the taxpayers has been very considerable, and it should not be wondered at that many citizens are anxious to have an end to the proceedings—and to the expense. The monetary expense to the state, however, has not been the worst part of the cost. Alabama has been made to suffer enormously through being subjected to all sorts of criticism and reproach from throughout the world. Now that the Scottsboro defendants have been reindicted, the state is again to be subjected to this odious publicity. It is truly a bad situation, which seems to grow worse the longer it continues.

Scottsboro Gets Colored Juror

Two colored men were called and one actually served on the Alabama grand jury which, last week re-indicted the Scottsboro boys for the alleged rape of two white girls on a railway flat-car four years ago.

That is not an empty victory. For sixty years, Alabama juries have been lily-white, and the presence of one colored person on the grand jury is the outward observance of the processes of justice, long abused in that primitive community. More than that, the U.S. Supreme Court's ruling in the Scottsboro case has resulted in the selection of colored jurors in hundreds of other communities, where justice was mocked and the Constitution trampled under foot.

As expected, the Scottsboro boys were re-indicted and another trial is in prospect. If Scottsboro has learned its lesson and selects colored men for the trial jury panel, it may be that there will be found jurors who are willing to oppose the legal lynching of these boys. It is to be doubted, however, that Alabama public sentiment has so far reformed even under the national and international criticism it has received.

It may be that another battle all the way up to the U.S. Supreme Court is again in prospect, if the boys are to be saved.

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New Trial Of Scottsboro Cases Set For Jan. 6 By Morgan County Judge

DECATUR, Ala., Nov. 19.—(AP)—Arraignment of the nine negro defendants in the "Scottsboro case" under new indictments charging them with attacking two white women was set for Dec. 16, today by Judge W. W. Callahan, with the trials fixed for Jan. 6, 1936.

The dates of the trials were announced after Judge Callahan had conferred by telephone with Lieut. Gov. Thomas E. Knight, Jr., retained by the State as special prosecutor in the case that has been in the Alabama courts since 1931.

The new indictments, returned at Scottsboro last week by a grand jury that included one negro, Creed Conyers, charged each of the defendants with participating in alleged mass attacks on Mrs. Victoria Price and Ruby Bates in Jackson County, March 25, 1931.

Knight said in Montgomery on announcement of the dates, that Judge Callahan had agreed to postpone the trials in event a special session of the Legislature was called before they were finished.

Gov. Bibb Graves recently announced that he would call the Legislature into special session early next year, and it generally is believed in official circles the call will be for Jan. 14.

This, Knight said, would permit one trial at least, before he must return to Montgomery to preside over the Senate in his capacity as lieutenant governor.

The new indictments returned last week were necessitated if the negroes were to be brought to trial again, by a decision of the U. S. Supreme Court which last Spring held in the case of Clarence Norris, then under death sentence, that negroes were "systematically excluded" from grand and trial juries in Jackson and Morgan Counties.

Under Alabama procedure the cases automatically revert from Jackson to Morgan Counties for reindictment, under a change of venue granted in March, 1933.

Norris was tried and convicted here in December, 1933, the week following the conviction and death sentence of Haywood Patterson.

Further trials then were postponed on motion of Samuel S. Leibowitz, chief counsel for the negroes, who held further proceedings were useless until the U. S. Supreme Court review the constitutional question raised.

The conviction in December, 1933, was the third for Patterson and the second for Norris. Patterson's second conviction was set aside by Judge James E. Horton who presided, on grounds that the evidence was insufficient to warrant the penalty.

All of the negroes are held in jail at Birmingham.

In the first trials in Scottsboro, within three weeks after the alleged offense, eight of the negroes were convicted and sentenced to death. A mistrial resulted for the ninth, a juvenile.

The Alabama Supreme Court set aside one death sentence, on the grounds that the negro was a juvenile, but affirmed the other seven. On the first appeal to the United States Supreme Court, the sentences were set aside on the grounds the negroes had "not had benefit of adequate counsel."

The International Labor Defense interceded for the negroes after their first conviction and for the retrials obtained Leibowitz, but he broke with the I. L. D. and now represents the negroes under the sponsorship of a New York group.

Since the Supreme Court decision last Spring, holding "systematic exclusion" of negroes from juries, the names of negroes have been placed in practically every box in the State.

NEW YORK TIMES

NOV 19 1935

THE SCOTTSBORO CASE.

Suggestion of Local Lawyers for Defense Is Approved.

To the Editor of The New York Times:

In THE TIMES last Sunday John Temple Graves 2d, your editorial correspondent of Birmingham, Ala., wrote freely, frankly and very impressively of the Scottsboro case, again acutely in the news because of a new indictment of the involved Negro youths handed up by a grand jury that included a Negro in its personnel.

From Mr. Graves's summation, after thoroughly going into several Alabama points of view, it is not at all difficult to reach the conclusion that Alabama would be glad to "save its face" and let the Scottsboro boys go free, provided the fait accompli could be done in its own way. And so long as freedom of the boys is the sole objective of their well-wishers, there could be no reasonable objection to providing no further occasion for the Lieutenant Governor of Alabama to realize his political ambitions from "defending his State against the Communists and New Yorkers allied against him" in previous Scottsboro trials. Then Attorney General, designated to prosecute, he got to be Lieutenant Governor and as such has again been designated to prosecute at the new trials.

As Mr. Graves found it, there is a feeling that the boys would fare better if defended by local talent next time, and I am inclined to agree. Like the man who discovered a bleeding victim alongside a railroad track and stanched the flow of blood, thereby preserving his life until the doctors got hold of the injured man in a hospital, the International Labor Defense completed its work in the Scottsboro case when it prevented the boys' electrocution in execution of the judgment at the first would-be trial and eventually got two favorable decisions by the United States Supreme Court.

Very properly, the previous Scottsboro trials were conducted from the standpoint of having the record contain grounds for successful appeals. Eventually, the highest court will find no Federal question involved, and then it will be "just too bad."

Not one of the Scottsboro youths has yet indicated any desire for martydom, and the Communists require "martyrs" to propagate their cause.

It seems to me that, presently, the youths are foils of the I. L. D. on the one side and of Jack Knight's ambitions on the other side, and if, as John Temple Graves obviously suspects, the Scottsboro case would be consummated with the boys' release from custody if defended by home talent at the new trial, then let us give home talent a chance.

RIENZI B. LEMUS.

New York, Nov. 18, 1935.

Haywood Patterson Vows to Fight on In Letter to I.L.D.

CHICAGO, Nov. 22.—"We can never forget the wonderful work which you workers have done for us," wrote Haywood Patterson, one of the nine Scottsboro boys, from his cell in the County Jail of Birmingham, Ala., in a letter this week to the Roy Wright Branch of the International Labor Defense.

In part, his letter reads: "My dear comrades, I have just now received your most welcome letter and was mighty happy to hear from you. . . . We feel assured that you workers will continue to fight for our rights . . . until we are freed and out with you all. . . . May I suggest that I am sorry to bother you . . . but since I am badly in need of a few cigarettes and some postage . . . I shall greatly appreciate just anything that you may desire to send me. With warmest regards, and all good wishes, Haywood Patterson."

Scottsboro, Ala., Age
November 14, 1935

Grand Jury Probing The Scottsboro Case

One Negro Placed On Jury To Take Up Criminal Investigation

Judge A. E. Hawkins of the Ninth Judicial Circuit came to Scottsboro Wednesday morning and from the newly-filled Jury boxes drew a special venire to take up criminal investigation, a part of which will be the Scottsboro cases which were reversed by the United States Supreme Court on a ruling that it appeared negroes had been systematically excluded from the jury rolls of Jackson and Morgan counties, where the negroes were indicted and tried and convicted.

One negro, Creed Conyer, farmer of Paint Rock was drawn to serve for this special jury service.

With the drawing of the new grand jury the notorious Scottsboro case gets under way again, after a continuous legal wrangle for three and a half years in the county, state and national courts.

Mrs. Victoria Price of Huntsville, principal witness in the case, came to Scottsboro yesterday to appear before the grand jury.

Solicitor H. G. Bailey, assisted by County Solicitor H. C. Hayes, will be in charge of the grand jury investigation. If the grand jury finds indictments against any or all of the negroes now being held on warrants sworn out by Mrs. Price after the ruling of the U. S. Supreme Court, it is presumed that a change of venue to the Morgan County Circuit Court will be ordered by Judge Hawkins and the trials will again be taken up at Decatur.

The drawing of the Negro's name removes any grounds for an appeal or reversal that discrimination against negroes is present in the case. Lieut. Governor Thomas E. Knight, who began the prosecution when he was Attorney General of Alabama, will likely have charge of the prosecution when the trials are taken up in circuit court.

The following were drawn for the special grand jury:

Europe Smith, Pisgah; Rankin L. Airheart, Scottsboro; Otis V. Thomas, Langston; Bert L. Vann, Scottsboro; Jim Bryant Holland, Henegar; Jeremiah Hester, Scottsboro; John A. Snodgrass, Scottsboro; Carl Gross, of Scottsboro; B. Hodge Rogers; Wiley Whitaker, Woodville; Leonard Tiffin, Scottsboro; Ben Rudder, Stevenson; Robert McMahan, Stevenson; Creed Conyer, Paint Rock; Sam G. Milligan, Henegar RFD; Robert Wilburn, Henegar; Geo. W. Oliver, Pisgah RFD; J. Wyatt Moore, Henegar RFD.

CHARLOTTE, N. C.
NEWS

NOV 15 1935

Note on Compliance.

One of the 18 members of the grand jury empaneled to "re-investigate" the attack by nine Negroes on Mrs. Victoria Price and Ruby Bates aboard a freight train on March 25, 1931 — in short, the Scottsboro case — is himself a Negro. His presence on the jury is traceable directly to a United States Supreme Court judgment invalidating a previous conviction on the ground that Negroes were excluded from the jury in violation of the 14th amendment.

Not only in Alabama, whose governor was prompt after the rebuke by the Supreme Court to order the re-drawing of jury lists throughout, but in the rest of the Southern states are Negroes beginning to appear on juries. Their presence is remarked but otherwise is considered unremarkable. It is taken almost as a matter of course, even, unless we mistake, a little pridefully, as though duty belatedly understood was being done thoroughly.

Cheerful compliance with this order of the Supreme Court is creditable not only to the South but to the Court. It seems to show with what ingrained respect the Court is held.

COLORED MAN HAS PART IN BRINGING ANOTHER "TRUE BILL" AGAINST NINE YOUTHS WHOSE INNOCENCE IS CERTAIN

Lovers of American Liberty Called Upon for United Front in Fight to Halt Plan of Judicial Murder

——I. L. D. declared.

(Special to Crusader News Agency)

Scottsboro, Ala. — The nine Scottsboro boys whose innocence is known the world over were re-indicted by a Jackson County grand jury this week.

When the decision was announced, the International Labor Defense, through its acting national secretary, Anna Damon, stated that the reindictments "will some day be recognized as marking one of the gravest moments in American liberty."

"The famous Dred Scott decision by the Supreme Court in 1859, which turned open the whole question of Negro slavery which was later fought out on the battlefield of the Civil War, was no more important for the history of America than the present Scottsboro case will prove to be."

Negro Juror

Creed Conyers, farmer and chairman of Board of Trustees of Negro Schools in Paint Rock, Ala., served on the grand jury. He was the first Negro drawn in Alabama for more than sixty years. Bird Hill, another Negro picked for jury duty was "excused" because he was "nine years over the age limit."

No information could be garnered here as to how Conyers voted in the jury room, but it was felt that he had been subjected to considerable pressure from the seventeen white jury members.

"The inclusion of one Negro on the Grand Jury is openly and cynically admitted to be nothing more than a measure to prevent reversal by the U. S. Supreme Court," the

Appeal to Save Scottsboro Boys

A ringing appeal to all "friends of American liberty of justice for the Negro people" to save the Scottsboro boys was made by the I. L. D.

"Every sane person who has examined the case," the I. L. D. said, "knows that the boys are innocent."

We are determined to save these boys. This is no longer even a case of saving nine innocent boys from death. It is a case of rescuing our country from fascist terror.

"This case has risen now to such a height of social importance to the American people that all quarrels between those who wish to defend these boys must come to an end and all who wish to be counted as friends of American liberty and justice for the Negro people must unite for this defense. All who have a spark of manhood or womanhood in them will respond.

"The boys must and will be given the best defense that it is possible to supply them, and the enemies of lynching and murder must rally throughout the country to supply means for this purpose."

Asheville, N. C., Times
November 13, 1935

SCOTTSBORO CASE GRAND JURY DRAWN WITH NEGRO MEMBER

SCOTTSBORO, Ala., Nov. 13.—(UP)—A special grand jury containing one negro—Creed Conyer—was impanelled and went into session in record time to consider new indictments today against the nine negro defendants in the famous Scottsboro case.

Judge A. E. Hawkins, after hearing excuses from several of the 36 men drawn last week on the grand jury panel, drew the names of 18 men who will serve on the grand jury.

Among those excused was Bird Hill, negro farmer of Bridgeport. He was excused because he said he was 74 years old, and the age limit for grand jury duty in Alabama is 21 to 65. Hill and Conyers were the two negroes drawn on the panel.

The two negroes had been drawn on the panel as the jury box was revised to comply with the latest U. S. supreme court decision which quashed original indictments on the grounds that negroes had been systematically excluded from service on the Jackson county grand jury.

The jury which was chosen consists of farmers and small businessmen. Conyers is a laborer of Paint Rock.

After selection of the jury, court was recessed until 1:30 p. m.

Other members of the jury in addition to the negro are:

Europe Smith, Otis V. Thomas, Rankin Airheart, Bert Vann, James Potter, Jeremiah Hester, John A. Snodgrass, Carl Gross, Hodge Rodgers, Wiley Whitaker, Leonard Tippin, Ben Rudder, Robert McMahan, Sam Mulligan, Robert Willborn, Wyatt Moore, George Oliver.

Whitaker will serve as the foreman.

Charleston, S. C. News & Courier
November 16, 1935

Mixed Jury in Scottsboro Case



A county grand jury that included one negro member met at Scottsboro, Ala., and returned eighteen new indictments charging nine negro defendants in the famous "Scottsboro case" with attacking two white women four years ago. The arrow in the upper left corner designates the negro juror, Creed Conyers, a farmer. (Associated Press Photo)

Lynchings-1935
Legal Punishment for Rape.

Alabama.

5018

SCOTTSBORO APPEALS TO BE ARGUED FEBRUARY 15TH

Crusader news
--- agency

Joint Legal Defense Will Be Presented By Attorneys Pollak, Fraenkel, Retained by ILD, and Attorneys Liebowitz and Chamlee

2-16-35

All Arguments Based On ILD Attorneys' Briefs

New York, N.Y.

NEW YORK - (CNA) The appeals of Clarence Norris and Haywood Patterson, two of the nine Scottsboro boys, will be argued in the United States Supreme Court Friday, February 15. 2162 Scottsboro case.

Lawyers Unite, Divide Tasks

The appeals will be argued by Attorneys Osmond K. Fraenkel and Walter H. Pollak, retained by the ILD, and Samuel S. Liebowitz. The cases will not be separated and all arguments are based on briefs filed by the ILD attorneys. No new or additional briefs were filed by Attorney Liebowitz. Attorney Liebowitz will argue the facts in the case, Attorney Pollak the constitutional questions, and Attorney Fraenkel will reply to the arguments of the State of Alabama. Attorney-General Tom Knight, who referred to Patterson during the Scottsboro trials as "that thing", will represent the State of Alabama.

Last week, the entire Scottsboro legal defense was united when Attorneys Fraenkel and Pollak signed a joint agreement with Attorneys Liebowitz and George W. Chamlee. In accordance with this agreement Attorneys Fraenkel and Pollak were replaced as Attorneys-Of-Record by Attorneys Liebowitz and Chamlee. The unified presentation of the legal defense is regarded as a strengthening of the defense for both Norris and Patterson. Since the beginning of the cases the ILD has made repeated efforts to unite and strengthen the entire Scottsboro defense.

Only ILD Briefs To Be Used

The main issue to be argued in the appeals is the unconstitutional exclusion of Negroes from the juries which indicted and tried Patterson and Norris. Other basically important issues are the exclusion of Ruby Bates' testimony from Patterson's trial, the failure of Judge (Speed) Callahan to charge the jury on the question of innocence, the forgery of Negroes' names on the jury rolls by Alabama officials in order to avoid the jury question. All these issues are raised in the briefs filed by Attorneys Pollak and Fraenkel, ILD lawyers, and which are the only briefs used in the appeals.

After an intensified mass campaign led by the ILD, the United States Supreme Court on January 7th granted writs of review in the Patterson and Norris cases. The appeals to be argued on February 15 come as a result of the granting of these reviews.

Second Time In U. S. Supreme Court

Patterson has been three times sentenced to die in the electric chair, and Norris twice. This is the second time their cases have been before the U. S. Supreme Court. Six of the other Scottsboro boys have each been sentenced to die. Their cases, with Patterson's and Norris', were reversed in the United States Supreme Court in the fall of 1932. The cases of Roy Wright and Eugene Williams, the youngest of the boys, are to be handled in Alabama juvenile courts.

All the Scottsboro boys have been many times scheduled to die, but each time the ILD leading world-wide mass support has snatched them from the electric chair. Their cases will be affected by the results of the Patterson and Norris appeals.

Calls For Renewed Mass Support

Last week, the ILD announced a renewed mass campaign to save the lives of Norris and Patterson and for the immediate unconditional freedom of all the Scottsboro boys. It issued an urgent request for funds to be rushed to ILD, 80 East 11th Street, Room 610, New York City. It declared that all funds will be used for the expenses of the Scottsboro and Angelo Herndon appeals. The Herndon case is also in the United States Supreme Court. Washington, D.C.. the ILD announced.

Protest resolutions, letters, telegrams, demanding the freedom of the Scottsboro boys and Angelo Herndon should be addressed to United States Supreme Court. Washington, D.C.

Protest Vital as Supreme Court Weighs Scottsboro Decision

JUDGES RETIRE FOR VERDICT AS I.L.D. COMPLETES BRILLIANT APPEAL IN CASE OF ANGELO HERNDON COMES UP IN MARCH—FUNDS NEEDED

HAVING heard the arguments of the I. L. D. attorneys in the Scottsboro case appeals, the Supreme Court has gone into a two weeks' recess.

During this time the mass protest which alone has blocked the legal lynching of the nine innocent Negro boys, seized more than four years ago in Alabama, must be redoubled.

The International Labor Defense emphasizes at this time that it would be folly to imagine that now the Supreme Court judges have the case solely in their own hands.

The case, more than ever, rests finally in the hands of the masses, in the strength of mass protest demanding their liberation.

The I. L. D. has waged a brilliant struggle for the lives of the boys. Its attorneys, supplementing the power of the mass movement, have exposed in this court, holiest of capitalist holies, the vicious jimcrow discrimination and oppression out of which grew the framed lynch verdicts.

Before the withering fire of attack, led by Walter Pollak, retained by the I. L. D., the Alabama Lieutenant-Governor Knight, with all the assistance of the justices on the bench, could only retreat, giving no answer.

The I. L. D. has been proven a thousand times correct in its policies, and has shown that one thing alone stands above everything in its fight—to win unconditional freedom for all the nine boys.

The I. L. D. now stands as the defender of all the victims of capitalist terrorism and oppression.

Its fight for Angelo Herndon, young Negro worker, sentenced to a living death in the Georgia chain gangs, has been one of the most glorious in the history of American labor.

It has temporarily wrested Herndon from the chain gang.

Herndon's appeal before the Supreme Court comes up in March. The fight for Herndon and the Scottsboro boys is a matter of honor for the American working class, leading the fight for the liberation of the Negro people.

Funds are urgently needed. Rush aid now to the International Labor Defense, 80 East 11th Street, Room 610, New York City.

The I. L. D. has issued special "Scottsboro cards" to be sent to the Supreme Court. They can be procured from the above address or from any I. L. D. office or branch. These should be distributed everywhere.

The Supreme Court judges are testing the power behind the mass protest. Let them know that the eyes of the working class are upon them!

Rush Funds Today to Aid Scottsboro

"We' the workers of the Domestic Workers Union of Harlem realize the importance of the urgent need for funds to carry on the Scottsboro and Herndon defense, even though unable to pay our rent, we send you this dollar as our contribution toward the defense."

This letter, received by the International Labor Defense, indicates the deep realization by the most exploited of the Negro and white workers of the importance of the Scottsboro-Herndon fight to their own struggle.

It can be placed alongside the contribution of $7 literally collected penny by penny, from the starving Negro workers of Birmingham, for the defense.

Funds urgently needed to carry on the Scottsboro campaign, and the defense of Angelo Herndon, whose case is due to come up before the U. S. Supreme Court within the next few weks, should be rushed to the national office of the I. L. D., Room 610, 80 East 11th Street, New York City.

The Scottsboro Fight

AT THIS time, with the U. S. Supreme Court preparing its decision on the Scottsboro case, the International Labor Defense, tried and tested defenders of the boys, issues a warning against just sitting by and trusting to the fairness of the court.

The I. L. D. has conducted a brilliant fight right up through the highest capitalist court in the land.

But, warns the I. L. D., this court will heed the unmistakable evidence of frame-up in the case only if the power of mass protest and demonstration is brought to bear upon it.

It was this mighty world protest that saved the boys from death four years ago. It is this alone that can win their liberation.

All sorts of so-called friends of the boys, the various Negro reformist groups, the Leibowitz American Scottsboro Committee are trying to lull the masses with a false sense of security now that the Supreme Court has heard the evidence of the I. L. D. lawyers.

But this is precisely what will hurt the boys most! Now more than ever, the Supreme Court, which is only the servant of the Wall Street rulers, must hear the mighty voice of the people demanding the unconditional freedom for the nine innocent Scottsboro boys! Increase the demand for the freedom of the Scottsboro boys!

BONDS ARE FORFEITED IN SCOTTSBORO 'BRIBE' CASE

Cases Against Two Gotham Attorneys Nol-prossed in Huntsville

HUNTSVILLE, Ala., May 29.—(AP) Bonds for two New York attorneys accused of attempting to bribe the principal witness in the "Scottsboro case" were ordered forfeited and the charges dropped here today to close another chapter in the four-year-old legal fight for the lives of nine negroes which has drawn international attention.

Sol Kone and Daniel Swift, accused of offering Mrs. Victoria Price $1,000, failed to appear when their cases were called, and the forfeiture order followed. Three Huntsville residents who signed bonds of $2,000 each for the attorneys, had nothing to say.

Mrs. Price is the state's star witness against the negroes accused of attacking her aboard a freight train in Jackson county March 25, 1931.

Kone and Swift weer arrested in Nashville, Tenn., September 30, last year, on bribery warrants sworn out by Mrs. Price. Their arrest followed by one day the apprehension of J. W. Peerson, Birmingham, alleged "go-between" in the case. Peerson appeared in court here today, and his case was nol-prossed.

At a preliminary hearing on the bribery charges, Mrs. Price gave testimony which was used as a basis for holding the two attrneys and Peerson for the grand jury.

All three were indicted on charges of bribery.

Lynchings—1935
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Knight Has No Answer To Scottsboro Defense

I. L. D. Attorney's Proof of Exclusion of Negroes from Jury Unassailed in Arguments Before U. S. Court — Recess for 2 Weeks

By Marguerite Young
(Daily Worker Washington Bureau)

WASHINGTON, D. C., Feb. 18.—Attorney General Thomas E. Knight of Alabama today failed to give the United States Supreme Court a single reply to repeated sharp questions on the Scottsboro boys' plea that proof of the denial of their constitutional rights lies in the uncontested evidence that none of their race "in the memory of man" has served on a jury in the counties where they were convicted by all-white juries.

"The sum total of the State's case," Knight frankly admitted, "is that if there were no Negroes on the jury roll it was not because of color."

Walter H. Pollak, retained by the International Labor Defense to argue the appeals before the obviously tense tribunal, unleashed a drumfire of uncontested evidence and legal precedents to prove the defense's case.

Two Weeks' Recess

"The case in its cardinal issue (the denial to Negroes of their right to serve on juries) is way beyond the need of further evidence," Pollak argued. "Half a century ago the fact of the qualification of Negroes for jury service was undubitably proved. . . ." And yet in the Scottsboro case, "it was proved without contradiction . . . not only that no Negro had ever served on a jury within a generation, but also that no Negro ever was called to serve on a jury."

The Supreme Court recessed for two weeks on the conclusion of argument by Attorney General Knight. As he neared his finish, one of the justices by inference indicated that the Court might sit again tomorrow—but Knight hastily urged, "Oh, no."

Admits Marks on Rolls

Attorney General Knight boldly admitted to the Supreme Court that the names of Negroes are customarily marked "Col." to show that they are Negro voters, on the rolls of voters in the State of Alabama. He did this in an effort to mainain that it was rolls of voters —and not lists of jurymen, as the defense showed, on which the special designation was given to Negroes' names. Pointing to the red books containing the jury rolls, on which the defense contends that the names of six Negroes were forged, Knight said:

"I cannot tell you today that those names were or were not forged . . . I simply take the position that I don't know now, when or whether, and I consider it immaterial whether they were or were not placed there."

Knight Can't Answer

Justice Willis Van Devanter of Wyoming, seemingly irked at Knight's striking failure to even approach the defense's main issue, called the attention of the shouting prosecutor to the fact that out of the "box" containing the names of qualified voters "not a colored man's name ever came," and "that no colored man ever was called," Then the justice asked Knight, "What is your answer to that?"

"I understand that the Jury Commission has the discretion——" Knight began.

"It has not the right to exclude colored men," the Justice shot in.

"I don't contend that it has," said Knight.

"But the colored men didnt get on," Van Devanter complained.

Instead of answering, Knight retorted that it was for the Supreme Court to decide whether the evidence warrants "the presumption that the Jury Commission did what they said they did.'

Hundreds Wait To Hear

The Court, according to its custom, set no definite time for rendering its decision on the appeals.

Osmond K. Fraenkel, the other lawyer retained by the I. L. D., sat beside Pollak, ready to offer rebuttal argument. Attorney Samuel S. Leibowitz, who presented the facts for the defense last Friday, was not present today.

The session opened with hundreds of Negro and white persons waiting outside to hear the case. Many of them waited in vain.

Four Main Points

The four main points, hammered by Pollak with the calm of his judicial listeners perched high on the bench above him, were:

1. That the indictment of a member of the Negro race and his conviction by juries from which Negroes are systematically excluded is a denial of the equal protection of the law.

2. That the court (in Alabama) denied the boys' constitutional rights in refusing to quash the indictments by the grand juries in Jackson County where Negroes had for years been excluded from jury service.

3. That the court denied the boys' constitutional rights in refusing to quash the venire of the petit jury in Morgan County where Negroes had for years been excluded.

4. That the court denied their constitutional rights in refusing to permit them full opportunity to prove that Negroes were systematically excluded.

Pollak cited the uncontested testimony by a jury commissioner, Stewart, that the names of Negroes on the lists from which jurymen were drawn were followed by the designation, "Col."

Attorney-General Knight, wearing a deep flush with his black cutaway coat, told the court that jury commissioner Stewart was "confused" when he testified to that fact, and "was thinking of the voting list."

"Is that the custom there?" Justice Butler asked Knight, referring to the custom of designating Negroes as to color on voting lists.

"It's been done ever since I can remember," Knight replied.

"But that's on voting rolls, not on jury rolls."

"Why didn't Mr. Steward say so?" asked Chief Justice Charles Evans Hughes.

"He said the roll did not systematically exclude Negroes," was Knight's only answer.

His only answer to the exclusion of qualified Negroes was, "I can't conceive of this court constituting itself a jury commission."

The defense's plea is that the jury commission and all other agencies of the State of Alabama concerned with the case violated the constitution—the protection of which is the duty of the Supreme Court of the United States.

Enemies of Scottsboro Boys Lie About High Court Hearing

Associated Negro Press and Amsterdam News Attempt to Hide Leading Role of I. L. D.

A barrage of venomous lies about the Scottsboro defense, and about the hearing on the Scottsboro case before the United States Supreme Court, which was held Feb. 15 and 18, has been let loose by the enemies of the Scottsboro defense among the Negro newspapers, controlled in behalf of white bosses, during the past week.

The Associated Negro Press and the Amsterdam News, Harlem newspaper which has consistently sought to prevent a united defense for the boys, have led the attack with lies and distortion.

The "Amsterdam News," whose general mangger, William H. (Kid) Davis, was in the courtroom and knew the facts, stated that Attorney Samuel S. Leibowitz presented arguments on behalf of Clarence Norris on Feb. 15, and that "after the oral arguments on the Norris case the U. S. Supreme Court reserved decision," and that "it is believed that I. L. D. attorneys will argue the Patterson U. S. Supreme Court appeal."

At the time this was written, Attorney Leibowitz had presented the facts in both the Norris and Patterson cases to the court, and Attorney Walter H. Pollak, constitutional authority, had begun his argument of the constitutional law in both cases, which was concluded Monday, Feb. 18.

Joint Argument

The cases were argued jointly, by agreement between the attorneys, concurred in by the International Labor Defense after Attorney Leibowitz received a retainer from Clarence Norris, in January, 1935. The I. L. D. agreed to this arrangement in pursuance of its consistent policy of avoiding any division in the defense forces, or act against the best interests of the Scottsboro boys.

A distorted story of the hearing, apparently emanating from the so-called "American Scottsboro Committee," and published in many Negro newspapers, stated that "upon invitation of Attorney Leibowitz, Attorney Walter H. Pollak presented a brief argument on some of the points of constitutional law involved," with the obvious intention of giving the impression that the cases were not argued jointly. As a matter of fact, the entire argument on the constitutional questions was made by Mr. Pollak, Mr. Leibowitz's part in the appeal being limited to a presentation of the facts involved.

The brief used in the Norris case was prepared by Messrs. Pollak and Osmand K. Fraenkel, attorneys retained by the International Labor Defense, the names of Leibowitz and General George W. Chamlee being merely substituted on the cover after Leibowitz obtained a retainer from Clarence Norris.

The "Associated Negro Press," in an astounding display of editorial venom for a supposedly impartial news service, the previous week stated that the I. L. D. had "bowed and scraped its way out" of the Scottsboro case, when Leibowitz's name was substituted for that of Pollak on the appeal brief.

News Service Slanders Defense

Previous stories sent out by that service, during the last few months, have been full of similar venomous slanders and distortions in regard to the Scottsboro defense and the I. L. D., as though the service were trying, in its own field, to out-Hearst the famous anti-labor and anti-Negro publisher.

Several Negro newspapers used such headlines as "I. L. D. Gives Up Scottsboro Defense" and "I. L. D. Gets Out of Scottsboro Case," in connection with this A. N. P. story, though even the distortion contained in the story did not justify these lies.

Other Negro newspapers throughout the country studiously avoided mention of the I. L. D. in their accounts of the hearing, and sought by implication to give the impression that Leibowitz was in full charge of the appeals.

Still others followed the lead given by the white lynch-press in failing to even make mention of the case in their editions following the hearing

SUPREME COURT JUSTICES CHIDE ATTY. KNIGHT

Special Prosecutor of Scottsboro Boys "Grilled"

By LOUIS R. LAUTIER

WASHINGTON, D. C.—During the argument of the so-called Scottsboro cases in the United States Supreme Court last Monday, Justice Willis Van Devanter critically questioned Thomas E. Knight, former Attorney General of Alabama, now lieutenant governor, to elicit from him the truth respecting the exclusion of colored persons from jury duty in Alabama. He got special permission to continue to act for the state in the celebrated case.

Mr. Knight started badly. He began by telling the court he did not know how two big books containing the names of men sligible for jury duty in Jackson County, Alabama, had got before the Supreme Court.

"Come, come, now!" Justice Van Devanter chided him.

Chided By Court

Samuel S. Leibowitz, of New York, who twice tried the cases at Decatur, Alabama, had shown one of the books to the court last Friday when argument was commenced.

Mr. Leibowitz startled the court by charging that the names of six colored men appearing in the book had been forged after the question of the exclusion of colored persons from jury duty had been raised.

He declared that the names of the colored men had been entered after the jury commission which made up the jury rolls, from which the grand jury which returned the indictments, had gone out of power "for the purpose of depriving the defendants of their constitutional rights and in all probability preventing a review of this court."

Says Names Forged

He explained that red lines had been drawn on each page by the new jury commission to show where the work of the old commission had ended and the work of the new commission had begun. He stated that an expert witness had testified that the names of the colored men, arranged alphabetically and according to precincts, had been superimposed upon the red lines indicating that they were inserted after the red lines had been put there.

Chief Justice Charles E. Hughes and Justices Van Devanter, Owen J. Roberts, Pierce Butler, and Harlan F. Stone questioned, one after another, to ascertain how the clerk of the old jury commission had got

SUPREME COURT JUSTICES CHIDE ATTY. KNIGHT

Special Prosecutor of Scottsboro Boys "Grilled"

(Continued from Page 1)

possession of the book after he went out of office and what explanation he had made with respect to the alleged spurious names.

Mr. Leibowitz replied that he himself would like to find out how the old clerk had got access to the book and that no explanation had been given when the old clerk testified regarding the jury rolls and the alleged forged names were brought to his attention.

Attacks Jury System

Mr. Leibowitz contended that the rights of the petitioners had been violated by the systematic exclusion of colored persons from jury service solely because of race and color.

He made no complaint with respect to the Alabama statute prescribing the qualifications of jurors, but contended that "the administration of the statute is the gravamen of the complaint we lay before you."

He said "we were able to show that no Negro has ever served within the memory of man on grand or petit juries in Jackson County."

Offers Evidence

"Do you mean by that," asked Justice Van Devanter, "that they were never called, or, although called, they were excused?"

Mr. Leibowitz replied that it is a matter of custom in Jackson County that no Negro can sit on juries. That custom, he said, has prevailed for at least 60 years.

He asserted it was proved there are Negroes in Jackson County qualified to serve. He said it was testified there were Negroes in the county who had served on federal juries.

"We showed not only the absence of service on juries by Negroes," he declared, "but we actually produced living specimens in the court whom we contended were legally qualified and whose qualifications were not challenged by the state."

Tells About Morgan County

Taking up the argument where Mr. Leibowitz had left off, Walter H. Pollak, of New York, who presented the first appeal in the Supreme Court which resulted in a reversal of the conviction of seven youths for alleged attacks on two white women, described the situation in Morgan County, Alabama, where the second and third trials were held after a change of venue had been granted.

"As to Morgan County," said Mr. Pollak, "no claim is made by the state that the names of Negroes appeared on the jury rolls, although the proportion of Negroes to whites is even considerably larger than in Jackson County."

He asserted that no Negroes sat on juries in Morgan County and none had been called for jury service as far as could be remembered.

Many Qualified

"There were Negroes of the highest qualification," he said. "The testimony was overwhelming that there were qualified Negroes in Morgan County." He added that Negroes had been called for federal service and had sat on federal juries.

Mr. Pollak pointed out that the Scottsboro case had arisen 50 years after the case of Neal against Delaware in which the court found that there was a presumption of qualified Negroes.

"Negroes obviously have progressed immeasurably in the interval," declared Mr. Pollak, "and we have a case where there is no problem of relying upon the presumption of qualified Negroes because we have proof of the existence of qualified Negroes."

Interrupted By Gold Decision

When argument was resumed after the court had handed down its decision in the gold clause cases on Monday, Mr. Pollak took up the question of the striking of the motion for a new trial and the bill of exceptions in the case of Haywood Patterson.

Patterson was found guilty on December 1, 1933. Immediately after the verdict, he said, Patterson's counsel requested an extension of time beyond 30 days in which to file a motion for a new trial. Judge Callahan refused the extension, he said, stating that counsel had 30 days within which to make a motion for a new trial.

The motion for a new trial was filed December 29, 1933. The attorney general of Alabama on February 24, 1934, moved to strike the motion for a new trial because it was not filed until after the expiration of the term of court on December 23, 1933. Judge Callahan granted the state's motion.

Trickery Alleged

Under Alabama law, Mr. Pollak explained, bills of exceptions must be presented within 90 days from the date on which judgment is entered. With the motion for a new trial not entertained, the 90-day period for filing the bill of exceptions expired on March 1 or March 6, 1934, depending on whether the judgment date is considered as December 1, 1933, on which the verdict was returned or March 6, on which Patterson was sentenced. The bill of exceptions was presented on March 5.

But Mr. Pollak contended that the striking of the bill of exceptions did not affect the constitutional question because the issue of exclusion of colored persons from jury duty was raised by separate motions in writing.

Mr. Knight declared that the issue was solely whether or not colored persons were systematically excluded from jury service. He said he was not concerned with whether the names of the six colored men had been placed on the jury list legally or not. He added that the state of Alabama was not concerned with whether or not the name of a single colored person appeared on the book which Mr. Leibowitz had produced in court.

Knight Argues

"I am not telling the court those names were forged on there," he declared. "I am not telling you they were not."

He said he resented the innuendo of Mr. Leibowitz that he had objected to the introduction of the book at the trial before Judge Horton and then with "alacrity threw them at defense counsel" at the last trial.

Knight argued that the jury commission had wide discretion in the selection of jurors. He contended that there was direct testimony in the record to the effect the commission had considered the names of every person qualified for jury service without inquiring as to his race or color.

Subjected to Quizz

Mr. Knight was then subjected to a series of questions respecting the meaning of testimony that race or color was not discussed by the jury commissioners in making up the jury rolls.

"No colored man was ever called or served on the jury," commented Justice Van Devanter. "What answer do you make to that?"

Mr. Knight said he was inclined to think that the commissioners had acted within their discretionary powers.

'Discretion" Is Alibi

"I do not understand they had any discretion to exclude colored people because they were colored," replied Justice Van Devanter.

Justice James C. McReynolds, who dissented when the Supreme Court reversed the convictions, did not sit during the argument of the case.

By stipulation Mr. Leibowitz argued the appeal of Haywood Patterson and Mr. Pollak the appeal of Clarence Norris, both of whom are under death sentence in Kilby Prison, Montgomery, Alabama. Leibowitz has repudiated the International Labor Defense.

Patterson and Norris were found guilty in December, 1933, of attacking Victoria Price, white mill worker. Appeals from their convictions were taken to the Supreme Court of Alabama. That court affirmed their convictions. From the decision of the Alabama Supreme Court the cases are now before the United States Supreme Court for review.

Background of Cases

They are two of nine youths charged with criminally attacking the Price woman and Ruby Bates aboard a freight train in Jackson County, Ala., Mar. 25, 1931. Eight of them were found guilty and sentenced to death after a trial at Scottsboro in April, 1931. A mistrial resulted in the 9th case on account of the boy's age.

The Supreme Court of Alabama reversed on an age technicality the conviction as to one of the boys and affirmed the conviction as to seven. The convictions and death sentences were reversed by the United States Supreme Court November 7, 1932, on the ground that the youths were not properly represented by counsel.

Patterson, one of the seven, was subsequently tried before Judge Horton at Decatur, Alabama, and was convicted. Judge Horton later set aside the conviction on the ground that it was very contrary to the weight of the evidence. At this trial Miss Bates, who had previously testified for the state, repudiated her former testimony and testified in behalf of the defendant.

Patterson and Norris were then again tried and convicted before Judge Callahan. Patterson has been sentenced three times and Norris twice. None of the others have been sentenced again—or tried —since 1931.

Alabama

Lynchings - 1935

Legal Punishment for Rape

5020



Ruby Bates, former associate of Victoria Price who reversed her testimony against the boys and declared that neither she nor the Price woman had been the subjects of attacks by the boys.



Judge James A. Horton, distinguished southern jurist who discredited the testimony of the women and was forthwith removed from the bench by prejudiced southerners seeking nothing less than the chair for the youths.



One of the most brilliant legal battles ever assembled for the defense of members of the Race fought gallantly under the leadership of Samuel Leibowitz against the prejudice of southern courts for justice which seems a foreign element to the region. Left to right are Mr. Leibowitz, Joseph Brodsky and George W. Chamlee. The two former are New Yorkers while Mr. Chamlee is an Alabaman.



Victoria Price who along with Ruby Bates brought charges of rape against the nine youths causing their arrests and subsequent litigation. Recently, following the Supreme Court's reversal of the death sentences of Patterson and Norris, the youths were reindicted on charges brought by her.



An interesting study of the principals in the "outrage of the century" which was made in the Jefferson County jail where all but two have been held since 1930. The other two, Norris and Patterson have been kept in Kilby Prison in Montgomery since their convictions.

Washington, D. C. Post
November 6. 1935

Two Negroes Listed for Jury In Scottsboro

Names Drawn for Body to Consider Indictments in Assault Case.

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Scottsboro, Ala., Nov. 5.—Names of two Negroes tonight were drawn in a list of 35 from which an 18-member grand jury will be organized to consider new indictments in the international *cause celebre*—the Scottsboro assault case.

Presence of names of two Negroes on the list was without historical precedent in Jackson County. The drawing of the new list followed reversal of death sentence convictions of two of the Negro defendants by the United States Supreme Court on ground members of their race systematically had been excluded from service on the jury which returned original indictments.

The two Negroes are Bird Hill, farmer of near Bridgeport, Ala., and Creed Conyer, laborer of Paint Rock, Ala.

Drawn From 1,200 Names.

Their names were drawn from a list of 1,200 citizens by Circuit Judge H. E. Hawkins.

However, since under Alabama law only 18 men comprise a grand jury, it is possible that one or both might be disqualified before the special grand jury is impanelled on November 13 and asked to return new indictments against the nine Negro youths charged in the internationally famous case.

Although representing the first time Negroes have been drawn for service in this county, Negroes have been called for service in nearby Morgan and Jefferson counties since the Supreme Court ruling.

The Negro population of Jackson County, however, is the smallest in the State, and percentage of Negroes on any jury list was expected to be correspondingly small.

The new grand jury will be asked to re-indict nine Negro youths who have become famed internationally in the bitter legal battles which followed a charge they attacked two white girl "hoboes" aboard a freight train near here on March 31, 1931.

New Warrants Sworn.

Although the Supreme Court quashed original indictments in the ruling in favor of the defendants, new warrants charging assault were sworn out this summer against the nine youths by Mrs. Victoria Price.

The new warrants were unique in the 4-year-old litigation since in previous trials only six had been accused of participation in the attack.

Return of new indictments was expected to be more or less a formality. The real battle in the case will develop when the special session of the circuit court is convened and they go on trial.

The actual trial will take place in Morgan County, although the new indictments must be returned in Jackson County, scene of the alleged assault. The change of venue obtained by the defendants during original trials still is effective, necessitating the transfer of the case to nearby Decatur, Morgan County.

Former Attorney General Thomas E. Knight, special prosecutor in the case, said appearance of Negroes on the list from which the jury will be organized will make no difference to his plans. Gov. Bibb Graves declined comment.

The nine defendants are held for safekeeping in the Jefferson County Jail at Birmingham. They are: Clarence Norris, Haywood Patterson, Ozie Powell, Willie Roberson, Andy Wright, Charlie Weems, Olen Montgomery, Roy Wright and Eugene Williams.

HORTON PROPOSED TO SUCCEED GRUBB

Alabamans Urge That Former Scottsboro Judbe Be Named to Federal Bench.

H-5-35

BAR GROUP BACKS MOVE

His Record in Ignoring 'Popular Clamor' in Negroes' Trial Is Cited in His Behalf.

Special to THE NEW YORK TIMES.

WASHINGTON, Nov. 4.—A movement has been begun by Alabama citizens looking to the appointment of James E. Horton as judge of the United States District Court for the Northern District of Alabama, to fill the vacancy caused by the death of Judge William I. Grubb.

Judge Horton, who presided in the Eighth Judicial Circuit of the State, was defeated for re-election last year after he had ordered a new trial for the Negroes convicted at their second trial in the famous Scottsboro case. Judge Horton declared the verdict was against the weight of evidence.

It is contended by many citizens of Alabama that he acted solely in the spirit of impartial justice in so doing, ignoring a popular clamor for the death of the defendants. The result, they maintain, was the defeate of Judge Horton at the polls.

Since then Judge Horton has been living in virtual retirement on his farm without thought of again entering a contest for publi coffice. He serves occasionally as legal consultant for the TVA. His friends declare that he is completely inactive in the movement which has now sprung up in his behalf and which is based upon a desire to see that justice is done to him for ignoring racial passions and administering the law in accordance with its precepts and his conscientious duty as a sworn judicial officer.

The movement was begun by the Bar Association of Huntsville, Ala., which last week adopted a resolution for submission to President Roosevelt and Senators Bankhead and Black asking that Judge Horton receive "careful consideration" for the appointment to the Federal bench vacancy.

The resolution recites that Judge Horton "has demonstrated that he possesses the fine qualities of integrity, courage, impartiality and legal ability in a marked degree," and that "by the most exacting standards, he is eminently qualified and would be a worthy successor" of Judge Grubb.

Many citizens of Alabama who are temporarily resident here have interested themselves in the case in support of the resolution.

SCOTTSBORO CASE PROSECUTOR READY

Knight Sees No Possibility Of 'Constitutional Questions'; Negroes On Jury

Lieut. Gov. Knight, special prosecutor in the "Scottsboro case," said yesterday that the inclusion of negroes on the venire from which the Jackson County Grand Jury will be drawn next Wednesday had "removed all constitutional questions from the case."

11-7-35

Death sentences of two of the defendants were reversed by the U. S. Supreme Court on the grounds that negroes had been systematically excluded from juries, and the Alabama Legislature this year enacted a law setting up machinery for the refilling of jury boxes in conformity to the decision.

In drawing the venire of 135 Tuesday from which the Grand Jury will be selected to investigate the "Scottsboro case" the names of two negroes were drawn.

The Lieutenant Governor said he would leave here Monday for Scottsboro and ask the Jackson County Grand Jury to return new indictments against the negro defendants who are now charged in warrants with attacking Mrs. Victoria Price aboard a freight train near Paint Rock, Ala., on March 21, 1931.

"I had nothing to do with the exclusion of the negroes from juries and had nothing to do with their inclusion this time," Knight said, "but in view of the fact that negroes have been drawn on the venire from which the Grand Jury will be selected, I can conceive of no constitutional question which could remain in this case.

"In view of the fact that the defendants received a fair trial at Decatur two years ago and it is certain they can have a fair trial there again, circumstances have removed all constitutional questions from the case."

The nine original defendants in the case are held in jail at Birmingham, two of them in the jurisdiction of the Morgan County Juvenile Court.

Mr. Knight said he would stop at Decatur en route to Scottsboro and confer with Probate Judge B. L. Malone over the disposition of the juveniles. In the event they are remanded to Jackson Circuit Court, Knight said he would ask that indictments be returned against them.

Nine Negroes Reindicted For Crime at Scottsboro

Colored Farmer Is Member of Grand Jury Investigating Famous Case

SCOTTSBORO, Ala., Nov. 13 (AP).—Eighteen new indictments charging the nine Negro defendants in the "Scottsboro case" with attacking two white women were returned late today by a Jackson county grand jury that included one Negro as a member.

11-14-35

Each of the defendants was indicted twice, one charging an attack upon Mrs. Victoria Price, and the other alleging an attack on Ruby Bates. The indictments alleged that the Negroes attacked the two women on March 25, 1931, aboard a Southern Railway freight train as it traversed Jackson county.

On receipt of the report Judge A. E. Hawkins, presiding who drew the names of Creed Conyers, Negro, for duty on the grand jury, recessed the body.

The Negroes names in the indictments are Haygood Patterson, Clarence Norris, Charlie Weems, Olen Montgomery, Roy and Andy Wright, Eugene Williams, Willie Roberson and Ozie Powell.

Under Alabama procedure, the new true bills will be certified to the presiding judge of Morgan circuit court, before whom they will be tried under a change of venue granted early in 1933.

The Morgan county judge probably will call the cases for trial in a special session of court at an early date, marking resumption of the nearly five-year-old legal battle that twice has gone to the United States supreme court.

Mrs. Price appeared before the grand jury and seven other witnesses were called in the investigation, including Dr. M. H. Lynch, of Scottsboro, who examined the women the afternoon of the alleged attacks.

Lynchings-1935
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THE SCOTTSBORO DECISION

Following the Scottsboro decision of the U. S. Supreme Court, the Governor of Alabama has announced his intention to have the laws of the State so modified where necessary as to include Negroes on grand juries and petit juries throughout the State so as to bring Alabama within the suggestions of the Supreme Court, both in letter and in spirit.

Just how the people of Alabama will react to the decision of the Supreme Court and to the suggestion of its Governor remains to be seen. There are some good men in Alabama who have a very great deal to say about public opinion because they, themselves, constitute some of the agencies responsible for public opinion, not only in Alabama but in the South. For example, we can rely upon John Temple Graves, III, to reflect the reaction of the intelligent and liberal element of Alabama. Mr. Graves is an institution within himself, and is perhaps one of the strongest single agencies for good in the whole South. Jonathan Daniels is another such Southerner. There are other men and women in Alabama who share the liberal spirit of Mr. Graves and like him, they have the courage to express themselves. From this element, we may expect a conscientious endeavor to comply not only with the decision of the Supreme Court but with the suggestion of the Governor of Alabama. But, unfortunately, the entire State of Alabama, with its varied elements, must be reckoned with when any attempt is made to encroach upon some Southern traditions which have become as fixed as a religion. It cannot be expected that the whole State of Alabama will accept the suggestion of the Supreme Court of the United States because, to some of the people in Alabama, the opinion of the Supreme Court will be looked upon as a slap at the South. These people must still undergo educational treatment until they are able to control sentiment and master useless and expensive traditions.

Of course, the State of Alabama can, by appropriate laws, comply with the order of the Supreme Court and still prevent Negroes from actually participating in the trial of criminal cases. It is not the law so much as the practice that visits hardships upon Negroes everywhere. For example, we have Negroes on the grand juries and petit juries in Pennsylvania, but under the practice, even in Pennsylvania, a Negro seldom ever sits on a murder case where the defendant is a Negro. It is a very simple matter for the District Attorney to challenge every prospective Negro juror, either pre-emptorily or for cause. We imagine that this practice will work as well in Alabama as it does in Pennsylvania, but the very fact that Negroes are permitted to sit on juries is within itself a step forward even for Alabama, and in the course of time, another step forward will be taken, all tending to improve the status of both blacks and whites in Alabama.

Of course, the State of Alabama does not like the idea of not being able to try a criminal case where a Negro is concerned without having its judgments reversed by the Supreme Court of the land. It will be an achievement even for Alabama to try a criminal case where a Negro defendant is involved in such strict compliance with the law that the Supreme Court of the United States will approve the judgment. The whites, themselves, will feel better when they can say with pride that their State courts have so complied with the law of the land as to merit confirmation by the Supreme Court. Likewise, Negroes will take pride in living in a State with the knowledge that litigation where they are concerned can be had without the foregone conclusion that all their cases must be taken to the Supreme Court of the United States for final opinion.

The opinion of the Supreme Court should not be accepted as waving a red flag in the face of the South, but it should be accepted as proof that the courts of this country are fearless, courageous and fair. Every citizen in the land can sleep more comfortably when he knows that the courts of his State and his Nation are fearless, courageous and fair. Nothing more nor less should be possible in this country. If Alabama resents the opinion of the Supreme Court and sets about to prove to the country that Alabama can comply with the order of the Supreme Court, and still convict Negroes of crime about which there is universal doubt, Alabama will still be in the class of a benighted people who not only do not want to be just, but who take special delight in being unjust.

If the rest of the country will let Alabama go into serious conference with itself on this Scottsboro matter, we venture the assertion that the Scottsboro case will have not been tried in vain. If, on the other hand, the rest of the country proceeds to prod and tease and harass Alabama, she may sacrifice her better judgment for the sake of revenge, and then the Scottsboro case will not have served any purpose.

Injustice cannot be justified by tradition, nor can tradition, however evil, be rooted up overnight. Let us all return to a quiet and sober introspection. For all we know, the Scottsboro case may be the last of its kind.

Rocky Mount, N. C., Telegram
April 2, 1935

Notes On A Criminal Case

On March 25, 1931, more than four years ago, nine Negro youths were removed from a freight train in Paint Rock, Alabama, and charged with criminal assaults on two young white women who were riding as hoboes on the train. Six days later they were indicted and two weeks and one day later eitther were sentenced to die in Alabama's electric chair. One was held a juvenile. Exactly one year after the arrest of the nine, the Supreme Court of Alabama upheld the convictions and death penalties of seven but ruled that the eighth sentenced to die was also a juvenile and, consequently, not fit material for the electric chair. In November of 1932 the Supreme Court of the United States set aside the conviction on the grounds that the Negroes did not have adequate counsel.

Two years passed from the time the Negroes were first arrested before they were brought to a second trial. Then one of the women repudiated her story of the attack and declared that the story on which the Negroes were arrested was a "frame-up." Nevertheless, one of the Negroes was convicted and sentenced to death. An Alabama superior court judge set aside the verdict. In December, 1933, two of the group were convicted and sentenced to die and in June, 1934, the death sentences were upheld by the Alabama Supreme Court. Yesterday the Supreme Court of the United States ordered a new trial for the two. Seven others remain in jail after four years, no disposition having been made of their cases.

If a man were charged with murder in North Carolina, let us say, and in the process of his trial one of the two witnesses for the prosecution took the stand to declare that previous testimony was false and that the whole story was a frame-up, we have an idea a jury would be convinced that the defendant was entitled to the benefit of a reasonable doubt. The character of the two witnesses has been proved in court. At the very best the evidence on which the two are convicted is flimsy and not of the sort this newspaper regards as sufficient to warrant wholesale executions of nine persons. However, racial hatred, issues not remotely connected with the case have been injected into the trial of these Negroes and their convictions, we have an idea, depended more on a matter not at all concerned with the trial than on actual testimony indicating their guilt.

For four years they have remained in jail, although they would have died in Alabama had there been no interference in Alabama legal processes by out of the state parties interested in the case. It is not flattering commentary on the courts of Alabama that three convictions have been ruled illegal nor is it at

all pleasant to remember that for more than four years nine persons have lain in jail awaiting final disposition of a case when, in our minds at any rate, there is excellent reasons to consider them not guilty as charged.

Leibowitz's Victory

IN DISCUSSING the relationship of the Supreme Court's Scottsboro and Texas Democratic primary decision, we purposely avoided a thorough discussion of one phase of the Alabama frame-up because it deserves isolated treatment. We refer to the far-reaching effect of Samuel S. Leibowitz's victory, his heroic success in convincing the Supreme Court that officials of the State of Alabama had connived to thwart justice in the Scottsboro case.

Many times our highest tribunal has asserted that exclusion of Negroes from service on grand juries is a denial of a Negro defendant's rights. Mr. Leibowitz did more than convince the august jurists that they should merely apply this principle to exclusion of Negroes from petit jury service in Alabama. He produced proof (not arguments) to show that systematic exclusion had been practiced for more than a generation, and he showed the jury commission's books and offered forged names of Negroes as testimony that fraud and chicanery had been resorted to.

This was the result of ground-work which he had laid two years ago before Judge Horton at Decatur. It was also the fruition of the hopes of intelligent and courageous Negro citizens who braved personal danger and dared submit to tests of their qualifications for jury service in open court. We cannot resist the persuasion that few, if any, Southern lawyers would have moved to smash tradition and bare the narrowness of Dixie juridical policy as the Scottsboro attorney did.

The Supreme Court decision was clear-cut. It left no loopholes. Jury service exclusion must cease in Alabama (and the whole South, for that matter) if the convictions for felonies are to stand. Such a victory cannot be minimized.

It is significant that Mr. Leibowitz, who gave his energy and experience without cost to win this victory for Negroes and for all lovers of justice, is a member of a race which has suffered discrimination and prejudice for more than 4,000 years. We hope that his success will herald a new era of co-operation and interracial amity between Negroes and Jews. Both races have suffered alike, although our barriers have been higher and more numerous. We salute Samuel S. Leibowitz for his victory, and the Jewish people for the glory he brings them.

Scottsboro Decision Changes Southern Jury System

LAW enforcement agencies in the southern states are still staggering from the blow delivered in the supreme court's Scottsboro decision. If the exclusion of Negroes from southern juries means that "equal protection of the laws" is denied to Negroes who are brought to trial, and that any conviction under these conditions is liable to reversal on appeal, the consequences and implications extend far beyond the case in which the decision was rendered. It means that most convictions of Negroes during the past half-century or more may be reviewed and reversed, and that future convictions will not stand unless the system of jury selection is immediately altered. This creates a really dangerous situation. The governor of Alabama, the state most directly concerned, has met it in the right spirit and with the proper action. He has ordered that race discrimination in the making of jury lists cease. There has never been any law to support it. In most southern states, Negroes have not been excluded from jury service by law any more than they have been excluded by law from voting; they have simply been excluded. The assistant attorney-general of Arkansas stated the practice in his state naively when he said: "It just happens that no jury commission selects Negroes for jury duty. It may be just a coincidence." It certainly is—a coincidence between the practice of the jury commissions and the popular opinion that Negroes should not be admitted to participation in the civil life of the state. That makes the situation all the easier to remedy. No legislation is needed, but the white officials will now have to make their acts coincide with the principle laid down by the supreme court instead of with local prejudice. The governor of Alabama deserves all praise for the promptness with which he has declared that "Alabama is going to observe the supreme law of America," and has taken steps to make the practice of the courts conform to the law. The change may be, as he says, "the most revolutionary since the war between the states," but the good sense of the southern people is capable of making it. What will be much harder—impossible, in fact—is to give the Scottsboro boys a fair and unprejudiced trial now, after all these false starts and reversals, no matter what kind of jury is in the box.

PHILADELPHIA, PA.
RECORD
APR 9 1935

Using Public Funds for Persecution

Editor of The Record:

Sir:—Being an American citizen, I join with you in being proud of the Supreme Court's decision on the Scottsboro case. But justice is not fulfilled when the courts do not follow the law.

In the Tom Mooney case as well as the Scottsboro case, the defendants were proved innocent beyond a shadow of a doubt. Yet the States in both cases are willing to spend fortunes in fighting against the law and to keep the victims imprisoned.

I wonder how many hundreds of starving children could be taken care of with the money that is spent to destroy nine innocent lives: Tom Mooney and the eight Scottsboro boys?

ELIZABETH BROWN.

NEGROES IN THE COURTS.

Governor GRAVES of Alabama deserves the approbation of the country at large for his prompt action in directing the circuit judges and solicitors throughout the State to accept and uphold the decision of the United States Supreme Court "in letter and in spirit."

It is, moreover, cheering to note the manner in which this decision in the Scottsboro case has been received in the South generally. Striking as it does into the heart of the South's most difficult problem there still exists been no open challenge of the court's authority. The integrity of none of the judges has been impugned. The Alabama Advertiser, which writes at length upon the case, advises against allowing suspicion or perversity to sway the future prosecution of the Negro boys, if, indeed, they are prosecuted. It rather urges the Jury Commissioners of Jefferson County to make sure that in the next drawing of the jury there are names of respectable Negroes in the boxes. On an actual trial, it admits, such proposed jurymen may be subjected to a personal examination or tests of intelligence which are not commonly applied to white persons. But the law, as now declared by the Supreme Court, insists that "eligible jurymen" cannot hereafter be "systematically excluded" for the sole reason that they are black. The Advertiser makes the following sensible practical suggestion:

The Supreme Court, following up previous warnings, reverses the verdict of the State court upon the ground of race discrimination in the selection of jurors. The Advertiser therefore urges the County Jury Commissioners to disband and immediately to make if possible for the State of Alabama to win a case involving a Negro in the Supreme Court of the United States.

MUNCIE, IND.
EVE. PRESS
APR 8 1935

THERE IS A LAUGH IN ALABAMA CASE

You should get a laugh out of the dispatch from Montgomery, Alabama, quoting Governor Bibb Graves as saynig that hereafter jury boxes in that state should contain the names of Negroes as well as of whites. This comes immediately after the United States Supreme Court decision in the Scottsboro case which held that the Negro boys charged with attacking two white tramp girls and sentenced to death, had been deprived of their constitutional rights because the records disclosed no Negro ever had performed jury service in Morgan County where the trials were held.

"This decision means that we must put the names of Negroes in jury boxes in every county in the state," Governor Graves said and virtuously added that these boxes must be made to conform to "all legal requirements."

In the first place it is doubtful if all the Alabama courts will agree to this procedure. In the second place, it is more than doubtful, even so, that any of them really will permit a Negro to be drawn for actual service, and in the third place, if one actually were placed in the jury box it would make no difference—he would be a mere figurehead.

It is impossible to imagine that any Negro in the South would be permitted to have any say in arriving at a verdict. He would vote as the white jurors told him, "or else," and the "or else" would be so painful he would feel it the part of wisdom to do as he was told.

RACES

Alabama & America

"Alabama," firmly declared Governor Bibb Graves last week, "is going to observe the supreme law of America!"

This announcement came after the U. S. Supreme Court had once more taken official cognizance of the fact that in the South the Negro does not get all the rights of citizenship the 14th Amendment of the Constitution was intended to give him. In reviewing the death sentence passed on Negro Clarence Norris, one of Alabama's nine "Scottsboro boys," the Supreme Court for the second time reversed the State court's conviction on the ground that Negroes had been "systematically excluded" from the jury roll. Alabamans and the Press of the entire South took that decision with a stunned and apprehensive silence. It was at that critical point that Bibb Graves spoke up. Enclosing a copy of the Supreme Court's reversal, he wrote to every judge in the State:

"Holdings of the U. S. Supreme Court are the supreme laws of the land. Whether we like the decisions or not, it is the patriotic duty of every citizen and the sworn duty of every public officer to accept and uphold them in letter and in spirit. . . . This decision means that we must put the names of Negroes in jury boxes in every county."

Lynchings-1935
Legal Punishment for Rape

Alabama

5022

TWO UNITED STATES SUPREME COURT DECISIONS ARE PART OF MANY THAT CONCERN THE NEGRO

By Irving A. Williamson

Two decisions of the United States Supreme Court handed down Monday are of vital concern to colored Americans. In one the court granted a new trial to Clarence Norris and Haywood Patterson in the celebrated Scottsboro case. In the other an unfavorable decision for the race, the barring of Negroes from the Democratic primaries in Texas by action of the Democratic State Convention was upheld by the

These two decisions by the Supreme Court are two of a long list of cases in which the Supreme Court has dealt on questions of great concern to the race. Before this high tribunal of justice the American Negro has stood and awaited the constitutional word of the court with a deep realization that the words of the court affected generations of unborn American citizens of our race.

Looking into the past for the relationship of the race to the court the Dred Scott case looms for consideration. Just as the entire nation awaited the decision of the Supreme Court in the gold clauses a few weeks ago, so did the entire nation await with feverish anxiety the Dred Scott case in 1857.

Scott, a slave, had gone with his master from Missouri, a slave territory into Illinois, a free territory and he contended before the court that by so doing he became a free man. He started his case in a Missouri court in 1846 and after a number of court trials it reached the Supreme Court of the United States in 1856.

His case could not have reached the court at a more critical time in the wave of bitterness which hung over the country as the result of the slave controversy which had recently formed the virgin soil for the foundation of the Republican party.

Judges Influenced

Southerners were frantic. In the coming decision they saw an opportunity for judicial approval of slavery. Forthwith they sought to induce the Southern judges of the court to put in the decision that Congress was bound to protect slave property in any state as it was bound to protect any other property.

It is here that Maryland-born Chief Justice Taney, who wrote the decision, made a colossal blunder. Taney said that a Negro could not be a citizen although he was in free territory and because of this he could not sue.

But not being contented with declaring that a Negro could not be a citizen, Taney made Dred Scott the text for weighty constitutional and political arguments by going beyond the immediate issue and declaring that Congress was bound to protect slave property in free states.

Court Loses Prestige

Taney's decision caused the court to face the severest criticism never launced against it. It lost its claim to De Tocaueville declaration that in its hand "repose unceasingly the peace, the prosperity, the existence, even, of the Union." The decision was a rally point for the North and the Republican party. Taney's decision was summarized by the man in the street in the expression, "Negroes had no rights which white men were bound to respect."

Justice Curtis, New England-born, reasoned that since descendants of slaves had voted in various states prior to the adoption of the Constitution and consequently at the adoption of the Constitution they became citizens of the United States.

Taney's decision widened the gulf between the North and South and quickly rushed thousands into the Republican party. It was a dominant factor in fomenting the Civil War.

Three Amendments Added

With the adoption of the Thirteenth amendment as a result of the Civil War December 18, 1865, slavery became unlawful.

What Taney tried to settle regarding the citizenship of the Negro was finally determined with the ratification of the Fourteenth which made all persons born in the United States and subject to its jurisdiction citizens of the United States. The amendment went into effect March 30, 1870.

The third great piece of constitutional making a deep signifincae to the American Negro is the Fifteenth Amendment ratified in 1870, providing that the right to vote shall not be denied on account of color or previous condition of servitude.

Kill "Grandfather Clauses"

On June 21, 1915 newspapers throughout the nation gave much space to a decision of the court which sounded the death knell of the "grandfather clauses" in vogue since 1890 when Mississippi passed the first law in effort to nullify the Fifteenth amendment.

The "grandfather clauses" in the Oklahoma State Constitution and the Annapolis, Md., election statutes were used by the National Association for the Advancement of Colored People in attacking the South's method of disfranchising of the Negro.

Chief Justice White in his decision said that Oklahoma was in violation of the fifteenth amendment in making it a test of the right to vote that a person should have been able to vote in 1866 or prior to that time.

Property, educational and other tests were declared unconstitutional by the Supreme Court when they served to deny the right to vote because of the race of the voter.

The securing of the right to vote has been a large part of the battles the Negro has brought to the Supreme Court judges. Back in 1876 the court gave down two decisions concerning the right of the Negro to vote.

N. A. A. C. P. Wins

The court held: "The Fifteenth amendment does not confer the right of suffrage upon a person. It prevents the states or the United States, however, from giving preference, in this matter to one citizen of the United States over another on account of race, color, or previous condition of servitude."

In the struggle against whites having the preference at ballot box the N. A. A. C. P. in 1927 was successful when the Supreme Court ruled that it was unconstitutional to bar Negroes from the Democratic primaries in Texas and other states.

But Texas Democrats fought back. The legislature, immediately after the decision, passed a law permitting state party committees to say who were members of a party. But on May 2, 1932 by a five-to-four decision the court set aside this new law. Even with these victories trouble is experienced from time to time by Negroes.

A victory against residential segregation was gained in the Supreme Court on November 5, 1917 when it declared unconstitutional a residential segregation ordinance in Louisville, Ky., similar to others in many Southern cities at the time, because it was a straight-out violation of the rights of Negroes to live where they desired.

Arkansas Peonage Case

Segregation has been held as a matter for the states to legislate on. Equal accommodations have been held not to be discriminatory or a denial of constitution rights. In 1914 the Supreme Court in considering a separate coach law of Oklahoma, questioned the right of a state to deny Negroes the use of Pullman sleeping cars.

In the Arkansas peonage case, brought by the N. A. A. C. P. to the Supreme Court February 19, 1923 the principal was established that a trial in court dominated by guaranteed by the Fourteenth amendment.

Attorneys for the Scottsboro cases which are before the Supreme Court for the third time have depended heavily upon the decision in the Arkansas case.

No progress has been made by the forces who have claimed that it is racial discrimination, as was done in the Scottsboro appeals, that no qualified Negro is permitted to serve on juries hearing cases involving Negroes.

In the Scottsboro decision of 1932 Justice Sutherland said the only thing to be decided in the case was whether the right of the men to have counsel was denied and whether this infringed the due process clause of the Constitution.

SCOTTSBORO DUO

WIN NEW TRIAL

Supreme Court Administers Rebuke When Reversing Lower Court.

Atlanta, Ga.

By HARRY FERGUSON.

WASHINGTON, April 1.—(UP)—Two negroes who have spent the last four years on the threshold of the death chamber won another chance to live today when the supreme court reversed their conviction in the Scottsboro assault case.

The opinion, spoken slowly and carefully by Chief Justice Charles Evans Hughes, may mean that the remainder of the negro youths will be freed after the hardest-fought legal battle since two Italians named Sacco and Vanzetti became world figures when they walked to the electric chair in Massachusetts.

Hughes and seven other of the justices found that negroes had been barred from the jury in Alabama, both in Jackson and Morgan counties where the litigation over the lives of the defendants has dragged on since 1932. The systematic exclusion of negroes from the jury rolls, the court held, was sufficient reason to reverse the conviction of Clarence Norris and Haywood Patterson, the two whose lives were at stake today.

The full import of that ruling is that Alabama authorities will have to seek new indictments against the seven negroes who are accused of attacking two white girls on a freight train. Samuel Leibowitz, the crack New York homicide lawyer who has fought through half a dozen courtrooms to try to save the negroes, got the news in Manhattan.

Sticks With Case.

"Splendid," he said. "I'm going to stay with this case until hell freezes over. Those boys are entirely innocent."

The seven negroes have been tried and retried in Alabama, and always the jury has filed back with a verdict of guilty, which carries the death penalty. The village of Scottsboro has become world famous Russians far up on the Steppes close to Siberia have pooled their rubles to contribute to the International Labor Defense fund to carry the case to the highest court.

Once before the nine justices of the supreme court had the power of life and death over the negroes. The case came up to the supreme court that time on the issue of whether the defendants had time and opportunity to consult counsel in the trial that resulted in their convictions.

There was tension inside the capitol that day as justices filed in and took their seats. Outside, 300 radicals were marching up the hill, singing and carrying placards demanding "Save

every requirement for jurors—literacy tests, age and sound health.

Evidence showed, the chief justice ruled, that an attempt had been made through trickery to fix the jury rolls in such a way that they would show that negroes were included on the panel. He criticized the lower court for not pointing out that evidence.

NIGHT IMMEDIATELY TO SEEK NEW WRITS

MONTGOMERY, Ala., April 1.—(AP)—New indictments to prosecute the Scottsboro attack cases "to their conclusion" will be sought promptly, Lieutenant Governor Thomas E. Knight Jr., of Alabama, announced today as defendants greeted with delight the United States supreme court decision setting aside two death sentences in the litigation.

The lieutenant governor, who as attorney-general, prosecuted in the trials of Heywood Patterson and Clarence Norris, the negroes whose sentences for alleged attack on a white woman were set aside today, has been retained as special prosecutor to conduct the state's case until final disposition

ALABAMA NEGROES ORDERED ON JURIES

Gov. Graves Cites Scottsboro Decision in Asking Courts to Revise Juror Rolls.

CONSTITUTION PUT FIRST

Pending Cases Will Be Continued or Nol Prossed Till Jury Boxes Are Refilled.

By The Associated Press.

MONTGOMERY, Ala., April 5.—A revision of Alabama jury lists to include Negroes was called for today by Governor Bibb Graves in view of the United States Supreme Court decision in the Scottsboro case.

The Governor wrote his suggestion to circuit judges and solicitors throughout the State after receiving the official decision and included copies of it.

He also announced that he would ask the Legislature when it reconvenes April 30 for such legislation as may be necessary to cover the dumping and refilling of Alabama jury boxes from which the names of jurors are drawn.

The Supreme Court a few days ago set aside death sentences imposed on two Negro defendants in the Scottsboro attack case, holding that Negroes were "systematically" excluded from jury rolls in Jackson and Morgan Counties with infringement upon the constitutional rights of the accused.

"Holdings of the United States Supreme Court are the supreme laws of the land," Governor Graves stated. "Whether we like the decisions or not, it is the patriotic duty of every citizen and the sworn duty of every public officer to accept and uphold them in letter and in spirit.

"I have received the Supreme Court's decision in the Scottsboro case, holding in effect that when there is systematic exclusion of Negroes from juries, it is discrimination against the race in violation of the United States Constitution. This decision means that we must put the names of Negroes in jury boxes in every county.

"Alabama is going to observe the supreme law of America."

With reference to pending cases the Governor advised that, if the question of absence of Negroes' names from jury rolls be raised, the case would be continued or nolle prossed until the boxes were refilled to meet constitutional requirements.

Precedent for Rest of South.

ATLANTA, April 5 (AP).—Alabama's action in ordering new jury lists drawn to conform with the United States Supreme Court decision in the Scottsboro case may be followed by other Southern States calling more Negroes for active jury duty, it was indicated today.

No Negroes are barred by law from jury duty in the South but few have actually been called to sit on cases. In most of the States jurors must be qualified voters and this in itself has kept a great many Negroes off the jury list.

The North Carolina Supreme Court has held twice in the past year or so that Negroes were not entitled to new trials when major grounds for appeal were allegations of exclusion of Negroes from the jury.

Jury commissions in South Carolina have discretionary power in selecting jury panels.

Major W. Calvin Wells, president of the Mississippi State Bar Association, said the Scottsboro decision "may have great effect" on State courts.

Negroes holding poll-tax receipts, a voting qualification, are eligible for jury duty in Arkansas. Assistant Attorney General Thomas Fitzhugh said that "it just happens that no jury commission selects Negroes for jury duty; it may be just a coincidence."

Texas statutes and the conduct of criminal trials "are in conformity with the decision of the Supreme Court," said State Attorney General William McGraw.

Order Is Acclaimed Here.

Governor Bibbs's order to include Negroes on Alabama juries was acclaimed here yesterday by the National Association for the Advancement of Colored People, according to the Associated Press. Arthur B. Spingarn, for twenty-one years chairman of its national legal committee, said:

"It is a very fine step. It should advance not only the rights of Negroes, but also the whole attitude of that section of the country toward enforcement of the law."

Scottsboro Case Decision Arrives

Formal certification was received yesterday at the office of Atty. Gen. Albert A. Carmichael, from Washington, of the recent decision of the Supreme Court of the United States reversing judgments of conviction of the State courts in the cases of Clarence Norris and Heywood Patterson, two of the seven negro Scottsboro defendants. No such official notice has been received, however, at the office of the clerk of the Supreme Court of Alabama up to closing time, at 12 o'clock, noon. Until it does arrive, Alabama's courts retain jurisdiction in the Norris, Patterson, and all other cases.

O. K. Fraenkel, of New York, I. L. D., attorney, for the defense in the Scottsboro cases, interviewed Norris and Patterson at Kilby Prison, Friday afternoon and left early in the evening for Birmingham, where he was to confer with the other five defendants at the Jefferson County Jail. Though habeas corpus proceedings seeking release of the negroes have been prepared, Fraenkel said that in his opinion, they will not be filed immediately. Presumably, the defense is awaiting the time when jurisdiction in all of the cases is resumed by State courts.

It was held by the U. S. Supreme Court in reversing Patterson and Norris judgments, that where there is systematic exclusion of negroes from juries it is discrimination against race in violation of the Federal Constitution. Gov. Graves declared in a statement issued Friday, this ruling means that names of negroes must be put in the jury boxes in every county in Alabama—and wrote a letter to all circuit judges and solicitors in the State calling attention to the holding and its significance.

Lieut.-Gov. Thomas E. Knight, Jr., special prosecutor for the State in the Scottsboro cases, has announced he will seek new indictments by a Jackson County Grand Jury in all of them.

MAKING THE NEGRO THE GOAT

The masses of Negroes in Alabama are law-abiding, well-behaved people. All they want is peace and a chance to make a living and a chance to improve their status as a social and economic unit.

Whenever a member of their race commits a serious offense against society respectable Negroes are embarrassed. They despise the criminal Negro more than whites do, for criminal conduct by a Negro reflects upon all Negroes and so creates unnecessary difficulties for them.

The Advertiser for three years has been impressed with the fact that the controversy about the "Scottsboro case" was and is a white man's row.

The Advertiser has no doubt that if only Negroes had served on the juries in the Scottsboro cases there would have been as many indictments and as many convictions as we have had.

The average law-abiding Negro despises the lawless member of his race with a passion quite unknown to white people. He feels that every Negro criminal is a Judas to his race.

The Advertiser is close to the Negro leadership of Alabama. No Negro leader, great or small, hesitates to come by The Advertiser to talk frankly of any problem that troubles him.

All of them know that The Advertiser has always been their sympathetic friend, and so Negroes usually talk freely to The Advertiser. In the light of this circumstance it is remarkable that never at any time has any Negro in Alabama ever appealed to The Advertiser against the courts that indicted and convicted the Scottsboro defendants. We have never heard from a Negro any expression of opinion regarding these defendants.

No Negro leader in Alabama has lent his voice to the world chorus against Alabama since the Scottsboro case first became a cause celebre.

In Alabama Negroes and whites understand how to get along together, but whites elsewhere in the world do not seem to be quite satisfied with the arrangement.

What we mean to say is this: The average Negro in the South, especially in Alabama, stands for law and order, he stands for good citizenship. He ought not to be humiliated unduly by the criminals of his race. He ought not to be humiliated by the debates involving public policy which follow.

THE DECISION of the Supreme Court in the Scottsboro case will go down in history along with Lincoln's emancipation proclamation as a milestone in the struggle for racial equality in the United States. It is a complete vindication for those who have felt from the beginning that the case involved a principle far deeper than the unjust conviction of seven Negro boys. If the decision can be enforced, it will mean that the established tradition of keeping Negroes subjected by legal terrorism will have to be abandoned. In any case it will mean that the type of race hysteria which brought about the arrest and conviction of the Scottsboro boys will occur with much less frequency than before, and that when it occurs there will be legal recourse for the defendants. And it may not be too much to hope that provision for Negroes to serve on juries may be a step towards the granting of full legal rights. That the battle against mob rule has not yet been won, however, is clearly demonstrated by the conviction at Sacramento on the same day as the Supreme Court's decision of eight young radicals

Alabama.

Lynchings-1935
Legal Punishment for Rape

5823

Negroes Must Be Held Eligible For Jury Duty

By EUGENE ANDERSON

The United States Supreme Court did not make an new law when it handed down its Scottsboro decision last Monday, but it clarified an old law. Qualified Negroes must in future be put in jury lists.

The Georgia Constitutional convention of 1868 struggled with the same question, and from that day to this criminal lawyers in this state have been trying to do exactly what the International Labor Defense lawyer did in the case of the Negroes who figure as defendants in the Scottsboro (Ala.) case. They have been trying to force a new trial on the ground that Negroes do not serve on juries, and to make courts say Negro criminals, or alleged criminals, do not therefore get a fair trial from juries of white men.

John Randolph Cooper, who was a genius in digging up technical points in behalf of his Negro clients, tried several times to get such a point before the United States Supreme Court, but was always baffled because he could not prove that Negroes were discriminated against in the jury system. If he had succeeded in finding one judge who refused to give him a chance to prove his charge of discrimination, he would have scored his point. If a trial judge had said in answer to his motion to quash indictment, "Georgia law gives the Negro as good chance as anybody else to serve on the jury, and the court overrules you," the astute lawyer would have scored.

When John P. Ross was solicitor-general Mr. Cooper made the point, and Solicitor Ross said, "I'm ready to traverse you." The jury commissioners were brought in by Mr. Cooper as witnesses and they explained how they selected the members of the grand jury and the trial juries, and the court ruled that the method was in accordance with the state constitution, and therefore Negroes are not discriminated against, although it has been thirty or more years since a Negro served on a state court jury in this county.

Nobody doubts that there are some Negroes in the county who are intelligent enough and have character enough and are sufficiently educated, but such are for the most part exempted under the general law for exempting all men in certain professions or callings. White or Negro attorneys are ineligible either as jury commissioners or as jurors. Ministers of the gospel are exempt, regardless of color or race; physicians and apothecaries do not serve; school teachers are omitted; millers and ferrymen, all railroad employes certified to be actively engaged in their public duties; all male persons over 60 years of age; all telegraph operators, officers and members of the fire companies, dentists unless they especially ask the privilege, pilots and boat keepers, policemen and other such guardians of the law, telegraph linemen, stationery engineers, postal clerks, members of the military forces, licensed embalmers, etc., are by the state constitution exempted—because of their public duties. But this does not mean that these are compelled to accept exemption. If they request the privilege of serving they can be passed on by the jury commissioners for their fitness.

For grand jurors the commissioners must select "the most experienced, upright and intelligent men whose names are found on the tax digests of the county"

For trial jurors the requirement is the same, except "most experienced" is omitted. Such jurors must be "the most upright and intelligent" men in the list of taxpayers.

In the case of Carter, in Texas, 1900, the Supreme Court held that he should have been allowed to prove that when the jury trying him had no Negroes on it, injustice had been done him because the jury was not made up of the proper material, and needed some Negroes. The court before which he was tried did not let him produce his proof.

The sensational part of the Supreme Court's decision in the Scottsboro case is that the august judges brushed aside the testimony that satisfied the trial court, and they decided that "presumptive evidence" showed that the Negroes had been discriminated against, because they were never allowed to appear on the jury lists. The United States Supreme Court rarely has reversed state supreme courts on question of fact. The Supreme Court in this case even hinted at fraud or manufactured evidence. On this Chief Justice Hughes, reading the opinion for the eight members of the court (Justice McReynolds being absent), said among other things:

"The clerk of the jury commission and the clerk of the circuit court had never known of a Negro serving on a grand jury in Jackson county. The court reporter, who had not missed a session of court in twenty-five years, and two jury commissioners testified to the same effect. One of the commissioners said he had never known of a single instance where any Negro sat on any grand jury or petit jury in the entire history of that county. That testimony in itself made out a prima facie case of denial of the equal protection which the Constitution guarantees. . ."

The names of six Negroes appeared on the lists submitted in evidence, and red lines were drawn undr them. The trial judge expressed the view "that he would not be authorized to presume that the jury board had been unfaithful to their duty, and had allowed the books to be tampered with." His conclusion was that Negroes' names were on the roll.

Justice Hughes said: "We think the evidence did not justify that conclusion." He then proceeded to show that the court regarded the Delaware decision as based on a similar case, except there was no evidence (false or otherwise) to show that Negroes had ever been considered when jury lists were being made up. In the Delaware case it was held that the trial court indulged a "violent presumption" when it decided that the uniform exclusion of Negroes from juries during a period of many years was solely because in the judgment of the commissioners "the black race in Delaware were utterly disqualified by want of intelligence, experience or moral integrity to sit on juries. The Chief Justice thought such a presumption in the Scottsboro case would be equally violent.

All of this grows out of the fourteenth amendment to the United States Constitution, which reads:

"No citizen possessing all other qualifications which are or may be prescribed by law, shall be disqualified for service as grand or petit juror in any court of the United States, or of any state, on account of race, color, or previous condition of servitude."

Violation must be punished in the United States courts through the initiative of the officers and marshals of the United States courts. Penalty is as for a misdemeanor or a fine of not more than five thousand dollars.

This law was passed when Thad Stevens was in the saddle in Congress. He was the greatest force in the National capital at the time, and he was the bitterest enemy of the white race. He was a fanatical partisan of the Negro race, and through him the first lady of the land was his Negro housekeeper.

The law produced more unhappiness for the Negroes and the white people and estranged their relationships more than anything that happened before or after the war. Seventy years have healed many wounds, and the Negroes are beginning as a race to see that it behooves them to obey the laws of the land and to see that those of their color are also obedient.

At this late date, after vicious intermeddling on the part of fanatics from the outside has subsided, the important task before the people is to make the Negro see that "the law" is not merely the will of the white man and the persecution of the Negro, but that it is or should be used for the good of all.

While the decision of the Supreme Court in the Scottsboro case may be construed as a wicked stab at the Southern white people, and by many it will be so regarded—perhaps it points the way to better justice for the Negro, and through that way may accomplish much to make the Negro race more friendly to the law, which in its operation affects his life, liberty and happiness.

Some will guess that the court's ruling means that Lords must be tried by Lords in our jury system, and commons must be tried by commons—that naturalized Italians or other nationalities must be tried by jurors of Italians, or others in kind, and cannot be tried by any other kind of jury. And it has been true in the development of the jury systems of the world, with all of their weird philosophies, that time was when a foreigner could not be convicted except by a jury composed of half natives and the other half citizens that have been adopted from other countries. It was not necessary that an Italian should have half of the jury composed of Italians; nor was a naturalized Chinaman to have half of the jury composed of Chinamen, but half were supposed to be foreigners that had become naturalized.

These questions about foreigners may never arise as a result of this case, because this is purely a race question. The Negro was the only person in mind when the jury section of the fourteenth amendment was adopted. The Supreme Court has said that Negroes must not be excluded from the jury lists if they appear on the tax digests. As to whether the tyranny of the decision can make jury commissioners in the different states prefer Negroes is another question. The presumption is that it cannot. But jury commissioners are chosen by the judge of the court because of their uprightness and intelligence, and in the average community in which the races live amicably it is not likely that commissioners will violate their oaths either way because of the race question. If the Negro taxpayers are supposed to be among the "most experienced, upright and intelligent citizens," and are not exempted along with white people of the same callings, the chances are that no more Negro criminals will be able to escape through this race question in the constitution.

New York Herald-Tribune

APR 2 1935

The Scottsboro Decision

A sense of relief, a companied by a sense of despair, will, we think, be the general response to the action of the Supreme Court in again setting aside the Scottsboro convictions and once more ordering—as it can only do—a new trial. There will be relief that a gross miscarriage of justice has again been averted. There will be despair over the appalling difficulties of securing a right and just conclusion in cases of this kind, once the fierce emotions of race prejudice, sectional pride, social and economic antagonisms, bigotries and ignorances have been stirred. It is now four years, almost to a day, since the Scottsboro case started upon its long and shocking history. There have been fine episodes in it—one thinks, for example, of Judge Horton's courage and fairness—but for the most part it has seemed fated to bring out the worst weaknesses and vices in the American judicial, political and social systems.

Twice the Supreme Court of the United States has convicted the State of Alabama of failing in its constitutional duty to assure justice to Negroes accused of rape; once an Alabama judge has set aside a jury's conviction as palpably contrary to the evidence, only to see another jury under another judge promptly convict upon essentially the same record. This is a damning indictment of the Alabama court system; and one cannot help thinking that if the citizens of that state had expended upon getting a really thoroughly aroused, communities do not accomplish nothing save to make worse a fair trial for the defendants a tithe of the energy respond in that way, either in Alabama or (as the which they have devoted to proving themselves tragedy from which there can be no good issue Mooney case and too many others sufficiently right by securing their execution, the results demonstrate) anywhere else. But after the Su- would have been much happier for Alabama and preme Court decision it may perhaps be realized for the country. Unhappily, when passions have that to carry these proceedings any farther will now.

Picking and Selection of Jurors

Post 4-5-35 Birmingham

A group of high minded, decent and respectable independent lawyers have reached the point where they will not tolerate any further the methods and manner of juror selection and expect to start prosecutions as soon as additional evidence is accumulated. We want every white man who has been in Jefferson County for a number of years and who has not been selected for jury service to write a letter to the undersigned giving his name, occupation and address. All letters received will be held as absolutely confidential. We want all jurors who have served on the civil juries for as many as two times within a period of six or 12 months to write the undersigned a letter and state that to him and when the service occurred to his best recollection. We want all jurors who have served and rendered a verdict of reasonable proportions for the plaintiff and against the defendant and who have not since then been called for jury service again to write me and tell me as best you can the time it happened and the case he sat on and give his name and address also. I want every juror who has served on a jury in Jefferson County and who has been approached by anyone and sought to be influenced by any one to write me and give me his name and address and state the circumstances of his being approached as best he can in a short letter. The expense of getting up this information will be borne by these lawyers who are interested only in getting a square deal and an even break and to have justice administered in our courts.

Any information that any man has which he may think of interest or importance in connection with the Jury System will be greatly appreciated if forwarded in writing to the undersigned as Chairman of the Committee and everything sent will be held as confidential unless the writer and the undersigned both agree that it should be turned loose.

We know that jurors are being picked and they are being selected from certain groups or classes of people with the result that injustice has prevailed and the man who is wronged cannot have righteousness dealt to him in our courts. We ask you to write rather than to visit the undersigned as a matter of convenience.

JOHN W. ALTMAN, Attorney, Chairman.

GOVERNOR TO MEET ORDERS OF U. S. COURT

Post 4-3-35

Declares All Lists Must Conform To Ruling In Scottsboro Case

Birmingham

ACTION IS 'SUGGESTED'

Executive Declares L a w Must Be Upheld; Ends Discrimination

MONTGOMERY, April 5.—(Special.)—Declaring that the names of Negroes must be placed in the jury boxes of the state, Governor Graves today "suggested" to trial judges that the boxes be made to conform with "all legal requirements."

This step is advised, Governor Graves declared, to meet objections raised by the U. S. Supreme Court Monday when it reversed the convictions of two of the nine Negroes held in the Scottsboro assault case on the ground that members of their race were systematically excluded from the Grand Jury and trial jury rolls.

The governor's statement follows:

"Holdings of the United States Supreme Court are the supreme law of the land. Whether we like the decisions or not, it is the patriotic duty of every citizen and the sworn duty of every public officer to accept and uphold them in letter and spirit.

"I have received the Supreme Court's decision in the Scottsboro case, holding in effect that when there is systematic exclusion of Negroes from juries it is discrimination against race in violation of the United States Constitution.

"This decision means that we must put the names of Negroes in every county in the state.

"Alabama is going to observe the supreme law of America.

Abides By Oath

"It is unusual for the governor to undertake to suggest to the judicial department things which, under our state policy, are peculiarly within its jurisdiction. However, I have a duty to perform and an oath to abide by.

"In the exercise of this power I am writing our trial judges, enclosing a copy of that opinion and saying that I do not assume or intimate that the contents of their jury boxes in any way fail to conform to all legal requirements, but suggesting in the event there be any nonconformity, that they speedily take proper steps to remedy any defect, and call their attention to the jury law of 1931.

"I also make suggestions as to the proper disposition of any pending cases which might be affected by that opinion.

"I have sent copies of these letters to all solicitors."

Suggests Courts Delay Action

A copy of the letters written by the governor follows:

"Permit me to hand you herewith a copy of the opinion of the United States Supreme Court recently handed down in what are known as the Scottsboro cases.

"Without in any manner assuming or intimating that the contents of your jury box in any way fail to conform to this Supreme Court opinion, I write to suggest that in the event be any nonconformity in this regard that you speedily take proper steps to remedy any such defects.

"I intend to ask the Legislature to enact such remedial legislation as will be needful along the lines of filling or refilling jury boxes.

"May I suggest for your consideration that in any case in which this question is injected into the pleadings, the case be passed, continued, or if need be, nolle prosed until a new indictment may be presented by a Grand Jury to which this objection will not apply."

The governor released his statement just before starting on a fishing trip in the southeastern part of the state.

He commented on the jury system by saying that Alabama's election law and jury system was "basically sound."

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Jefferson Jury Board Awaits Study Of Order

Birmingham

James J. Smith, chairman of the Jefferson County Jury Board, which is in charge of filling the jury box here, today said he would call a meeting of the three-man board to discuss the governor's outline of police toward Negro jurors.

The meeting would be called, he said, as soon as advices were received from "duly constituted authorities." He declined to say whether the efferson County box now contains the names of Negroes.

"I would rather not be quoted on matters as important as this without first reading the governor's statement and discussing it with the other members of the board," Mr. Smith said.

Associate members of the board are Joseph H. Loveman and John Angwin.

Solicitor George Lewis Bailes also declined to comment.

"The jury box is in the hands of the Jury Cmomission and the solicitor has nothing to do with the jury box," he declared.

Judge J. Fritz Thompson, presiding judge of Circuit Court declared: "So far as I am concerned and I am sure the same would apply to the other circuit judges, I would heartily co-operate with any plan or program of the governor unless there was some statute forbidding it."

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Speedy Retrial Planned For Scottsboro Negroes

By United Press.

MONTGOMERY, April 5.—With the state's policy of placing Negroes' names on jury rolls definitely decided, Alabama today planned to have the Scottsboro assault cases on trial within two or three weeks.

The mandate of the U. S. Supreme Court, ordering new trials for Clarence Norris and Haywood Patterson, two of nine Negro defendants sentenced to death for an alleged assault on two white women, was expected to reach here today or tomorrow.

As soon as the Supreme Court receives the decision, it will be dispatched to Morgan County, where the last trials were held, then immediately remanded to Jackson County, where the two Negroes were indicted.

Solicitor Bailey of Jackson County plans to have a special session of the grand jury called immediately to reindict the Negroes. The cases then will be transferred back to Morgan County and the trials will begin, attaches of the attorney-general's office said.

Lieut.-Gov. Thomas E. Knight Jr., who prosecuted the cases as attorney-general, will act as special prosecutor for the state. Under present plans, Thomas S. Lawson, assistant attorney-general [illegible]

TWO ALABAMA NEGROES WIN THEIR APPEAL

Telegraph

U. S. Court Upholds Texas Democratic Rule Against Colored Voters

4-2-35

SCOTTSBORO CASES UPSET

Macon, Ga.

High Tribunal Postpones Action on Constitutionality of Railway Act

WASHINGTON, April 1 (AP)—Once again the supreme court intervened today to save two Negroes sentenced to death in the famous Scottsboro, Ala., cases, but it upheld the refusal of the Democratic party in Texas to permit Negroes to vote in its primaries.

In effect, the highest tribunal ordered new trials for both Clarence Norris and Haywood Patterson, two of the seven who probably would have been executed in 1932 had it not been for the court.

New trials were ordered in the first instance after the court concluded that the men were denied representation by adequate counsel.

Chief Justice Hughes in his opinion today said the constitutional rights of Norris and Patterson were violated because the Negroes were excluded from jury service at their trials.

Texas Rule Upheld

Intense feeling has been aroused by the Scottsboro cases, which followed alleged assaults upon two white women by a group of Negroes near the little Alabama town in 1931.

"I am thrilled beyond words," said Samuel S. Leibowitz, New York attorney who argued the case before the supreme court, when informed of the verdict.

The Texas Negro voting controversy has been before the court at intervals since 1924. The decision today was the fourth ruling by the court on an appeal by a Texas Negro asserting the right to vote in Democratic primarie.

Texas statutes which prevented Negroes from voting and which authorized the state Democratic executive committee to prevent Negroes from voting in primaries were declared unconstitutional by the court.

Railway Pension Act

But today R. R. Crovey, Harris county, lost his appeal from the decision by the Texas Democratic convention that only white persons might vote in party primaries.

"We hold the party was a voluntary association and was competent to decide its membership," said Justice Roberts, who delivered the opinion.

Shortly after setting aside the sentences on Norris and Patterson, the court allowed the government to drop the Belcher case, which originally was scheduled as a test of both NRA and the lumber code.

An attorney for the lumber code authority objected to dismissal but William E. Belcher, Alabama mill operator, won in the lower courts after the government charged him with violating the lumber code, offered no [illegible] The chief justice refused to hear the code attorney.

Returning after two weeks' recess, the court held one of the busiest opinion days of the session, although it failed to act on a pending new deal case—the constitutionality of the railroad pension act. Among the decisions was an opinion that federal courts handling the reorganization of bankrupt railroads have the right to prevent—temporarily—the RFC and other holders of railway notes from selling collateral.

Macon

Prosecution Planned

MONTGOMERY, Ala., April 1. (AP) New indictments to prosecute the Scottsboro attack cases "to their conclusion" will be sought promptly, Lieut. Gov. Thomas E. Knight, Jr., of Alabama announced today as defendants greeted with delight the United States supreme court decision setting aside two death sentences in the litigation.

The lieutenant governor, who as attorney general, prosecuted in the trials of Heywood Patterson and Clarence Norris, the Negroes whose sentences for alleged attack on a white woman were set aside today, has been retained as special prosecutor to conduct the state's case until final disposition.

No action can be taken before the U. S. supreme court's decision is returned to the Alabama supreme court, which in turn will remand Norris' case to the lower courts. In the Patterson case, while the nation's highest tribunal did not immediately order a new trial because of a technicality, it was believed that such action would come from the state supreme court.

Birmingham

The news brought joy to eight of the defendants, but the ninth, Patterson, greeted it with shouts of derision from his cell, in the cell of death row at Kilby prison near here.

Refusing to come to the bars of his cell, Patterson heard the news, and shouted "you must think I'm drunk if I believe that."

Norris asked Deputy Warden Frank Boswell to read a telegram to him from Samuel S. Leibowitz, chief counsel, informing of the court's action.

"That shore is good news," he said, grinning. "I'm mighty happy."

Release Is Sought

NEW YORK, April 1 (AP)—The International labor defense hailed the "Scottsboro boys."

Attorney Samuel S. Leibowitz, who defended the "Scottsboro boys," carried their appeal to the supreme court, said the decision was "the culmination of the hopes and ambitions of 15,000 000 Negro souls in America."

Alabama

5024

Lynchings - 1935.
Legal Punishment for Rape

5024

BIRMINGHAM, ALA.
NEWS

APR 5 1935

Negroes And Jury Service In The Southern States

The reaction to the Supreme Court's decision in the Scottsboro case among officials of Southern states, so far as the question of excluding Negroes from the jury rolls is concerned, makes an interesting study. From a survey of opinion of Southern attorneys general made by The Associated Press, it appears that nowhere was there any surprise at the Supreme Court's ruling on that question. Rather, the decision seems to have been received as one which was to have been expected.

The other Southern states are no less concerned with the fundamental issue raised by the court's ruling than Alabama. In most of them, the practice regarding the service of Negroes on juries has been the same as that in Alabama. In all the states in which officials have commented, it has been pointed out that there are no laws barring Negroes from jury duty. Of course, if there were any such laws, they would be unconstitutional. But while Negroes are included on some jury rolls, they are seldom called on to serve. In most other states of the South, as in Alabama, there is recognition of the necessity for a change which will make practice conform with the Supreme Court's decision.

Atty. Gen. William McGraw, of Texas, says the statutes of that state are in conformity with the decision. He adds that generally when Negroes are drawn for jury service a "suitable excuse is presented and accepted." A similar practice has obtained in some counties in Alabama. "Texans," McGraw says, "have demonstrated perfect ability properly to control the Negro question within the constitution."

Atty. Gen. A. A. Seawall, of North Carolina, expresses the view that the decision 'gives us pause for thought." It may, he says, mean more appeal attempts to the United States Supreme Court from verdicts of state courts, but he would not undertake to predict the effect it will have.

In Tennessee, Asst. State Atty. Gen. W. F. Barry, Jr., is of the opinion that the decision will not have any influence in the South except probably on a retrial of the Scottsboro cases. A similar view, with respect to the effect in Florida, comes from Atty. Gen. Cary D. Landis, of that state, who says: "Negroes are allowed to register to vote (in Florida). They then become eligible to vote and are qualified for jury duty. Negroes have served on state court juries in Florida, but not in recent years."

In Arkansas, according to Atty. Gen. Thomas Fitzhugh, Negroes are eligible to serve on juries if they hold a poll tax receipt, but "it just happens that no jury commission selects Negroes for jury duty. It may be just a coincidence."

Atty. Gen. John M. Daniel, of South Carolina, says Negroes sit on some juries in some counties in his state. In Georgia also Negroes occasionally serve on state juries.

Atty. Gen. A. P. Staples, of Virginia, is quoted as saying: "I do not know that we ever had Negroes on juries. . . . But if the Supreme Court has held it necessary to have Negroes on juries, chances are we will have to take cognizance of it."

A particularly interesting comment comes from the office of the attorney general of Mississippi. There the records of a case were cited where the Mississippi Supreme Court set aside a conviction of a Negro sentenced to hang for killing a white man when the district attorney admitted that Negroes had been excluded from jury duty because of race and color. The Mississippi court held that this circumstance was sufficient to quash the indictment. Thus the Supreme Court of a Southern state took precisely the same position that the United States Supreme Court has taken in the Scottsboro case. In the decision setting aside the conviction in the Scottsboro case, Chief Justice Hughes said that the absence of Negroes from the jury rolls should have caused the trial court to quash the indictments.

From these comments, it appears that throughout the Southern states there is a recognition of the legal principle laid down by the Supreme Court. In those states whose officials believe the decision will have no effect, it is evidently because they feel that there is at least technical conformity with that principle. Nowhere is it denied that qualified Negro citizens should be included on the jury rolls. The extent to which they are called on to serve, in practice, is another matter.

In no Southern state is there any alarm apparent over the effect of the Supreme Court's ruling. Nor is there any reason why there should be. While, probably in most Southern states, it will be necessary to make some alteration in practice, the court's decision does not call for any revolutionary change. This question must be adjusted by Alabama and other states of the South, and it can easily be adjusted in a common-sense way. Even now it is not by any means an unheard-of thing for a Negro to sit on a jury, in Alabama and doubtless in all other Southern states. Negroes occasionally serve on federal juries, and in at least some places on state juries. The necessity which now confronts Alabama and the South in general is simply to see to it that Negroes are not systematically excluded from the jury rolls in any county, and that they are occasionally called for jury service. In instances where they wish to be excused, and where the court sees fit to excuse them, this would be a proper method for handling the situation, in part. Then, too, attorneys can strike Negro jurors or accept them for service as they please. And there would be no harm in permitting them to serve on occasion, to give moral force to the principle involved—certainly there would be no more harm in letting them serve at times in state courts than there is in having them serve in federal courts in the South.

Whatever is done in this state, let it be a practical and common-sense solution of the question, which will not merely be in conformity with the Supreme Court's decision, but which also will satisfy the moral implications of that ruling.

ROCHESTER, N. Y.
TIMES UNION

APR 3 1935

The Strong Hand

Once more the strong hand of the United States' Supreme Court has reached out to snatch the Scottsboro boys from death.

This time only two of the original seven defendants had their cases reviewed by the nation's highest tribunal. But the result was much the same as in the first review of the cases.

The court held Alabama justice, which insists upon judging Negro defendants with lily white juries, has erred.

The retort of the court to Alabama's claim that no colored veniremen were possessed of the necessary qualifications for jurors was almost contemptuous, if such an expression can be used in connection with a Supreme Court decision.

"Upon the proof contained in the record now before us," wrote Chief Justice Hughes, "a conclusion that their (the Negroes) continuous and total exclusion from juries was because there were none possessing the requisite qualifications cannot be sustained."

It is quite obvious to any objective observer that Negroes, charged with certain crimes such as criminal assault, cannot get a fair trial in the Deep South. The actual evidence in the second set of Scottsboro trials would not have convicted anyone anywhere else.

It will be recalled that in 1931 seven young Negro lads jumped a freight train upon which they found some white boys and two girls. A fight started between the white boys and the Negroes and the former were driven from the train, the girls remaining. Almost two days later the girls preferred charges of assault against the Negroes. At the second trial one of the girls, having previously told her story to Raymond Fosdick, New York clergyman, appeared in court and denied wholly her former testimony, swearing that neither she nor her companion had received harm at the hands of the Negroes.

Evidence of this sort counts for nothing in an Alabama court when the issue is white versus black. The boys were condemned.

On the issue that Negroes are debarred from jury duty in Alabama the case was carried to the Supreme Court. Two questions were considered. The first, in the case of Clarence Norris, that there was racial discrimination in picking the jury. The second, in the case of Haywood Patterson, that the Supreme Court had no jurisdiction in the matter.

Norris' case was sent back for retrial. That of Patterson for "further proceedings."

The main issue however is that Alabama has lost again.

The power of a sovereign state against the public opinion of the nation has again been proved futile.

The best thing Alabama can do is to amend her judicial procedure to accord with the Constitution of the United States—and civilized opinion.

Brewton, Ala., Standard
April 4, 1935

Negro Jurors Must Come

Distasteful as the thought of it may be, Alabamians may as well make up their minds that they must have negroes on the jury lists, if not actually sitting in the jury box, where they expect any conviction of a negro to stand before the highest court of the land. Such will be the outcome of the last decision of the United States Supreme Court in the famous Scottsboro cases, in which the fact that negroes are "systematically excluded from the jury system" in this state brought about a reversal of the appealed cases and new trials for the defendants.

As has been the history of these cases from the start the handling of them on the part of the state was bungled in the hearing before the Supreme Court. Ex-Attorney General Thomas E. Knight, who is unfortunately still designated by the present Attorney General to carry on the cases, made the State of Alabama and its system of criminal jurisprudence appear just as ridiculous before the Supreme Court as he succeeded admirably in doing when the cases were on trial. His main point of argument was that negroes are not excluded from jury service in Jackson county when everyone, except perhaps Mr. Knight knows that there has never been the name of a negro on an Alabama jury list since the days of reconstruction. It would have been far better to have evaded the issue entirely and possibly the justices would have looked with some benevolence on a situation that, though probably not handled constitutionally, has at least been worked out with satisfaction to all parties concerned, including the negroes themselves.

But whatever the damage that might have been averted, it has been done, and its results are of no small import to the people of this and other southern states. The jury commissions now have no alternative except to place in the jury boxes names of negroes who can meet the qualifications prescribed by law for jurors in Alabama. That there are several such negroes in every county can not be denied. If they happen to be drawn for service along with the white jurors they will have every right to serve in court and to pass judgment on defendants of both races. Otherwise, it will never again be possible to make the conviction of a negro hold good in the higher courts.

What the outcome will be is hard to predict. We hope that some plan may be devised that will preclude any serious trouble, for there is every possibility of such arising under the situation with which we are now faced.

SUFFOLK, VA.
NEWS HERALD
APR 2 1935

"THE SCOTTSBORO CASE"

The United States Supreme Court yesterday did the expected when it ordered a new trial for a group of Negroes, two of whom had been condemned to death on the charge of assaulting a white woman hobo traveling with them and her companion in a box car in Alabama. Both women accused the Negroes of attacking them, but one later confessed that it was false, repudiating the charge.

These ignorant black boys never had a ghost of a show for justice after a certain organization with headquarters in New York sent a "Yankee" lawyer down into Alabama to defend them. If this same organization had had the good sense to employ a local attorney to defend them there would have been no outcry and a just verdict would have been reached.

It was utterly impossible to give these Negroes a fair and impartial trial in the atmosphere prevailing at Scottsboro at the time their cases were called. The jury was so prejudiced that the members could not see any extenuating circumstances even if these white women deliberately herded themselves with blacks.

They may be guilty as charged and if so should be punished, but the death penalty is too extreme in this case. If given a trial in another community they will receive a just verdict whether it be conviction or acquittal.

WILMINGTON, N. C.
NEWS
APR 3 1935

THE SCOTTSBORO VERDICT

It has since the inception of the case, been our private opinion based on our views of public morals that white girls who go hoboing about the country, hobnobbing, or at least riding in the same box cars with members of other races and the other sex are not overly deserving of society's most tender protection, but in the Scottsboro case there are other phases to be considered. The case has just been sent back to the Alabama courts by the Supreme Court of the United States.

The girls involved caused the arrest of seven negroes, they accused of attacking them while all were uninvited and non-paying passengers on an Alabama freight train. Two of the negroes have been convicted for a second time, and must be tried again unless the state elects to drop the charges.

The reasons behind the majority opinion, read by Mr. Chief Justice HUGHES is significant. Judge HUGHES and his colleagues hold that because negroes are kept off the jury rolls in Alabama that is good and sufficient reason to return a reversal of the Alabama tribunal's finding.

It is, as the chief solicitor of the Alabama circuit remarked when informed of the findings "a body blow at the courts of the state." However, it does not follow that Alabama will rush to the fore with mixed juries. Far from it. Alabama is too deep in the south to permit of that, and even should it insert the names of negroes in the jury boxes for the purpose of complying with the supreme court, ways will be found to continue jury service as at present and within the law.

For the moment, however, it would appear that a very important decision has been based on a case involving not a particularly prepossessing set of complainants or defendants.

WILMINGTON, DEL.
NEWS
APR 3 1935

THE SCOTTSBORO CASE DECISION

The issues in the long drawn out Scottsboro cases have been beclouded from the start by the unreasoning emotions of race prejudice. The conduct of the trials and the type of evidence that was admitted raised serious doubts long ago as to the guilt of the men accused.

Now that the Supreme Court has again set aside the convictions, a general hope has arisen that their decision may mark the end of what has become a cause celebre in American court annals. Their ruling has the effect of ordering a new trial. But there is little reason to believe that a new trial could possibly result in any further progress toward justice.

It has been four years now since the nine Negro youths were indicted at Scottsboro, Alabama, for the rape of two white girls on a freight train. Juries found all of the defendants guilty. When the case was carried to the Supreme Court, all of the decisions were invalidated on the ground that the defendants had been allowed such inadequate counsel help that they had been denied their constitutional rights.

A bright chapter in the litigation was the courageous action of Judge Horton after a jury had again found one of the defendants, Patterson, guilty after a new trial. Judge Horton set aside the verdict as contrary to the weight of the evidence. A year later he won the reward for his refusal to bow to prejudice, when he was defeated in the primaries for re-election to the bench.

The third trial was held in December, 1933, with Patterson and Norris the defendants. Again verdicts of guilty were returned, and a second appeal was taken to the Supreme Court, largely on the ground that Negroes had been systematically excluded from juries in Alabama. It was on this appeal that the Supreme Court has just now ruled.

Prejudice has been the ruling factor in all the proceedings in the lower courts from the start. Stubborn racial prejudice, backed by sectional pride, is nearly certain to mar the proceedings if the case is tried again. If Alabama is wise she will attempt to find some way to bring an end to a case which has become a symbol of what wrongs may be done when emotions are allowed to overrule impartial justice.

MIDDLETOWN, N. Y.
TIMES HERALD
APR 4 1935

IN ALABAMA

A JUDGE whose outraged sense of justice caused him to set aside one of the verdicts in the Scottsboro Negro cases was defeated for re-election last year. That shows the temper of Alabama. If the Supreme Court of the United States, which stingingly denounced the quality of justice in that state were in any wise subject to the will of southern chivalry, it may be taken for granted that the entire bench would share the fate of the home judge.

Alabama is intent on hanging these nine Negroes. Probably her citizens are sorry that they escaped the usual lynching bee and got their cases into court where tiresome rules of justice prevail. There will be another trial. Some concession may be made to the order of the highest tribunal that Negroes be admitted to the jury panel. But if these cases proceed further, we feel fairly certain of the outcome. The Negroes on the next juries had better vote for conviction if they do not want to run considerable risk of personal extinction themselves.

Charlotte, N. C. Observer
April 9, 1935

IT IS SURPRISING THAT THE South is taking the ruling of the Supreme Court touching upon the rights of Negroes to serve as jurymen with no outburst of wrath or back-talk.

You would expect it to have been otherwise and as shortly back as 25 years there would have been a more or less frantic reaction to such a ruling.

But comment in the newspapers of the South generally is far more friendly than it is critical of the court's findings as to race discrimination, usually practiced in the Southern courts to the extent at least of barring Negroes from jury service.

There can be but one reasonable and intelligent interpretation of this lack of fire, race prejudice is far less robust and blatant today in the South than ever before.

Lynchings-1935
Legal Punishment for Rape

Alabama

5025

Greenville, S. C. Piedmont
April 3, 1935

Negroes And Law

TWO of the most important documents affecting the legal status of negroes written in a long time were handed down this week as decisions of the United States Supreme Court.

One, arising from the famed Scottsboro case in Alabama, upheld the right of negroes to serve on juries.

The verdict in the cases of two men in the Scottsboro affair were set aside as invalid because negroes had been systematically barred from jury rolls in Jackson County Alabama—as they have been and doubtless for a long time will continue to be barred from jury rolls in Greenville County, South Carolina, and most other southern counties.

The Supreme Court by a decision unanimous (except that Mr. Justice McReynolds took no part in the case) declared that for this long "continued, unvarying and wholesale exclusion of negroes from jury service we find no justification consistent with the constitutional mandate".

How that clear-cut decision will affect southern legal and social practices in the future we may only guess.

But for a long time, as we said, net results of current practices will somehow continue to be the same.

The second decision holds valid the Texas primary law which prohibits participation by negroes in Democratic primary elections, a condition comparable to that long existing and almost never questioned in South Carolina.

This more solidly intrenches the general southern plan of legally disfranchising the race.

In decades to come attitudes and practices in respect both to suffrage and jury service by negroes may undergo a measure of gradual change in the South but it is inconceivable that any early change will occur.

Likewise it is inconceivable, to citizens with first hand knowledge of the facts and with earnest friendship for both races, that early change of any kind would be wholesome for the welfare of either race or of the South.

EL PASO TEX.
HERALD
APR 3 1935

Justice to Negroes

EIGHT U. S. Supreme Court justices united in striking down the conviction of two Scottsboro defendants. The court held that Negroes had been illegally barred from acting as jurymen in the trials. Alabama now must either dismiss the famous cases or re-indict and re-try the defendants with Negro jurymen on the panels.

This is the high court's second rebuke to the prosecutors of these Negro youths and their companions. In November, 1932, the court ordered retrials on the ground that Alabama had denied the defendants due process on other grounds.

In these two opinions the Supreme Court has done much more than save the lives of obscure boys. It has done more than hearten the faith of 15,000,000 American Negroes in their country's courts. It has helped re-enforce the very foundations of the republic.

In his first inaugural address Jefferson said that equal and exact justice to all men of whatever state or persuasion, through trials by juries impartially selected, forms the surest bulwark against anti-Republican tendencies. This is even truer today than in 1801.

RALEIGH, N. C.
NEWS OBSERVER
APR 3 1935

Where The Stars Fell

Despite the second decision of the United States Supreme Court overturning Alabama's second conviction of the Negroes in the famous Scottsboro case, Alabama officials announce that the state will "prosecute to the end." The conscience of the nation and the world is convinced that the seven Negroes are not guilty of the crime with which they were charged. A brave Alabama judge forfeited his political life to set aside a verdict of guilty upon the grounds that there was not adequate or credible evidence of guilt. Yet Alabama will "prosecute to the end." To what end?

The end so far attained has been the discrediting of Southern justice at the bar of the world. To that verdict an Alabama judge who tried the cases has testified. Twice the United States Supreme Court, by its verdicts, has in a very real sense so testified. Alabama does not care. Regardless of the good opinion of the world, it seems determined to further serve its bitter, stubborn prejudice by seeking again death verdicts against defendants whose guilt is so much more than doubtful that their execution would be lynching under the studied forms of law.

Horrid as is lynching it would have been in this case less horrible than the long, cold-blooded determination to bring these men to death under the forms of law on the evidence which has been twice presented to secure from angry Alabama juries verdicts which were set aside once by an Alabama judge who held the evidence incredible and insufficient, and twice by the Supreme Court of the United States, which found the legal flaws in the record to halt injustice at the hands of Alabama prejudice and anger.

As the case continues, as Alabama prosecutors insist that it will, it becomes more obvious that not the Scottsboro Negroes but the justice of Alabama is on trial. What Alabama needs now—what the South needs—is not a new verdict of guilt against the defendants, but some evidence that reason and justice, as well as anger and prejudice, exist in the state where the stars fell.

NEW YORK TIMES
APR 7 1935

NEGROES IN THE COURTS.

Governor GRAVES of Alabama deserves the approbation of the country at large for his prompt action in directing the circuit judges and solicitors throughout the State to accept and uphold the decision of the United States Supreme Court "in letter and in spirit."

It is, moreover, cheering to note the manner in which this decision in the Scottsboro case has been received in the South generally. Striking as it does into the heart of the South's most difficult problem there still has been no open challenge of the court's authority. The integrity of none of the judges has been impugned. The Alabama Advertiser, which writes at length upon the case, advises against allowing suspicion or perversity to sway the future prosecution of the Negro boys, if, indeed, they are prosecuted. It rather urges the Jury Commissioners of Jefferson County to make sure that in the next drawing of the jury there are names of respectable Negroes in the boxes. On an actual trial, it admits such proposed jurymen may be subjected to a personal examination or tests of intelligence which are not commonly applied to white persons. But the law, as now declared by the Supreme Court, insists that "eligible jurymen" cannot hereafter be "systematically excluded" for the sole reason that they are black. The Advertiser makes the following sensible practical suggestion:

> The Supreme Court, following up previous warnings, reverses the verdict of the State court upon the ground of race discrimination in the selection of jurors. The Advertiser therefore urges the County Jury Commissioners to disband and immediately to make it possible for the State of Alabama to win a case involving a Negro in the Supreme Court of the United States.

Montgomery, Ala., Advertiser
April 4, 1935

MR. HUGHES HAS NOT SAID ENOUGH

To the Honorable Charles Evans Hughes:

For more than 140 years Negroes have been "systematically excluded" from seats on the Supreme Court of the United States. Has that circumstance affected the justice of the Court's decisions involving the races?

Negroes on the Supreme court of one of the Southern States in that period, although at the moment The Advertiser has no recollection of any exception to the rule.

For more than 140 years Negroes have been "systematically excluded" from the bench in Federal court districts.

For more than 140 years Negroes have been "systematically excluded" from seats on the bench of the Supreme courts of the States, except possibly in the Reconstruction years. There may have been some

Have
cause
y not?
erty of asking Mr. Hughes and his colleagues of the Supreme Court of the United States this question: If Negroes have
one of which two Negroes were convicted of the
d, al- capital offense of rape in Alabama, all
ertiser upon the ground, not specifically that no
on to Negro sat on the jury that convicted the
defendants, but upon the ground that
for a "generation"—about 30 years, we
believe—Negroes had been "systematically excluded" from jury service in Jackson County, Alabama.

For more than 140 years Negroes have been "systematically excluded" from the bench of nisi prius courts, at least in the Southern States, if not in all others. Have these circumstances prejudiced the cause of white or black citizen? If not, why not?

had served on Jackson County juries every year for 29 years before the "Scottsboro" infants came into court in their diapers and shaking their baby rattlers, but for some reason—any reason—had not been drawn to serve on the jury that tried the infants aforesaid, would the solemn Supreme Court of the United States have solemnly averred that justice had been outraged?

Does it follow that, in the light of the decision of the court as read by Mr. Hughes, no black man, no matter what the evidence against him may be, can have his sentence affirmed by the republic's highest court unless black men sat upon the jury that convicted him in the first instance?

Does it follow that an oathbound jury is entirely without virtue and respectability if only white men serve on it when Negroes are on trial?

Has the Supreme Court of the United States ever reversed the verdict of a trial court involving the liberity or life of an Indian upon the ground that no Indian sat upon the jury that convicted him? Or a Spaniard, of an Italian, or a Frenchman, or a Russian or a Japanese or a Chinese?

There is no relevancy in the observation of the Chief Justice to the effect that Negroes had been excluded from jury services for a generation before the Scottsboro infants were put to trial. The only relevant question is whether Negroes served on the jury that convicted these infants.

Suppose Negroes had been on all Jackson County juries for 29 years but that for some reason they were not accepted for jury service in the year that these puling infants were tried and convicted—would that not have been a miscarriage of justice?

We just wanted to know.

[redacted]
NEWS
APR 2 - 1935

Two Race Issues Dealt With

WITH EXACT justice in both, but with differing results, the Supreme Court of the United States yesterday acted upon two cases brought before it of prejudice against the Negro in the South, a case of juridical prejudice in Alabama and one of partisan political prejudice in Texas.

The first was the case of two of the seven Negro lads who were convicted of assaulting two white girls and sentenced to death, though one of the girls later repudiated her story and said she had been intimidated by the authorities, and that, as a matter of fact the boys were not guilty of any crime at all. This is the Scottsboro case in Jackson County which has held public attention ever since 1931. After the first trial the Supreme Court set aside the verdict on the ground that the men had been illegally convicted because they had been deprived of the aid of counsel in the preparation of their defense. Five of them have not yet been retried, but two have, and these were convicted a second time.

In the opinion of the Court, delivered without dissent by Chief Justice Hughes, it is very clearly declared that the deliberate excluding of qualified Negroes from jury service in Jackson County, which as a matter of fact has been going on for more than a generation, is unconstitutional, and that in view of such exclusion, depriving these two Scottsboro defendants of the right of trial by a jury of their peers, the second trial was irregular and the Court should have quashed the indictments. There was plenty of evidence the Chief Justice said that there were Negro citizens in Jackson County qualified for jury duty.

In the second case, the opinion, delivered by Mr. Justice Roberts, again without dissent, was against the contention of a Negro citizen of Harris County, Texas. In 1932 the Supreme Court declared invalid a Texas statute which excluded Negroes from voting in Democratic elections. This decision was of course, sound. But since then the Texas Democratic organization has made a like ruling for Democratic primaries. The suit in this case was brought when the County Clerk refused to give the complainant a ballot. He sued for $10 damages before a Justice of the Peace and of course lost. This paved the way for an appeal to the highest court.

In this case, with equal wisdom, the Court ruled against the complainant on the proper ground that a political party is a voluntary association and as such must be held to be competent to pass upon the qualifications of its members. Much as we regret the necessity for it, this is the sound view. The Court could take no other. While it does not do away with the element of prejudice, the decision as such must be accepted. The only way to circumvent this situation would be for the Government to assume control of all primaries and elections in all the States, and this would be a very doubtful benefit. We rather suspect no one wants such a thing as that.

Montgomery, Ala., Advertiser
April 6, 1935

GOVERNOR GRAVES'S LETTER ABOUT NEGRO JURORS

The Advertiser does not see how Governor Bibb Graves could have done less than to assume his full responsibility as the chief executive and the titular leader of Alabamians in urging all judges and solicitors to take steps immediately to have this State conform its jury practices to the demands of the Supreme Court of the United States since there is no other court to which this State may appeal.

The Advertiser several days ago said that it would now be necessary for Alabama jury commissions immediately to recognize the demands of the Supreme Court, otherwise it would be useless to expect that body to affirm any conviction of a Negro by an Alabama court, regardless of the evidence.

Governor Graves in his letter to circuit judges and solicitors merely recognizes the realities of the situation. It is vital that whatever readjustment to the Supreme Court's decision is to be made should be made immediately. We think it is the function of the Governor to point the way, and so we are glad, but not surprised, that Governor Graves should have acted in the forthright manner that he did. He could not have done less.

There is talk of new legislation on the subject. The Governor indicates that he will advise the Legislature in May to enact whatever legislation may be necessary to bring State practice into line with Charles Evans Hughes's opinion.

We doubt if new legislation is necessary or desirable. Certainly Senator Miller Bonner's suggestion that we revise the law so that only qualified voters may be eligible for jury duty would seem to be far enough to go. The Advertiser's opinion is that the matter can be safely entrusted to the jury commissions of the counties and the lawyers practicing at the bar.

We do not anticipate serious difficulties. Everybody knows that there are hundreds of Negroes in Alabama who are qualified by native intelligence and personal character to serve on a jury drawn to hear any cause. They are as well qualified for jury service as any other citizens. They do not especially desire to be called for jury service and we have no doubt that colored men of this calibre and rank are naturally embarrassed by recent developments.

It is not in response to any demand from them that the Supreme Court has nullified the action of the oathbound courts of the sovereign State of Alabama.

Nevertheless the great majority of Negroes are not yet prepared for the responsibilities of jury service, and for the information of Mr. Charles Evans Hughes The Advertiser will here say upon its own responsibility that the great majority of Negroes in Alabama are not likely to be summoned for jury duty in future. If they are the respectable practitioners at the bar on both sides of a cause will strike their names.

Finally and in conclusion: The Advertiser does not believe that if the 12 Apostles, returned to life, should declare the Scottsboro infants guilty, the Supreme Court of the United States would affirm the verdict.

The Advertiser does not believe that the Supreme Court of the United States would affirm any verdict of guilty against these puling infants.

The Advertiser believes that the State of Alabama should resolutely prosecute these sucklings to the bitter end! It believes that this sovereign State should at last have its way. If these sucklings are innocent they should be acquitted in an Alabama court.

If they are guilty they should be convicted in an Alabama court, if it takes 100 years to convict them!

After which the Governor of Alabama whoever he may be at that time, may properly take into account certain extenuating circumstances and act in his own wisdom to save these sucklings from the supreme sacrifice.

It would be weak, apologetic and cowardly for Alabama to back down now!

Therefore, we hope that Thomas E. Knight, Jr., as weary as he may be of these nasty cases, will pursue them to the very end. Let Alabama continue to drop these sucklings into the laps of the ponderous, querulous old men who quaver aimlessly in the chambers of the Supreme Court of the United States.

The dignity of a self-respecting State can demand no less.

Lynchings—1935
Legal Punishment for Rape

Alabama

5026

Samson, Ala., Ledger
April 4, 1935

NEGRO JUROR DECISION

The decision of the United States supreme court declaring that the negroes in the now famous Scottsboro case were denied a legal trial because of the absence of negro names in the jury box is very unwelcome in Alabama, where from the beginning of the jury system in America justice has been administered by people of Caucasian descent. Possibly an exception should be made of the reconstruction period, when military rule forced the hand of the people. Exception must also be made in the case of the United States courts, where the juries sometimes have contained colored men.

There has naturally been a reason for the exclusion of negroes in selecting names to go into the jury boxes. Common observation will remind us that there are few representatives of the negro race who have sufficient intelligence, education and a temperament that would fit them for unprejudiced judgment of testimony. That there are white men sometimes selected for jury duty who lack the balance and intelligence to dispassionately weigh evidence is not a sufficient argument in favor of further purging of the jury rolls.

It is indeed doubtful if there are many intelligent negroes who would care to be included in the jury list. Most of them would no doubt prefer to avoid the responsibility.

It is also not clear to us how the supreme court could reach the conclusion it does. Juries in Alabama are composed of people who have been picked out by the jury commissions in the various counties. Theirs is a selective power, which cannot be questioned by any state authority; neither can the governor, the trial court nor the supreme court of the state dictate to the jury commissioners that they shall include or exclude any particular person. We really wonder if this line of reasoning was presented to the United States supreme court in its fullness.

The consequences of this decision may be grave and not to the credit of the state's good name. For years a strong effort has been made to extirpate lynching in Alabama and this effort has been very successful. Many people who have set their faces against lynch law in the past may feel less eager about the matter and public sentiment may possibly change radically.

We deprecate the consequences of the supreme court's decision.

Greenville, Miss., [illegible]. Dem.-Tms.
April 8, 1935

SOUTHERN JURIES

The decision of the Supreme Court in the Scottsboro, Ala., case will have a far-reaching effect in the South. It opens up a new avenue of legal escape for criminals, which may be resorted to by shrewd lawyers fighting for the lives of their clients.

Twice have juries declared that men accused of assault were guilty and each time their verdict has been set aside. This last decision because the convicted men were negroes and there were no negroes on the juries. The higher court says that the negroes did not receive a fair trial because there were no negroes permitted to sit on the jury. Would they have taken the same attitude had the men been acquitted?

In Washington county there have been no negroes on juries for several years. In our courts the various juries have been called to pass judgment on white, colored, men and women of all nationalities: Never has there been any question of sex, race or nationality raised in any of these verdicts. Men have been sent to their death for taking the lives of others. Yet our courts have been carried on in an orderly manner.

What does the new high court decision prophesy? Does it mean that a negro cannot be convicted because there are no negroes on the jury, that a Chinese cannot be convicted because there are no Chinese on the jury? Or that a woman cannot be convicted because there are no women on the jury? Or that those already punished for their crimes have been illegally punished? Does it make any difference whether the jury is composed of blondes or brunettes?

It seems to us that the question for the courts to decide in any case is whether, or not, the defendant is guilty. Did the facts warrant conviction? It looks like our laws are becoming more complicated—not simplified.

Richmond, Va. News-Leader
April 2, 1935

THE SCOTTSBORO APPEAL.

Never, perhaps, has the supreme court of the United States handed down on the same day two opinions that so directly affect the Negroes of America as the decisions yesterday in the Scottsboro case and in the appeal on the Texas primary law.

The ground on which the court ordered a new trial of the boys accused of rape in Alabama was probably the only one that could have been found. The most recent trial had resulted in a tangle of procedure that practically closed the Alabama courts to a hearing of the appeal on its merits. From the viewpoint of orderly litigation, the ruling that outlawed the appeal was so important that one of the most distinguished Northern students of the case though convinced of the innocence of the accused boys, privately made the strange admission not long ago that it was better the two youths should perish than that the limitation of appeals, as fixed by the highest court in Alabama, should be set aside.

It is not certain that the Negroes will be acquitted on a new trial. Opinions can become so fixed and passions can be so deeply stirred that men will accept the evidence even of witnesses suspected of perjury. That is one of the many defects of the jury system as maintained in those states that make the trial judge merely a referee between opposing lawyers.

This, however, is certain: the decision of the court will mean the definite racial reform of jury service in the South. No prosecutor will be willing hereafter to put a Negro on trial for a felony unless there has been at least perfunctory compliance with the court's requirement that Negroes be included on the lists from which grand jurors are chosen. Neglect of this elementary act of justice might hereafter invalidate any conviction.

There is every reason why the Southern states should conform to this practice, not merely to an extent that will satisfy the supreme court, but wholeheartedly and honestly. Here in Virginia, the way was opened by the Crawford case. Although Judge McLEMORE denied the motion to quash the indictment on the ground of racial discrimination in drawing the jury, the argument in November, 1933, so impressed Virginia jurists that most of them quietly directed the inclusion of Negroes on the grand juries. This has been done without creating the slightest ripple. Other states will find the reform as simple as it proved to be in Virginia.

The establishment of the Negro's right to jury service is one thing; the practical exercise of that right will temporarily prove to be more difficult. Quite recently, the *Richmond Planet* reported that several Negro voters had been drawn for a jury in the hustings court, where a man of their race was to go on trial, defended by colored lawyers. Several of the Negroes qualified, but when counsel had exercised the right to strike off names, not one Negro remained on the jury. As the commonwealth's attorney stated that he had not "struck" a single Negro, the conclusion of the *Planet* was that defence counsel had preferred to entrust the fate of the accused man to white jurors.

It is commonly said that attorneys defending Negroes desire a white jury because they believe it will be more lenient toward a Negro than a jury of his own race will be. This is true only in occasional cases, but it is generally credited and it operates to keep Negroes from being accepted as jurors.

The cure is two-fold—first, to prevail upon lawyers to trust such a jury of Negroes as is apt to be drawn here in Richmond, and, second, to create in court, where a white jury is hearing an indictment against a Negro, precisely the same serious atmosphere that prevails when white jurors are sitting in a case involving a white man. We must be frank and fair in the premises: It is not enough to let the matter rest, in a flattered spirit, with the statement that Negroes had rather be tried by white men than by their own race; it should

be our effort to administer evenhanded justice in such a way that no man will expect either clemency or severity because of his race. When we approach that ideal, Negroes will not expect their delinquencies to be viewed lightly by white men. Anticipating no favors, they will be willing to have other Negroes sit in judgment on them. The jurors, in their turn, will receive valuable training in citizenship. For a man performs no public duty that gives him quite the same sense of responsibility, or quite the same respect for courts and for law, as a few days of jury service.

MEXIA, TEX.
NEWS
APR 2 1935

The Negro Jury May Present New Problems for Texas

While the United States Supreme Court in a decision Monday upheld the right of the Democratic party through its convention in Texas to bar negroes from participating in primaries, the court also ruled in another case affecting the negro. This time it was in the famous Scottsboro cases from Alabama. The court returned the case for new indictment because negroes have not been selected as jurors in the state of Alabama.

The court ruled, in effect, that nine negroes charged with assault four years ago on two white girls must be either reindicted and retried by a jury drawn from a panel which includes negroes or set free.

Now attorneys are wondering about the Texas jury system. It is a bit different, perhaps, from the Alabama system but neither women nor negroes are drawn as jurors in Texas. The district judge appoints a jury commission. The jury commission selects the venire, or panel. From this list the trial court selects the 12 jurors. They are always white men.

In a few instances where there is a confusion of names negroes have been called as jurors. They, however, were promptly excused. Few murder cases are carried to the United States Supreme court, but some day a case will be taken up and the jury system of Texas challenged. It will be most difficult to find a way around the decision but Texas lawyers and courts as well as legislators are resourceful.

In this country we like the Negro. We want him educated, treated right economically, given justice in the courts, and complete freedom. But we want the Democratic party to remain the white man's voluntary association, and we know of no satisfactory way to permit negro participation in juries

Birmingham, Ala. News
April 6, 1935

Gov. Graves Performs His Duty Admirably

For his prompt and forthright facing of the situation precipitated by the Supreme Court's decision in the Scottsboro case, Gov. Graves deserves hearty commendation. No man in his position could have done more. No one similarly placed should have done less. Yet many a man as governor of a state, confronted with this issue, would not have acted with the dispatch and the directness which characterized Gov. Graves' action. Many a man would not have seen his duty so clearly or met it so courageously. Bibb Graves saw his duty and faced it without hesitation.

There could be no clearer exposition of the chief executive's duty in the premises than that contained in Gov. Graves' statement concerning his action. He said:

> Holdings of the United States Supreme Court are the supreme laws of the land. Whether we like the decisions or not, it is the patriotic duty of every citizen and the sworn duty of every public officer to accept and uphold them in letter and in spirit.
>
> I have received the Supreme Court's decision in the Scottsboro case, holding in effect that when there is systematic exclusion of Negroes from juries, it is discrimination against the race in violation of the United States constitution.
>
> This decision means that we must put the names of Negroes in jury boxes in every county in the state.
>
> Alabama is going to observe the supreme law of America.
>
> The governor is the chief law enforcement officer of the state and the conservator of all laws. All laws of course include the supreme laws of the land.
>
> Accordingly, the governor has written to all trial judges in the state requesting that they speedily take the proper steps to conform with the Supreme Court's ruling where there is any nonconformity. This means that the names of qualified Negro citizens must be added to the jury rolls in every county in Alabama.

The duty which Gov. Graves points is not merely that of the chief executive himself. As he says, it is the "patriotic duty" of every citizen and the "sworn duty" of every public officer to uphold "in letter and in spirit" the supreme laws of the land. The obligation in this matter is one which no citizen of Alabama should fail to recognize. Let us all, then, adopt the attitude which Gov. Graves has taken, uphold him in his course and abide by the supreme law of the land as it has been laid down for us by our highest tribunal. No Alabamian should do less than to follow the leadership of Gov. Graves in this matter and the example he has set.

As *The News* has said before, there is an absolute necessity for alteration of our practice with respect to this question, but this need not mean a revolutionary change, and there is no reason for feeling alarm or apprehension over the consequences of it. By the governor's order, the names of qualified Negro citizens must be included on the jury rolls of the state, and placed in the boxes from which jurors are drawn. Negroes, as a matter of course, will be called for jury duty from time to time. Concerning the extent to which they will actually serve on juries, that is another matter. Trial judges are permitted a certain amount of discretion in accepting or rejecting jurors. Jurors who wish to be excused may be excused if the court sees fit to excuse them. Attorneys may strike or accept jurors for service as they please. The chances are that not many Negroes will actually sit on juries. As this paper has previously suggested, the problem—for it must be frankly realized by all that it is and will remain a problem—can easily be handled by common-sense methods entirely in conformity with the letter—and the spirit—of the law.

But it follows necessarily that Negroes must occasionally serve on state juries, even as they now sometimes serve on federal juries in Alabama and elsewhere in the South, and as, in some places, they already sit occasionally on state juries. Thus the service of Negroes on juries will not be an innovation. What has already been done can and should be done on a somewhat broader scale, merely to give moral force to the law, and as a matter of simple justice. There is no reason to feel any grave concern. There is no reason to feel, as Gov. Graves is quoted as saying, that there has been "nothing more serious" than this court decision since the War Between the States. It is serious, but to say that it is so serious as that is to magnify its gravity.

BIRMINGHAM, ALA.
POST
APR 6 1935

The Southern Press

Editorial Comment

Montgomery Advertiser—The Supreme Court of the United States has bluntly laid down the law to Alabama on the question involving the right of Negroes to serve on juries.

In reversing a Jackson County court in the conviction of two of the "Scottsboro" defendants the Supreme Court seems to have ignored the evidence and confined its comments mainly if not entirely to the fact that no Negroes were on the jury which convicted two Negroes of a felony.

The court charges that Negroes were "systematically excluded" from jury service in the county of trial, and that the few names of Negroes in the jury box were fraudulently admitted.

The Advertiser does know that generally speaking the names of Negro citizens are not in the jury boxes in the counties of Alabama, although Negroes may and do serve on Federal juries in this state.

It now follows that Alabama jury commissions must immediately put the names of reputable Negro citizens in their jury boxes. Otherwise we cannot hope again to have the Supreme Court of the United States affirm the findings of a state court wherever a Negro's liberty or life is at stake.

* * *

Nashville Tennessean—Tuesday's decision in the Scottsboro case was the first in recent years in which the United States Supreme Court upheld the right of Negroes to sit on juries.

It is not, however, the first time the court has ruled that deliberate denial of jury places to Negroes in trials of Negro defendants is a violation of the rights guaranteed by the constitution.

The decision in the case of Neal versus Delaware, in 1880, is often quoted. The court ruled that the fact that no Negro had ever sat on a Delaware jury, although about 15 per cent of the population of the state was Negro, presented a prima facie case of denial of the constitutional right of equal protection of the law.

It does not seem probable that the Scottsboro decision, any more than that of 1880, will result in any far-reaching changes in judicial procedure in the Southern states, or in any other section of the country, for that matter.

* * *

Raleigh (N. C.) News and Observer—The conscience of the nation and the world is convinced that the seven Scottsboro Negroes are not guilty of the crime with which they were charged. A brave Alabama judge forfeited his political life to set aside a verdict of guilty upon the grounds that there was not adequate or credible evidence of guilt.

As the case continues, as Alabama prosecutors insist that it will, it becomes more obvious that not the Scottsboro Negroes but the justice of Alabama is on trial.

* * *

Selma Times-Journal—It is a bit strange that the U. S. Supreme Court should have waited until the celebrated Scottsboro case was brought before them a second time to find that a reversible error had been committed by the trial court in excluding Negroes from the jury.

It is rather amazing that the state should have pitched its entire defense program on the absurd contention that Negroes do serve on juries in Alabama, when every 10-year-old schoolboy knows that they do not.

A very certain aftermath of this malodorous case, it appears, will be the slow breakdown of our white jury system and the substitution of mixed juries. Of course, this nauseous situation will be resisted as stubbornly as possible.

Seneca, S. C., Journal
April 3, 1935.

New Trials at Scottsboro

The famous Scottsboro, Ala., case is again brought into prominence by the action of the supreme court in granting new trials to the two negroes sentenced to death. The case has been before the courts since 1932.

Alabama

Lynchings-1935
Legal Punishment for Rape

5027

Birmingham, Ala. News
April 5, 1935

Negroes And Jury Service In The Southern States

The reaction to the Supreme Court's decision in the Scottsboro case among officials of Southern states, so far as the question of excluding Negroes from the jury rolls is concerned, makes an interesting study. From a survey of opinion of Southern attorneys general made by The Associated Press, it appears that nowhere was there any surprise at the Supreme Court's ruling on that question. Rather, the decision seems to have been received as one which was to have been expected.

The other Southern states are no less concerned with the fundamental issue raised by the court's ruling than Alabama. In most of them, the practice regarding the service of Negroes on juries has been the same as that in Alabama. In all the states in which officials have commented, it has been pointed out that there are no laws barring Negroes from jury duty. Of course, if there were any such laws, they would be unconstitutional. But while Negroes are included on some jury rolls, they are seldom called on to serve. In most other states of the South, as in Alabama, there is recognition of the necessity for a change which will make practice conform with the Supreme Court's decision.

Atty. Gen. William McGraw, of Texas, says the statutes of that state are in conformity with the decision. He adds that generally when Negroes are drawn for jury service a "suitable excuse is presented and accepted." A similar practice has obtained in some counties in Alabama. "Texans," McGraw says, "have demonstrated perfect ability properly to control the Negro question within the constitution."

Atty. Gen. A. A. Seawall, of North Carolina, expresses the view that the decision "gives us pause for thought." It may, he says, mean more appeal attempts to the United States Supreme Court from verdicts of state courts, but he would not undertake to predict the effect it will have.

In Tennessee, Asst. State Atty. Gen. W. F. Barry, Jr., is of the opinion that the decision will not have any influence in the South except probably on a retrial of the Scottsboro cases. A similar view, with respect to the effect in Florida, comes from Atty. Gen. Cary D. Landis, of that state, who says: "Negroes are allowed to register to vote (in Florida). They then become eligible to vote and are qualified for jury duty. Negroes have served on state court juries in Florida, but not in recent years."

In Arkansas, according to Atty. Gen. Thomas Fitzhugh, Negroes are eligible to serve on juries if they hold a poll tax receipt, but "it just happens that no jury commission selects Negroes for jury duty. It may be just a coincidence."

Atty. Gen. John M. Daniel, of South Carolina, says Negroes sit on some juries in some counties in his state. In Georgia also Negroes occasionally serve on state juries.

Atty. Gen. A. P. Staples, of Virginia, is quoted as saying: "I do not know that we ever had Negroes on juries. . . . But if the Supreme Court has held it necessary to have Negroes on juries, chances are we will have to take cognizance of it."

A particularly interesting comment comes from the office of the attorney general of Mississippi. There the records of a case were cited where the Mississippi Supreme Court set aside a conviction of a Negro sentenced to hang for killing a white man when the district attorney admitted that Negroes had been excluded from jury duty because of race and color. The Mississippi court held that this circumstance was sufficient to quash the indictment. Thus the Supreme Court of a Southern state took precisely the same position that the United States Supreme Court has taken in the Scottsboro case. In the decision setting aside the conviction in the Scottsboro case, Chief Justice Hughes said that the absence of Negroes from the jury rolls should have caused the trial court to quash the indictments.

From these comments, it appears that throughout the Southern states there is a recognition of the legal principle laid down by the Supreme Court. In those states whose officials believe the decision will have no effect, it is evidently because they feel that there is at least technical conformity with that principle. Nowhere is it denied that qualified Negro citizens should be included on the jury rolls. The extent to which they are called on to serve, in practice, is another matter.

In no Southern state is there any alarm apparent over the effect of the Supreme Court's ruling. Nor is there any reason why there should be. While, probably in most Southern states, it will be necessary to make some alteration in practice, the court's decision does not call for any revolutionary change. This question must be adjusted by Alabama and other states of the South, and it can easily be adjusted in a common-sense way. Even now it is not by any means an unheard-of thing for a Negro to sit on a jury, in Alabama and doubtless in all other Southern states. Negroes occasionally serve on federal juries, and in at least some places on state juries. The necessity which now confronts Alabama and the South in general is simply to see to it that Negroes are not systematically excluded from the jury rolls in any county, and that they are occasionally called for jury service. In instances where they wish to be excused, and where the court sees fit to excuse them, this would be a proper method for handling the situation, in part. Then, too, attorneys can strike Negro jurors or accept them for service as they please. And there would be no harm in permitting them to serve on occasion, to give moral force to the principle involved—certainly there would be no more harm in letting them serve at times in state courts than there is in having them serve in federal courts in the South.

Whatever is done in this state, let it be a practical and common-sense solution of the question, which will not merely be in conformity with the Supreme Court's decision, but which also will satisfy the moral implications of that ruling.

Greenwood Miss
Commonwealth
April 2-1935

THE SCOTTSBORO DECISION AND THE SOUTH

Fears are being expressed that the decision of the United States Supreme Court rendered Monday, reversing the appeal of the Scottsboro negroes convicted of rape, may seriously affect the jury system in the Southern states where there is a practical exclusion of negroes from juries in the courts.

The United States Supreme Court in reversing a conviction of the Alabama negroes found that negroes had been barred from jury service in the locality where the Scottsboro pair were tried, and declared that because of this exclusion the equal protection of the laws had been denied the defendants.

Not wishing to criticise the highest tribunal in the land as to its wisdom or interpretation, the fact remains that it is difficult for any except the judicial mind to determine why a black man should be entitled to a sprinkling of blacks on the jury, any more than a member of any other race should have a proportion of those of his racial kinship on the jury when he faces trial on any charge.

However, the court has spoken, and from its decision there is no appeal. Thus southern states are wondering about reversals in all cases in which negroes are involved. The legislature might met the situation by providing that any defendant should be entitled to be tried by a jury possessing the same coloring of skin or hair as does the prisoner, but that might make rather difficult the selection of a jury in the majority of cases.

As a matter of cold truth the average negro defendant in the south is likely to receive more lenient judgment from a jury composed entirely of whites than if the jury were composed of negroes. The southern white man knows the shortcomings of the average negro and seldom holds him to the strict accountability he would hold the white man.

But, if the Supreme Court's decision is carried to its logical conclusion there has hardly been a legal conviction of a negro in the southern states since reconstruction days, and the south does not apolozige for it.

It is possible that the issue is not a vital one, the cost of appeals being what is, except in those cases where northern agitators like the crew who invaded the Scottsboro cases become involved, and if necessary, those cases can be specially dealt with.

Build Fighting Fund of I.L.D. To Save Lives of Negro Boys!

APPEAL OF CENTRAL COMMITTEE, COMMUNIST PARTY, U. S. A.

Comrades! Fellow Workers!

The Scottsboro boys must be freed! Angelo Herndon must be saved from a living death on the chain gangs of the South!

For four years the hands of the Southern lynchers have been stayed by the mass efforts of millions of workers, farmers and intellectuals. This same mass pressure has finally forced a decision from the Supreme Court of the United States, which not only saves the boys once more from the electric chair, but which is at the same time a tremendous victory in the struggle for Negro rights.

But there must be no illusions. Before the Scottsboro boys are free, before Angelo Herndon can once more freely take his place in the ranks of the working class, a long and bitter battle lies ahead. This battle must be founght on two fronts. The best possible legal defense must be provided. The mass pressure which has won so many victories in these historic cases must be multiplied many fold.

The Central Committee of the Communist Party, which has from the beginning given its fullest support to the campaign conducted by the International Labor Defense in the Scottsboro and Herndon cases, now calls upon the American working class, and upon all who wish to put an end to "lynch justice" to rally in one mighty effort to carry these cases on to final victory.

A fighting fund of $20,000 is needed to enable the International Labor Defense to carry on its defense of these cases.

This money must be raised within the next two months.

The Central Committee itself contributes $500 to this fund and calls upon all members of the Communist Party, upon all workers in the trade unions and the mass organizations, upon all intellectuals and liberals, to raise this fund within the next sixty days. Take up collections in your shops, in the neighborhoods and in the countryside.

Mobilize to demand the immediate unconditional safe release of the Scottsboro bays and of Angelo Herndon.

Demand: **No re-indictments! No new trials'**

Send in your donations at once!

Build the International Labor Defense!

CENTRAL COMMITTEE, COMMUNIST PARTY, U. S. A.
Earl Browder, General Secretary, C. P. U. S. A.

2 Scottsboro Rallies In Oklahoma to Hear Leader of Bonus March

OKLAHOMA CITY, Okla., April 16.—Mass meetings are being arranged in Cushing and Sand Springs, near here, at which Emanuel Levin, Rank and File leader of the 1932 Bonus March, will speak on the Scottsboro, and Oklahoma "Sedition" cases, on April 18 and 19, respectively.

Levin spoke here at a meeting at Fourth and Nebraska Streets last week to a large group of Negro and white workers. After the discussion the workers decided to form a branch of the International Labor Defense and a committee was elected to carry out the plans for regular meetings.

A resolution was adopted at the meeting calling for the immediate unconditional release of the Scottsboro Boys and declaring that the workers assembled pledged themselves to "put forth every effort for the defense of the Scottsboro Boys, of Angelo Herndon and of victims of local attacks."

GREENSBORO, N. C.
NEWS
APR 5 1935

LAW AND THE PROFITS.

There is no way we could reverse the Supreme court of the United States, if we saw fit, in its decision in the Scottsboro case in which it has on the ground that negroes were excluded from the Alabama jury lists granted a new trial to a couple of negroes convicted of a capital offense. The fact that we are confident the absence of negro jurors is not the real point at issue does not assist our mental processes; and we doubt if it offered any considerable assistance to these our judicial betters.

The same sort of a decision could be reached in the trial of women defendants whom the court thought were being given short shrift; for no state of our acquaintance hereabouts requires the service of women on juries.

Admitted that the failure of women to appear on the jury lists and of the negroes to be asked or permitted to serve as jurors did not result from the same set of premises, the result is pretty much the same. White mastulinity—say the Democratic party, if you like—has accepted responsibility for the administration of justice in the south.

What's to be done about it? Nothing so far as we can see. We do not believe that the Supreme court is going to send back for trial every case in which a negro has not been provided with a jury of his peers.

How the Supreme court will keep from doing so is the Supreme court's business, and not ours.

Charlotte, N. C., News
April 2, 1935

Lawyers Talk Negro Jurors

Discuss Prospective Effect Of Supreme Court's Scottsboro Decision.

The federal supreme court's Scottsboro decision drew the keen attention of Charlotte lawyers today as to the prospective effects in the North Carolina courts with reference to negro jurors. The assumption was that the Alabama situation was much the same as in this state—that there was no law discriminating against negroes on the jury, but that they merely were never summoned.

The supreme court's finding of discrimination, however, it was believed, would apply here equally as with Alabama and that should the question be raised and pressed to a conclusion the result would be that negroes would be summoned for jury duty in the North Carolina courts.

Some lawyers were not bitterly averse to the prospect, believing that the more thoughtful negroes would make good jurors and would be of value particularly in those cases where negroes were on trial, by reason of their better understanding of negro life conditions.

Albany, Ga., Herald
April 5, 1935

THE SUPREME COURT AND THE SCOTTSBORO CASE.

Does the United States Supreme Court mean, in its reversal of the Alabama court in which the Scottsboro Negroes were convicted of criminal assault on a white woman, that hereafter no man charged with crime can be convicted unless his own race is represented on the jury? That is the reason given by the Supreme Court in the Scottsboro case, and one wonders if a new standard of justice has been established. The question is whether the accused Negro men were guilty. A jury of white men agreed that they were guilty, and the question at issue would seem to be: Were the jurors competent? It does not seem to have been shown that they were not competent, so the Supreme Court's view is a little hard to understand.

Was the Supreme Court prejudiced against the Scottsboro Negroes because all the Honorable Justices on that exalted bench are white men? No?

Then why assume that the white men of the trial jury were prejudiced?

Grove Hill, Ala., Democrat
April 11, 1935

MAKING THE NEGRO THE GOAT

The masses of negroes in Alabama are law-abiding, well-behaved people. All they want is peace and a chance to make a living and a chance to improve their status as a social and economic unit.

Whenever a member of their race commits a serious offense against society respectable negroes are embarrassed. They despise the criminal negro more than whites do, for criminal conduct by a negro reflects upon all negroes and so creates unnecessary difficulties for them.

The Advertiser for three years has been impressed with the fact that the controversy about the "Scottsboro case" was and is a white man's row.

The Advertiser has no doubt that if only engroes had served on the juries in the Scottsboro cases there would have been as many indictments and as many convictions as we have had.

The average law-abiding nego despises the lawless member of his race with a passion quite unknown to white people. He feels that every negro criminal is a Judas to his race.

The Advertiser is close to the negro leadership of Alabama. No negro leader, great or small, hesitates to come by The Advertiser to talk frankly of any problem that troubles him.

All of them know The Advertiser has always been their sympathetic friend, and so negroes usually talk freely to The Advertiser. In the light of this circumstance it is remarkable that never at any time has any negro in Alabama ever appealed to The Advertiser against the courts that indicted and convicted the Scottsboro defendants. We have never heard from a negro any expression of opinion regarding these defendants.

No negro leader in Alabama has lent his voice to the world chorus against Alabama since the Scottsboro case first became a cause celebre.

In Alabama negroes and whites understand how to get along together, but whites elsewhere in the world do not seem to be quite satisfied with the arrangement.

What we mean to say is this: The average negro in the South, especially in Alabama stands for law and order, he stands for good citizenship. He ought not to be humiliated unduly by the criminals of his race. He ought not to be humiliated by the debates involving public policy which follow.—Montgomery Advertiser.

Lynchings-1935-
Legal Punishment for Rape

Alabama

5028

CAMDEN, N. J.
POST

APR 2 1935

THE SUPREME COURT AGAIN CHALLENGES ALABAMA

Unanimously, the United States Supreme Court has ordered another new trial of defendants in the notorious Scottsboro case.

Fortunately for the nation, the civil liberties of the Negro in the South are stanchly upheld by the nation's highest tribunal.

But what are these defendants going to do? Is their whole life to be spent in jail while lawyers and courts debate their alleged guilt on charges of rape?

It was in March of 1931 that 11 Negroes were arrested in Scottsboro, Alabama, charged with assaulting two white girls in a railroad car. At first, the girls denied any assault had occurred. But after they had been badgered by the sheriff, they finally consented to prefer charges. The whole case was an outrageous frame-up, between civil authorities in Scottsboro, and the girls, who were found to be notorious prostitutes.

Swiftly, the 11 Negroes were tried, convicted and sentenced TO DEATH.

The case was appealed, finally reaching the United States Supreme Court in December, 1932.

A new trial was ordered on the ground that the defendants had been deprived of the elementary right of counsel.

Another swift trial was held. But it was so obviously a set-up, that Judge James E. Horton, of Alabama, set aside the guilty verdict and ordered still another trial. Confronted with such a courageous Judge, the Attorney General of Alabama hunted another Judge who would be more amenable to racial prejudice. He found one and one more trial was held. Again the Negroes were convicted.

Again, too, this verdict was appealed—and has now been thrown out by the United States Supreme Court on the grounds that Negroes were excluded from juries in Alabama and the defendants were deprived of their constitutional right to trial by "a jury of their peers."

Will another new trial give these defendants the justice to which they are entitled? Is it conceivable that Alabama can overcome its racial prejudice sufficiently to be fair above all things in this case?

Scarcely any intelligent person, even in Alabama, believes these Negroes guilty. But to give them a trial in which they might possibly be acquitted would, in the eyes of the biased, mean a loss of respect for Alabama.

The forces involved in this case lie deeper even than the forces of law and order. The elements of intolerance and prejudice, much as we may deplore them and wish for their abolition, remain strongly rooted. Were it not for that, the Scottsboro defendants would have been free long ago.

This latest rebuke to Alabama by the nation's highest court, however, constitutes a challenge which should bring that State's judiciary, if not its mob masters, to a new sense of public responsibility.

DALLAS, TEX.
NEWS

APR 3 1935

Negro Civic Rights

The United States Supreme Court decisions on Texas negro voting in primaries and the Scottsboro case are not inconsistent. Actually in both the court is finding and has found heretofore as to the black man's civic rights. In the Scottsboro cases, the court holds that there has been discrimination against the right of trial by a jury of the condemned Negroes peers because no Negroes were summoned for jury duty. The logic of the holding is indisputable, however much it may upset traditional white man's court administration in the South. The court has spoken finally on this subject and criminal procedure south of the Mason and Dixon line will have to act accordingly.

In the Texas primary case, there is an entirely different issue presented. The court has held before that efforts of the State by statute to exclude the Negro from voting are unconstitutional. It sensibly recognizes the right of the party itself to determine the qualifications of its own members. A primary is not an election. From the latter under the Fourteenth Amendment the Negro, of course, can not be excluded.

The party has won its contention, which reaches beyond the color line. The party itself has the evident right by convention to limit its membership as it pleases but this permission defeats the real ends of party if it is exercised. Discrimination must throw votes into opposing camps. If the Democratic party is wise, it will welcome to its primary voting ranks, the intelligent property-owning taxpaying Negro.

ST. LOUIS, MO.
GLOBE DEMOCRAT

APR 4 1935

SCOTTSBORO CONVICTIONS QUASHED AGAIN

"For this long-continued, unvarying and wholesale exclusion of Negroes from jury service, we find no justification consistent with the constitutional mandate," wrote Chief Justice Hughes, in the decision which for a second time calls in question the judicial processes under which Alabama convicted the seven Scottsboro Negroes of a capital crime in 1931.

Of course, the question might recur as to how many times a man may be tried for the same offense. However, the very basis of the decision setting aside the judgment in the two cases now on appeal was that Clarence Norris and Haywood Patterson had had no trial, had only been convicted in the semblance of a trial. They had not been in jeopardy before an illegal jury, and the outcome must be still another trial unless Alabama releases the men, whose guilt at best is in grave doubt.

The court's conclusion is that the exclusion must be on account of color, for it finds that many colored men, teachers, school board members and others, have all the qualifications for jury service and colored men are called from that same county for service on juries in federal courts. Apparently the discrimination is fatal only when Negroes are defendants and not when white men are tried before wholly white juries.

Because women are still excluded from juries in many places, attempt has been made to set aside the conviction of women defendants on the same ground. However, abridgment of civic rights only on account of "race, color or previously condition of servitude" and not account of sex, is forbidden by the "mandate" of which the Chief Justice speaks.

MONTGOMERY, ALA.
ADVERTISER

APR 7 1935

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What we mean to say is this: The average Negro in the South, especially in Alabama, stands for law and order, he stands for good citizenship. He ought not to be humiliated unduly by the criminals of his race. He ought not to be humiliated by the debates involving public policy which follow.

Dothan, Ala., Herald
April 4, 1935

THE SCOTTSBORO CASES AGAIN

In reversing a Jackson County court in the conviction of two of the Negroes charged with rape in what is now commonly known as the Scottsboro cases, the Supreme Court has done more to sanction lynch law in this state than any editorial or other public utterance has ever done, and has laid itself liable to a criticism which but few red-blooded Anglo-Saxon Southerners can fail to feel, even they do not express themselves.

According to press reports, the Court charges that Negroes were "systematically excluded" from jury service in the county of trial, and that the few names of Negroes in the jury box were fraudulently admitted.

Now just suppose all that to be a fact, what has it got to do with the Negroes' guilt or innocence? It is an implication equivalent to an insult to the South and every law-abiding citizen in it, to say that twelve men selected from a venire of forty or fifty could not determine guilt or innocence from evidence submitted, even though they were white.

Suppose, further, that of the venire any number proportionate to the population were Negroes, but in selection of the trial jury, the Negroes were excluded, wouldn't the same point of law be involved?

As the Montgomery Advertiser forcefully expresses it:

"Either these gorillas committed rape, or they did not .

"If they committed rape the jury, (even though white) knows the truth and reported it faithfully.

"If they did not commit rape, we believe that this jury would have said so.

"Suppose the defendants had been Italians. There are no Italians in Jackson county. So far as we know there are not today any Italians in Montgomery county, despite its relatively large population. Certainly there are no Spaniards, no Japanese, no Tahitans, no Indians, no Eskimos either in Montgomery of other counties.

"In that event not many juries in Alabama could hope to have their verdicts affirmed by the Supreme Court of the United States if a member of either of these races should move here tomorrow and commit a capital offense.

For more than 140 years Negroes have been "systematically excluded" from seats on the Supreme Court of the United States. Has that circumstance affected the justice of the Court's decisions involving the races?

For more than 140 years Negroes have been "systematically excluded" from the bench in Federal court districts.

For more than 140 years Negroes have been "systematically excluded" from seats on the bench of the Supreme courts of the States, except possibly in the Reconstruction years. There may have been some Negroes on the Supreme court of one of the Southern States in that period, although at the moment The Advertiser has no recollection of any exception to the rule.

For more than 140 years Negroes have been "systematically excluded" from the bench of nisi prius courts, at least in the Southern States, if not in all others. Have these circumstances prejudiced the cause of white or black citizen? If not, why not?

Yet the Supreme Court of the United States remands for rehearing a cause in which two Negroes were convicted of the capital offense of rape in Alabama, all upon the ground, not specifically that no Negro sat on the jury that convicted the defendants, but upon the ground that for a "generation"—about 30 years, we believe—Negroes had been "systematically excluded" from jury service in Jackson County, Alabama.

Columbus, Ga. Ledger
April 8, 1935

The Supreme Court

(Savannah Press)

The decision in the Scottsboro case is another chapter in that long drawn out affair. The Alabama counties are notoriously weary of it, although the probabilities are that it will be prosecuted in spite of the decision of the United States Supreme Court which saved from hanging two of the men in the notorious assault case.

The Constitution protects people from exclusion from the jury box on account of race, religion or any reason like that. The reply of Alabama to the decision of the Supreme Court is that no element is excluded from the jury box for these reasons, but that negroes as a rule do not sit upon juries in Alabama for the reason that the type of intelligence required of a juror is not exhibited by the negroes. There is no political exclusion on account of race, but a line of demarcation on account of the lack of intelligence in that color.

The Supreme Court held that the men did not have a fair trial, holding that the excited state of the community prevented a calm judicious verdict.

It is true that the community was in an excited state, the nature of the crime being sufficient to create indignation. It would be a reflection upon any community if this were not so. However, one of the Alabama state officers declared that the Supreme Court decision yesterday would have an effect far beyond the Scottsboro case.

Another decision concerning the race question was from Texas yesterday where a colored voter, who was excluded from voting in a primary, held political persecution because of race.

The court decided yesterday that the Democratic party of Texas had a right to make any regulation it pleased in conducting a preliminary election and that the exclusion of the colored man was not a political one. If this decision is followed no colored voter will be encouraged to cast his vote in the South because a primary usually determines the election and the result of the primary generally foreshadows the verdict at the polls.

Here were two cases decided by the Supreme Court which were not hailed alike with delight by the interracial element which is stirring up the South

SAVANNAH, GA.
PRESS

APR 2 1935

THE SUPREME COURT.

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Oneida, Tenn. News
April 5, 1935

FAMOUS SCOTTSBORO CASE NOW REVERSED

Supreme Court Again Saves Two Negroes From Chair

Once again the supreme court intervened this week to save two Negroes sentenced to death in the famous Scottsboro, Ala. cases.

In effect, the highest tribunal ordered new trials for both Clarence Norris and Haywood Patternson, two of the seven who would have been executed in 1932 had it not been for the court. New trials were ordered the first time after the court concluded that the men were denied representation by adequate counsel.

Chief Justice Hughes, in his opinion, said the constitutional rights of Norris and Patterson were violated because Negroes were excluded from jury service at their trials.

Lynchings—1935
Legal Punishment for Rape

Alabama

5029

SOUTHERN RULING CLASS SEEKS TO DODGE ISSUE OF NEGROES ON JURIES

Press and Politicians Propose Numerous Schemes for Circumventing Effects of the Scottsboro Decision

By ROBERT WOOD

The tremendous victory forced by mass pressure from the U. S. Supreme Court in the Scottsboro case is a political event of first importance for the oppressed masses of the South. To the doubly exploited Negro workers and sharecroppers the victory represents a great stride forward in the struggle for immediate political rights and for national liberation.

The U. S. Supreme Court has been forced to meet squarely the fact of the systematic exclusion of Negroes because of their race from Southern juries. It has been compelled to declare such exclusion to be in contravention of the fourteenth and fifteenth amendments of the Federal Constitution.

Southern Rulers In Panic

The four-year struggle waged by the world-wide working class, under the leadership of the International Labor Defense, has indelibly impressed the toiling masses with the need of continued mass efforts to translate every court victory gained in the Scottsboro case into a POLITICAL victory. And no one is more aware of this determination than the ruling class and its officials.

The Scottsboro victory has thrown the ruling class, its officials and its press into complete panic. Blustering Solicitor H. G. Bailey, who made the infamous "Jew gold from New York" speech to one of the lily-white Scottsboro juries, now uncomfortably confesses that "it looks like something will have to be done." The decision he characterizes as "a body blow."

The Birmingham Post editorially cries quits. "What is to be done?" it asks. And quickly answers, "let us be through with the whole affair at the earliest possible moment." The Birmingham News calls for "remedial action." For "if this should not be done," it continues, "every case, either of major or minor nature, involving a Negro defendant, hereafter tried in Alabama, could conceivably be appealed to the United States Supreme Court, and each conviction set aside."

Soon after the decision was rendered, Governor Graves of Alabama, aware of the fact that the eyes of the entire working class was on his state, rendered lip service to it. He issued a statement instructing all jury commissioners to empty the jury boxes and refill them after adding the names of "eligible" Negroes. He also stated that he would seek "remedial legislation" to cover the refilling of jury boxes. He added after stating that the decision was the most important thing that had occurred in the South since "the War Between the States," that "this decision means that we must put the names of Negroes in jury boxes in every county of the State." It should be noted that Governor Graves' statement refers only to the necessity for putting Negroes' names "in jury boxes," but that he is silent as to the necessity for putting Negroes ON THE JURY. This gesture evades, therefore, the clear mandate contained in the language of the Supreme Court's opinion in reversing the lynch verdicts after inquiring not only into the fact of whether jury service was systematically "denied in expressed terms, but also whether it was denied in substance and effect."

Try to Dodge Decision

It is clear, therefore, that Governor Graves' statement omits any instructions as to actually placing Negroes on Alabama juries. The press wasted no time in clarifying the meaning of the statement. The Birmingham News quickly explained that "the Governor's order does not require that Negroes be placed on juries, but does require that their names must be placed on the jury rolls and in the boxes from which jurors are drawn." The views of the rest of the Alabama press and of its officials definitely shows that not only is a determined effort to be made to yet legally lynch these innocent boys, but also that the systematic denial of the right of jury service to the Negro people will be sought to be continued.

The Birmingham News, in the editorial referred to above, with true ruling class dishonesty, lamely attempts to show that the condition of wholesale exclusion—unquestionably existing throughout the entire South—is confined merely to Jackson and Morgan Counties in Alabama. "For," it states, in referring to the local federal courts, "Negroes have not only been included on jury rolls in Alabama, but they have in some instances actually served as jurors. Negroes have served as jurors in federal courts in this state." As to the conditions in state courts, it continues, "Probably they have served, or at least they have been eligible to serve, on juries in state courts in some counties. The Supreme Court is convinced that in Jackson and Morgan Counties, scenes of the Scottsboro trials, Negroes were "systematically" excluded from the jury rolls. This is almost certainly not true of every county in Alabama. [My emphasis.—R. W.]

A Warning to Workers

The final paragraph of this weasel statement points to the urgent need for the working class and its allies to redouble their efforts many times at precisely this juncture, in order to enforce the right of the Negro to serve on Southern juries. The warning is clear in the statement that though "the court's opinion unquestionably calls for remedial action in these counties where the Negroes are excluded from the jury rolls," yet all this amounts to, according to this mouthpiece of the Southern lynchers, is that "this is the absolute minimum of change in current practice' in Alabama necessitated by the court's ruling." In short, this means that the names of some Negroes will be put on the jury rolls—"the absolute minimum"—and then the right to sit on the juries will still be denied. [My emphasis above—R.W.]

The entire ruling class is seeking to give the Negro people the right to sit on Southern juries. Thus, the Selma Times-Journal openly states, "Of course, this nauseous situation will be resisted as stubbornly as possible." Judge Williams, of Clayton, termed the decision "discomforting and tending to upset our procedure." He added that he was "hopeful that the escapeful way may appear." The Alabama Herald, mouthpiece of the K.K.K., editorially writes that "we are not alarmed about the Negroes on juries in this state. A legal way will be found to exclude them from jury service."

Tell How to Dodge Issue

One of the possible methods in attempting a nullification of the Supreme Court's decision is suggested by Attorney-General William McGraw of Texas, who cynically explains the lynch-threat method in vogue in his state. There, he states, "Texas statutes and the conduct of criminal trials are in conformity with the decision of the Supreme Court. Generally when [Negroes are.—R. W.] drawn for service a suitable excuse is presented and always accepted. Texans have demonstrated perfect ability to control the Negro question within the Constitution." (My emphasis—R. W.)

Among local suggestions for circumventing the Scottsboro decision is the proposal that "unanimous jury verdicts be dispensed with and a law passed to permit nine members of a jury to decide criminal cases, in order to meet the situation resulting from the Scottsboro decision without running afoul of the Constitution."

A definite step to limit the number of Negro people who will be eligible to serve on juries is the recent bill introduced by Senator J. Miller Bonner of Wilcox County—a Black Belt county—which will limit eligibility to jury service of those who are "qualified electors." The purpose of this proposed legislation is contained in his explanation that "only a small percentage of the Negroes in the state are qualified electors, while under the jury law, in view of the recent Scottsboro ruling, a vastly larger number might be qualified for jury service." This bill has the support of Bibb Graves and is the form that his "remedial legislation" is taking.

On May 1st, the Senate Judiciary committee voted unanimously for a favorable report on the bill. Senator Bonner told the committee his bill would "stand up in the courts." Its prompt passage seemed assured unless an immediate protest campaign against this measure is undertaken. Senator W. O. Walton, of Chambers county, weakly opposed the bill on the ground that it might result in "unfavorable publicity for Alabama in other sections of the country." "I believe," he added, "it would be better to defeat the Bonner Bill and let jury commissioners quietly carry out Governor Graves' recent request for refilling of jury boxes. They can take care of the situation."

Report Partial Victories

Partial victories following the Scottsboro decision have already been attained in some parts of the South. In Birmingham, recently, a group of Negro women went to the Circuit Court clerk and asked that their names be put on the jury rolls. This must be recognized as a tremendous step forward in courage and militancy for the Negro people of the South. In Norfolk, Virginia, the jury commissioners were instructed to select the names of "forty representative Negro citizens" to be placed on the jury rolls of the Norfolk courts. In Harrington, Virginia, a Negro took his place on the Rockingham County Circuit Court grand jury, despite a threatening note received from the local K. K. K. On April 23rd, the Circuit Court in Spartanburg, South Carolina, issued an order instructing jury commissioners to place the names of Negroes on the rolls for Grand and petit jury service. In Mobile, Alabama, an attorney representing two Negroes accused of murdering a white storekeeper, filed a motion to quash the indictments against the accused on the ground that Negroes were excluded from the particular grand jury which indicted them and on the further ground that Negroes are systematically excluded from jury service in Mobile County. On May 1st, the Guilford Superior Court in Greensboro, North Carolina, passed the murder trial of Dr. C. C. Stewart, a Negro physician, when his attorney based a pleading on the recent decision. In counties throughout Alabama entire criminal dockets have been passed until some steps have been taken by jury commissioners.

Seek to Nullify Decision

The facts related above clearly show that every effort will be made by the ruling class to nullify the Scottsboro decision. The answer must be a greatly intensified mass campaign to force obedience to the decision. Senators Bonner's bill in

Alabama, limiting qualified jurors to those who are "qualified electors" makes an immediate necessity of a campaign to enfranchise the millions of depoliticalized masses. In this struggle it is possible to draw in the white workers. Thousands of these are disfranchised by the poll-tax payment law and by the unwillingness of the ruling class to place trade-unionists on Southern juries. A step in this direction will be taken at the forthcoming All-Southern Conference for Trade Union and Civil Rights to be held at Chattanooga, Tenn., on May 26th. One of the issues of the platform of the Conference calls "For the right of all citizens, white and Negro, to vote without payment of poll tax, and abolition of all other discriminatory and coercive measures preventing the exercise of political rights." In recent weeks there has been a bill introduced to make women eligible for jury service. This bill has been blocked in committee. A campaign for making the Scottsboro decision actual should attempt to draw in the millions of women.

The magnificent victory attained in the Supreme Court calls for renewed and greater efforts to free the Scottsboro boys and to translate into actual fact the words of the opinion of the Supreme Court. But the Scottsboro decision affects not only the jury question. It raises, in addition, to a higher political level, the entire struggle for national liberation of the Negro people. Its revolutionary implications become plainer to the Negro masses of the South with each day. The decision explodes, in addition, for all time, the ruling class' vicious "Divide and Rule" poison as to Negroes' propensity for attacking white women. It signifies a tremendous step forward in the daily struggles for working-class unity in the trade and sharecropper unions and other organizations.

Free Scottsboro Boys!

The I. L. D. locally, with the support of the Communist Party, is rallying the masses in thundering protest to the Alabama Supreme Court, to Attorney-General Carmichael, and to Governor Graves, against new indictments and new trials and in a demand for the immediate, unconditional and safe release of the nine innocent boys. The demand for their safe release is an imperative one. Well-founded rumors are heard as to plans for opening the gates of Kilby Prison and of the Jefferson County Jail and delivering the boys to organized lynch mobs!

Vigilance and ceaseless and redoubled effort are now needed! The boys must be immediately freed! Complete equality in jury selection and jury service must be established!

Albany-Decatur, Ala. Daily
May 1, 1935

Leibowitz

Samuel Simon Leibowitz, who once had the effrontery to tell the New York newspapers that Morgan county citizens were tobacco chewing ignoramouses or worse, has suggested to Governor Graves that he either pardon the "Scottsboro boys" or appoint a fact-finding commission to determine whether or not the defendants in this litigation should be prosecuted further.

Be it said to the everlasting credit of Governor Graves that Samuel Simon Leibowitz had to make his amazing propsal by letter since the Alabama governor was too busy to listen in person to such tom-foolery.

Since when did Alabamians need the advice of a New York lawyer on how to operate their law courts? Since when did it become necessary for a New York attorney to tell us when to substitute fact-finding commissions for the jury system in this state?

Leibowitz may have a poor opinion of the intelligence of the people of Alabama, but The Daily assures him they have too much sense to take advice from him in any shape, fashion or form.

Leibowitz makes an appeal to prejudice, shedding crocodile tears over the fact that the International Labor Defense is using the Scottsboro case to raise funds for defense of the accused negroes.

He says the ILD seeks to tear down our system of government but when did Leibowitz first discover the connection of the ILD with the Scottsboro defense? Certainly he knew it at the time of the first Scottsboro trials here. He served with attorneys representing that organization and we do not know of him declining their legal help or advice.

Leibowitz prates of the "unbiased" opinion of the newspaper reporters covering the Scottsboro trials here. Does he include in the list of "unbiased" ones the noted Jack Spivack, whose name appeared in the ILD news sheets as author of articles on the Scottsboro case?

Leibowitz says he is willing to submit the case to a fact-finding commission. All of those who are willing to take the defender of Vincent Coll and other New York gangsters at his word have the privilege of standing on their heads to show their credulity.

Leibowitz says the United States supreme court has twice reversed the Scottsboro cases. No one disputes that statement, but Leibowitz does not explain that not once has the United States supreme court reversed the cases because of lack of evidence of guilt.

On one occasion the cases were reversed on the grounds the defendants did not have adequate counsel. On the second occasion they reversed the cases on the plea that negroes had been excluded from the jury lists of Jackson and Morgan counties.

The supreme court did not explain either that there never had been a negro as a member of the nation's highest tribunal but emphasized the declaration that there had been no negroes on Jackson or Morgan juries in a generation.

Leibowitz expresses much concern over the "expense" to Alabama of continued prosecution of the Scottsboro cases. Where, may we ask, was Leibowitz's concern about the cost to Alabama taxpayers when he summoned witness after witness in an effort to uphold his pleadings here and once threatened to summon all of the people on the Jackson county jury lists to show that they were not negroes.

As this is written, Governor Graves has made no public statement in reply to the egotistical and unwanted suggestions of Samuel Simon Leibowitz.

If the governor deigns to reply at all, The Daily trusts that his reply will be confined to a terse invitation to accept residence in a region said to possess the warmest climate in the universe.

Pathfinder
Washington, D. C.
APR 20 1935

Scottsboro Case Likely to Reopen

In spite of the fact that the United States Supreme Court has twice set aside death sentences for two of the defendants in the long-fought Scottsboro cases involving nine Negro youths, Alabama officials are said to be determined to prosecute them to the end. However, the four-year legal fight must begin all over because the Supreme Court has ruled that the Negroes had been deprived of their constitutional rights due to systematic barring of Negroes from jury duty. The probable procedure now with the addition of Negroes to the jury rolls will be new indictments and new trials for all of the defendants, eight of whom have previously been sentenced to death for their alleged assault of two white girl "hoboes" on a freight train. The case of the ninth is still pending before the juvenile court.

Some Southern law enforcement officials see the Supreme Court decision in these cases as a "body blow" which may have far-reaching effect in the South. The fact that Negro jury duty is virtually unknown in Southern state courts, however, is no reason for such fears. Negroes serve on juries in other sections of the country and so far there has been no widespread complaint of their actions. As a matter of fact, there are no laws in Southern states barring Negroes from jury duty. It is only due to long established custom that few of them are called for such duty.

Even in those Southern states where Negroes are sometimes drawn for such service they themselves nearly always present suitable excuses which are generally accepted. Some Southerners also point out that one of the main reasons Negroes are not seen on juries

he sun, the first fact to be learned oncerned the way in which the temperature varies at different heights. Up to the base of the stratosphere (about 10 miles) it drops rapidly, going ower than 100 degrees below zero, ut from there on up to a certain point he change is much less marked. Then t a higher level the temperature reerses its previous trend and begins o rise, ultimately attaining summer eat or greater. Above this zone, how-

Norris, Patterson May Leave Kilby

Heywood Patterson and Clarence Norris, two of the negro Scottsboro case defendants, who have been confined at Kilby Prison since they were sentenced to death following their respective convictions in the Morgan Circuit Court at Decatur, which judgments were recently reversed by the Supreme Court of the United States—will probably be transferred to the Jefferson County Jail at Birmingham where their co-defendants are now being held, within the next few days, and will remain there pending retrial.

Representing Osmond K. Fraenkel, of New York, retained as counsel for the negroes by the International Labor Defense, C. B. Powell, Birmingham attorney, yesterday called on Atty.-Gen. Albert A. Carmichael and Lieut.-Gov. Thomas E. Knight, Jr., special prosecutor for the State in the Scottsboro cases—and stating that as a matter of right, since the decision of the United States Supreme Court, Patterson and Norris are entitled to be removed from death cells at Kilby, to some other place of confinement to await retrial, proposed the removal of the prisoners to the Jefferson County Jail.

The attorney-general and the lieutenant-governor took the view that the matter is one that addresses itself to the courts, but told Mr. Powell so far as they were concerned, they had no objection to Patterson and Norris being transferred to the jail in Birmingham where the other defendants are confined. At the request of the attorney, they thereafter signed a statement to that effect. This statement, it is understood, will be presented without delay by Mr. Powell, to either Judge W. W. Callahan at Decatur or Judge A. E. Hawkins at Scottsboro, with a petition for issuance of the necessary transfer order.

Lynchings-1935
Legal Punishment for Rape

Alabama

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Smithfield, N. C. Herald
April 9, 1935

EDUCATION IS THE ANSWER

Some Southerners are somewhat disturbed over the decision of the United States Supreme Court in the Scottsboro case in Alabama, as a result of which negroes are now eligible to serve on juries. Newspaper comment has brought out, as a matter of fact, that already in some Southern states the names of negro jurors are drawn, but they are rejected in court. The Supreme court decision has served to bring the question of negro participation in governmental affairs again to public attention—a question that will continue to persist until an answer is found.

No further away than our state capital is an instance of another phase of the negro question. The News and Observer concedes that the city manager form of government recently voted upon in Raleigh was defeated by the negro vote which was controlled by opponents of the city manager plan and the newspaper expresses the opinion that the negroes hold the balance of power in the forthcoming city election.

Education is the answer to the negro question. With the probability of negroes figuring more largely in public affairs in the future, the negroes need to be taught to do their own thinking and voting rather than to follow blindly the dictates of ward heelers. It was not amiss then that Governor Ehringhaus appoint, as he did last June, a commission of one hundred, half of whom were white leaders and half negroes, for the purpose of studying negro education. The report of the commission is just off the press, and a statement concerning the eight major findings of the commission, by one of the negro members quoted in the foreword fits not only the negro educational situation but the negro political situation as well.

The statement is as follows:

"We realize that these problems cannot be solved by waving a magic wand. We believe, however, that scientific study will furnish the facts as a basis on which intelligent plans can be formulated for their adequate solution in a reasonable length of time by the establishment of the logical succession of objectives and approximate time for their attainment."

Nashville, Tenn., Tennessean
April 5, 1935

The Scottsboro Decision.

The decision in the Scottsboro case was the first in recent years in which the United States Supreme Court upheld the right of negroes to sit in juries.

It is not, however, the first time the court has ruled that deliberate denial of jury places to negroes in trials of negro defendants is a violation of the rights guaranteed by the Constitution.

The decision in the case of Neal versus Delaware in 1880, is often quoted. The court ruled that the fact that no negro had ever sat on a Delaware jury although about 15 per cent of the population of the state was negro, presented a prima facie case of denial of the constitutional right of equal protection of the law. It was held to have been a "violent presumption" on the part of the state court that exclusion of negroes over many years had been solely because the whole negro race in the state was unfit for jury service.

In the Scottsboro case the court set aside the conviction and death sentence of two negroes, ruling that the indictments on which they were tried were invalid because negroes had been systematically barred from jury rolls in Jackson County, Alabama.

It does not seem probable that the recent decision, any more than did that of 1880, will result in any far-reaching changes in judicial procedure in the Southern states, or in any other section of the country, for that matter. It might cause the retrial of a case now and then, but as a general thing even this might be prevented by the administration of fair and impartial justice for the negro in the courts.

The fact that Judge Horton, presiding at the second trial of one of the Scottsboro defendants, with a change of venue to Decatur, Morgan County, set aside a verdict of guilty as contrary to the weight of the evidence, added to the doubt, already existing that fair and impartial justice was being meted to these negro defendants and strengthened the feeling that race prejudice was playing a major part in the case. The meddling by lawyers from the North was justly resented, yet when the courts of the South establish a reputation for giving to the negro defendant the brand of justice to which any defendant is entitled, there will be no excuse for meddling lawyers from the North, there will be no widespread demand for negro jurors, and trials can proceed with little likelihood that the verdict will be challenged because of all-white juries.

The case emphasizes the responsibility of courts, staffed throughout with white men and operating under laws of white men toward the negroes who are brought into them. Race prejudice has no place in a courtroom and it is within the province of any court of justice to keep it out.

Columbus, Miss. Dispatch
April 9, 1935

COME TO MISSISSIPPI

ALABAMA ought to come over to Mississippi and get some points on constitutional provisions for jury service.

If Alabama had done this, the State wouldn't be in a mess about the Scottsboro case.

The Supreme Court of the U. S. holds that negroes must be permitted to serve on juries in Alabama, and Governor Bibb Graves has issued a statement instructing all courts to see that the mandate of the high court is carried out.

Negroes in Mississippi are permitted to serve on juries on certain conditions.

The first provision is that they must be qualified electors, and to qualify as electors they must pay poll taxes, be able to read and write, and understand any section of the Constitution.

Next the Boards of Supervisors are permitted to use their discretion in putting electors in the jury panels, selecting those who in their judgment are good and substantial citizens of the community.

These provisions of the Mississippi constitution have been upheld and sustained by the Supreme Court.

If Alabama had patterned after Mississippi organic law—law that has stood the test of the courts—the State today wouldn't be having trouble with the Scottsboro case.

After all, the question involved in the Scottsboro case should be whether or not they had a fair trial and whether they were convicted on the evidence in the case.

This regardless of whether white men, negroes or Chinamen served on the trial jury.

Scottsboro, Ala., Sentinel
April 4, 1935

A COSTLY CASE

(By Fred H. Gormley in Montgomery Journal)

Alabama was brought face to face with a big problem and found relief from another as a result of decisions of the United States supreme court Monday. The big problem involves the right of negroes to serve on juries in Alabama and the relief came when the United States supreme court held that the democratic party can hold primaries exclusively for white democratic voters.

In granting new trials to Haywood Patterson and Clarence Norris negroes involved in the notorious Scottsboro cases, the United States supreme court indicated that indictments against the negroes must be quashed because negroes were "systematically" excluded from the juries of Jackson county, where indictments charging the negroes with attacking two white women, were returned.

Lieut. Gov. Thomas E. Knight, Jr., who represented the state at the trials and in the United States supreme court, when the appeals were submitted, and Albert A. Carmichael, attorney general, offered no extensive comment pending receipt of the text of the supreme court's opinion. However, every indication is that the indictments must be thrown out of court and other true bills returned by a grand jury, from which negroes have not been "systematically" excluded.

The serious question now is whether the state will care to bring the negroes to trial again under the new rules established by the United States supreme court. And its decision must be construed as establishing new rules because it said, in effect, that negroes must be on the jury rolls and subject to call for jury service in Jackson county before valid indictments can be returned the negroes.

Thousands Spent in Trials

Alabama's contention was that negroes were not systematically excluded from jury service in any county, especially Jackson, and that

a jury commission made careful investigation of the qualifications of all persons brought to its attention. The supreme court seems not to have been impressed with this contention. Reports from Washington indicate that the chief reason for ordering another trial was the non-appearance of the names of negroes on the jury roll.

Alabama has spent thousands of dollars in the trial of the negroes. Jackson county is almost bankrupt as a result of these cases. A bill will be introduced in the legislature at the summer session for an appropriation from the state treasury to reimburse the county. Citizens of Jackson contend that the state and not Jackson county should bear the burden since the problem is a state one and the crime had its setting by accident in Jackson county. If the train carrying the negroes and two white women had gone a few miles farther the burden would have been placd on Madison county.

NEW YORK TIMES

APR 2 1935

JUSTICE FOR NEGROES.

It is more than four years since the case of the Negro boys condemned to death at Scottsboro began to trouble the consciences of Americans in all parts of the country. It is not necessary now to recall all the circumstances of the trial. Its conduct and some of the evidence admitted were of a sort to make many doubt the real guilt of the accused, but far more important than this was the growing conviction that they had been denied their constitutional rights and made the victims of race prejudice. Largely on this ground the case was appealed to the Supreme Court of the United States, which held that the constitutional point was well taken—namely, that the defendants had not had full opportunity to obtain counsel. For this reason the original verdict was set aside and a new trial ordered. That was had in due time, the same verdict was reached and another appeal was taken to the Supreme Court. Yesterday it ruled that Negroes had been systematically excluded from the jury, so that the defendants are entitled to a new trial, which the court ordered. Chief Justice HUGHES said that there was no disagreement on the point at issue. It was that, when the evidence showed that Negroes eligible to jury duty were regularly excluded, the trial was vitiated in the constitutional sense and the verdict would not be allowed to stand.

This judgment shows that the highest court in the land is anxious to secure and protect the rights of the humblest citizen. The case originally seemed of comparatively little importance. But with the lapse of years it has taken on the proportions of a celebrated cause. The test under which the Supreme Court was placed has been trying, but the judges have met it in the finest tradition of judicial independence and integrity. They have showed that their love of justice extends to the smallest as well as the greatest. The records which they have made in this case cannot fail deeply to impress the whole country. People may well hope to be spared a renewal of the original proceedings in the lower court. Might not the Governor of the State find sufficient reasons in what has already taken place for issuing a pardon in order to do substantial justice and at the same time free the courts from the duty of going on with a case which has become a public symbol of the mischief that may be wrought when prejudice is allowed to invade the place dedicated to impartial justice?

Sheffield, Ala., Daily
April 6, 1935

An Opportunity To Improve Their Race

From all appearances the time is drawing near when negroes will be granted the privilege of serving on juries in Alabama, outside of the federal courts where they have had that privilege for years, as a result of the United States supreme court's latest decision in the Scottsboro case.

This transformation from an old procedure in Alabama to a new one is a chance for the negro to make a better and more useful citizen, if the members of such race sitting on juries do their duty properly, or it is a chance for them to become involved in a new racial issue if they do not.

Let us hope that radical members of both races, with respect to racial issues, will be barred in this respect and that the new arrangement will work for amity and understanding, even better than that which now prevails in the state, despite all of the agitation which has been fostered in the four corners of the nation in recent years to the contrary.

Governor Bibb Graves does well to call to the attention of the judges and solicitors of the state that the practice of "systematically excluding" negroes from jury service in the state is a thing of the past if we are to live up to the letter and spirit of the supreme court ruling, interpreting the federal constitution.

Rather than attempt to effect new restrictions to nullify the effect of the high tribunal's ruling it will be better for us to adhere to the federal constitution and attempt to educate the negro into a better citizenship that will enable him to properly perform the important duties which go hand in hand with jury service.

Suffolk, Va., News-Herald
April 2, 1935

"THE SCOTTSBORO CASE"

The United States Supreme Court yesterday did the expected when it ordered a new trial for a group of Negroes, two of whom had been condemned to death on the charge of assaulting a white woman hobo traveling with them and her companion in a box car in Alabama. Both women accused the Negroes of attacking them, but one later confessed that it was false, repudiating the charge.

These ignorant black boys never had a ghost of a show for justice after a certain organization with headquarters in New York sent a "Yankee" lawyer down into Alabama to defend them. If this same organization had had the good sense to employ a local attorney to defend them there would have been no outcry and a just verdict would have been reached.

It was utterly impossible to give these Negroes a fair and impartial trial in the atmosphere prevailing at Scottsboro at the time their cases were called. The jury was so prejudiced that the members could not see any extenuating circumstances even if these white women deliberately herded themselves with blacks.

They may be guilty as charged and if so ever, following the precedent of the Delaever should be punished, but the death penalty is ware case of fifty-odd years ago, that an too extreme in this case. If given a trial in examination of the facts shows that in another community they will receive a just tual practice negroes have not served on verdict whether it be conviction or acquittal. Alabama juries."

Hickory, N. C. Record
April 3, 1935.

THE SCOTTSBORO CASE

The United States Supreme court has again brought the famous Scottsboro case before the public, and the doomed negro defendants have been given a new trial because the high tribunal holds that whereas Alabama does not permit negroes to serve as jurors the accused have been denied their constitutional rights.

Theoretically, of course, it would be impossible to argue that this isn't ground for setting aside the Alabama verdict. Actually and viewed from a practical standpoint we all know that it is an extremely flimsy excuse.

The Record believes that probably even Supreme court justices are sometimes forced to avail themselves of technicalities when they become convinced that justice has miscarried and yet may not have adequate grounds upon which to announce such an opinion.

It has never seemed to us that the negroes who were charged with criminal assaults on two white women were guilty in the usual sense of such a grave charge. The questionable character of the white women and the circumstances which may have invited the alleged crime, are too generally known to need repeating—but certainly it is highly unfortunate that the South has been given so much notoriety over a racial issue wherein the decision of the lower court is not better supported.

We are hearing much concerning the effect of the decision as it will apply to the general practice by which negroes are denied the right to serve as jurors. It is not likely that this will have any far-reaching or significant results, The Record believes, and particularly it will not if we are correct in our inference that the high court fell back on the technical excuse because of necessity.

The Asheville Citizen recalls that "So far as the law itself is concerned, the court's decision does not appear to have broken any new ground. As long ago as 1880, in a Delaware case, the Supreme Court had held that deliberate denial of jury places to negroes in trials of negro defendants was a violation of constitutional rights where there were negroes who might have done jury service. There is nothing in the Alabama laws, it is stated, to prevent the service of negroes on juries. The Supreme Court has held, how-

We have no way of knowing how generally negroes are permitted to serve on juries throughout the North, but we do know that most states throughout the entire nation manage in some way to have only white men and women impaneled as jurors.

It seems evident to us, that it was something more than the "constitutional rights of negroes to serve as jurors" which caused the Supreme Court to set aside the verdict of the Alabama court. We recall too vividly the fact that two years ago the trial judge had the temerity to set aside a verdict of guilty by a jury in the case of one of the Scottsboro defendants, because he was convinced that the weight of the evidence did not justify such a decision. He was defeated in the Democratic pri-

mary which followed and there was everytice was demanding the conviction of the evidence that prejudice rather than jus negroes.

Lynchings - 1935

Legal Punishment for Rape.

Alabama

5031

Florence, Ala., Herald
January 11, 1935

The Supreme Court of the United States has agreed to review the cases of Heywood Patterson and Clarence Norris, Negroes under sentence of death in the famous Scottsboro case, whose execution had been set for February 8.

Scottsboro Rally Blocked In Birmingham

BIRMINGHAM, Ala., Jan. 17.—A Scottsboro mass meeting was blocked yesterday afternoon by Birmingham police, whose squad cars and motorcycle battalions gathered before the C. M. E. (Negro) Church at 14th Street and Avenue C, where the meeting was to be held.

Negro and white workers, climbing the hill at 3 o'clock in the afternoon, were met by policemen whose principal object was to arrest the speakers and disrupt the protest rally, arranged by the local Scottsboro-Herndon Action Committee.

At the last moment, the pastor of the church, Rev. Gropm, realizing that the lynch rulers were opposed to any action in defense of the Scottsboro boys, refused to permit the meeting to be carried through when the workers, undeterred by the police terror, prepared to open the meeting.

YOUNGSTOWN, O.
TELEGRAM
JAN 9 1935

THE LAW STILL SHELTERS

ONCE more the United States Supreme Court has reminded Ajabama and other states that Negroes as well as whites are entitled to fair trial.

Nearly four years ago nine Negro boys, one only 13 years old, were captured and thrown into an Alabama jail. There have been trials, mistrials and retrials.

With a threatening mob standing in the Scottsboro courtyard, the eight older boys were found guilty and sentenced to death. The United States Supreme Court reversed the conviction, saying that the defendants had been denied "due process."

New trials were held and two of the boys were convicted again. Their lawyers again appealed, and again the high tribunal has assumed jurisdiction, promising to review defense charges that the boys were tried unfairly, amid hostile surroundings, before a prejudiced court, and by a jury from which Negro citizens were excluded.

TROY, N. Y.
TIMES
JAN 9 1935

In Defense of the Humble.

In the decision of the United States Supreme Court to review for the second time the findings of the Alabama courts in what has come to be known as the Scottsboro case, the Constitution is seen functioning at its best in the protection of the rights of even the humblest of citizens. The right to "due process of law" in all matters affecting life and property is guaranteed by the Constitution to everyone.

At the time of the court's first intervenion two years ago it ordered new trials for the seven Negroes condemned to death on charges of attacking two white women. At present two of these defendants are again under sentence of death as a result of their second trials while the five others have yet to be tried. In reaching the decision for new trials in the first review of the cases the court did not at all pronounce upon the question of innocence or guilt, but ruled that ordinary methods of fair trial had not been followed in the Alabama State courts and that a new trial must therefore be granted.

Allegations have again been made that the rights of the defendants had been infringed by the courts of Alabama; that in violation of the Constitutional rights of fair trial they were placed on trial in an atmosphere and community that was decidedly hostile, where appeals had been made to race prejudice and Negroes were denied the right of service on juries.

The decision of the Supreme Court to review the case a second time means that the execution of the sentences on the two found guilty will be suspended until the arguments in the case have been heard. In accepting the responsibility of determining the fairness of the second trial the court once more stands forth as a defender of the humblest.

PHILADELPHIA, PA.
RECORD
JAN 10 1935

Behind the Scottsboro Case

In reviewing death sentences against the two Scottsboro Negroes, the Supreme Court of the United States will also be reviewing the whole judicial apparatus of the South as it is used for day-to-day repression of Negro rights.

Patterson and Norris, sentenced to die on February 8, are Negroes tried for rape by a jury drawn from a panel from which all Negroes were systematically excluded.

Exclusion of Negroes from jury panels is certainly a denial of the "equal protection of the laws" granted to all in the Fourteenth amendment. It is a violation of the right of any man to be tried by "a jury of his peers" and a violation of the right of Negro citizens to serve on juries as clearly laid down in the Fifteenth amendment.

The Supreme Court has held several times that exclusion of Negroes from jury lists was a violation of the Constitution. Except in the specific cases on which the court has ruled, however, most Southern States have continued the practice.

Exclusion made the conviction of the Scottsboro defendants just so much easier. But exclusion is constantly used for repression of the Negro in thousands of civil and criminal cases which don't make the front pages.

We shall see the workings of that machine exposed as the Supreme Court reviews the Scottsboro case. Americans will expect the high court to take positive action for democracy.

HAMMOND, I
TIMES
JAN 9 1935

THE LAW STILL SHELTERS

Once more the U. S. Supreme court has reminded Alabama and other states that Negroes as well as whites are entitled to fair trial.

Nearly four years ago, nine Negro boys, one only 13 years old, were captured and thrown into an Alabama jail. There have been trials, mistrials and retrials. With a threatening mob standing in the Scottsboro courtyard, the eight older boys were found guilty and sentenced to death. The U. S. Supreme court reversed the conviction, saying that the defendants had been denied "due process."

New trials were held and two of the boys were convicted again. Their lawyers again appealed, and again the high tribunal has assumed jurisdiction, promising to review defense charges that the boys were tred unfairly, amid hostile surroundings, before a prejudiced court, and by a jury from which Negro citizens were excluded.

Demand Boys' Release

THE hearing, now taking place in the United States Supreme Court, on the appeals against the Scottsboro lynch verdicts, occurs at a time of rising fascist reaction in this country, of widespread fascist plots to suppress the civil liberties and rights of the working class and the oppressed Negro people.

In this situation there is the greatest need for the vigilance of all friends of the Scottsboro boys. The desperate attempt of the American ruling class to carry through the legal lynching of these innocent Negro lads is part and parcel of the general drive against the working class and the Negro masses, aimed at forcing down our living standards, perpetuating the jim-crow oppression of the Negro people and smashing the growing unity of Negro and white workers.

Every workers' organization, every opponent of fascism, every friend of the Negro people should flood the U. S. Supreme Court, Washington, D. C., with protests against the lynch frame-up of the Scottsboro boys, and demands for the reversal of the death sentences against Haywood Patterson and Clarence Norris, for the unconditional release of all nine of the innocent Scottsboro boys! Funds to aid the appeal should be rushed at once to the International Labor Defense, 80 East 11th Street, New York City.

Scottsboro Verdict Affects the Basic Rights of Negroes

By HARRY HAYWOOD

The decision of the U. S. Supreme Court to review the cases of Haywood Patterson and Clarence Norris brings sharply before that court the burning question of jury rights for the Negro people.

The white ruling-class says to the Negroes: "You are not fit to take part in political life. You may not vote. You may not hold office. You may not sit on juries. White men may sit in judgment on you, but you may not sit in judgment on either white men or members of your own race." This denial of the fundamental right to sit on juries has become, along with the denial of the right to vote, the symbol of the political status of the Negro people, particularly in the South.

The first appeal of the Scottsboro boys to the Supreme Court also raised the jury question. But the court managed to side-step that particular issue, although it was forced by the world-wide outcry against the Scottsboro frame-up to reverse the lynch-decision against the boys.

The basic issue raised in the second Scottsboro appeal to the U. S. Supreme Court is precisely this question of the right of the Negro people to serve on juries. The International Labor Defense demands that the verdicts against Patterson and Norris be reversed, and gives as its basic argument the fact that there was not a single Negro on the jury that convicted them, or on the grand jury that indicted them, and that the barring of Negroes from juries in that county is a systematic practice.

The Supreme Court must now answer this question, and it must be made to give the right answer. It must be made to reverse the death sentences against the boys, and it must be forced to admit the constitutional right of the Negro people to serve on juries. It can be made to give the right answers by the storm of protest from every corner of world.

Thus, with the decision on the Scottsboro case, there is bound up the most fundamental rights of the Negro people. Such a fight deserves the heartiest support and cooperation of every Negro, of every militant white worker, of every honest intellectual. To continue the fight, to lay the necessary papers before the Supreme Court, funds are urgently needed. Rush these funds to the International Labor Defense, Room 610, 80 East 11th Street, New York City.

'Scottsboro Cases' Draw Knight East

Lieut. Gov. Knight, appointed by Atty. Gen. Carmichael as special prosecutor of the "Scottsboro cases," has gone to Washington to present an oral argument on behalf of the State, before the Supreme Court of the United States in support of action of Alabama's courts in the conviction of Haywood Patterson and Clarence Norris, two of the seven negro defendants concerned, and the subsequent affirming of the judgments. No definite date has been set for the submission of arguments before the Nation's highest tribunal, but it is understood they will be heard by the court some time this week.

Appeals now pending before the U. S. Supreme Court are from Patterson's third and Norris' second conviction of criminally assaulting two young white women on board a moving freight train, near Paint Rock, Jackson County, in the Spring of 1931. The appeals were in the form of applications for certiorari, seeking review of the cases on the insistence by defense lawyers that the negroes had been deprived of their constitutional rights because negroes were systematically and arbitrarily excluded from the jury rolls from which jurors were chosen for their respective trials.

The high court granted the reviewal and arguments are now to be presented by Liut. Gov. Knight and defense attorneys for and against, respectively, sustaining of the judgments of conviction. As Attorney General Lieut. Gov Knight personally directed prosecution of the "Scottsboro cases" in both trial and appellate courts.

Scottsboro Appeal Set For Argument

WASHINGTON, Feb. 14.— (AP)— The appeals of two negroes sentenced to die in the "Scottsboro case" were docketed by the Supreme Court for argument tomorrow.

The review was granted on a contention the boys, Clarence Norris and Haywood Patterson, were denied constitutional rights by exclusion of negroes from the State juries which tried them for an attack upon two white girls aboard a freight train near Scottsboro, Ala.

Tommy Knight, Alabama lieutenant governor who as State attorney general prosecuted the cases, has been designated by Governor Graves of Alabama to represent the State before the Supreme Court. H was expected to contend negroes were not excluded from the juries.

Supreme Court Hears Scottsboro Arguments

WASHINGTON, Feb. 15.—(AP)—The supreme court was told today the negroes condemned in the Scottsboro case" were denied their constitutional right in the exclusion of negroes from juries which tried them.

Samuel S. Leibowitz, attorney for the men, Clarence Norris and Haywood Patterson, said "no negroes in the memory of man, ever served on a jury in Jackson county," Alabama, where the negroes were convicted.

He cited testimony by old county citizens in an effort to substantiate his statement. Leibowitz offered the jury roll as evidence of his charge that the names of negroes were added after the roll was closed.

Tommy Knight, Alabama lieutenant governor, appeared by special appointment of Governor Graves to represent Alabama.

Atty. Liebowitz Makes Brilliant Plea Before U. S. Supreme Court

Scottsboro Case Argued Before Highest Court On Friday, Feb. 15

WASHINGTON, D. C.—Before the United States Supreme Court here, February 15, Samuel S. Leibowitz, attorney for Clarence Norris, one of the Scottsboro boys, charged that his defendant, as well as Haywood Patterson, whose case is also before the Court, had been denied their constitutional rights because of their race. The brilliant criminal lawyer, supported by the American Scottsboro Committee, Inc., proved to the judges by unanswerable evidence that the names of six Negroes had been forged upon the jury rolls to defeat his motion to quash and cancel the indictment of the Scottsbor boys. Attorney Leibowitz exhibited a huge book containing the jury rolls of Jackson County, Ala., which excited keen interest from all the judges and showed where the six names of Negroes had been fradulently written in on top of red lines drawn before hand to close the list of names. The attorney was questioned by the justices, and told them that Negroes had been excluded from all right of jury service in Jackson County since the memory of man. He reviewed testimony and other evidence which he had presented to both Judge Horton at the first trial and Judge Callahan at the second trial at Decatur, Ala., to support motions for them to dismiss the indictments against the boys. The motions were denied.

In his argument about the fraudulent names in the book, Leibowitz pointed out, in addition, the difference in color of the ink, in the handwrtng and blurring of letters across dates previously written in; and the fallure of the record to show that these six Negroes had ever been called for jury service. He further stated that the book of jury rolls had been refused them at the first trial in Decatur, but was offered "with alacrity" in court at the second trial about nine months later.

By his ease of manner and mastery of the case the attorney made a marked impression upon the court which was commented upon by several prominent lawyers who witnessed the hearing.

Upon invitation of Attorney Leibowitz, Attorney Walter H. Pollack presented a brief argument on some of the points of constitutional law involved. General George W. Chamlee of Chattanooga, Tenn., the original attorney in the case, was present to assist Attorney Leibowitz.

Representing the American Scottsboro Committee at the hearing, Dr. George E. Haynes, the committee's Executive Vice-Chairman, stated, "Those who believe in justice and freedom for the Scottsboro boys should take hope for a favorable verdict if the brilliant, masterly presentation such as Attorney Samuel S. Leibowitz made for the constitutional rights of these boys is to weigh in the matter as it is now before the highest tribunal of our land. His powerful plea for the rights of Negro citizens to sit on grand and petit juries an dhis vivid presentation of the denial of that right in the Scottsboro case was a master stroke for Negroes rights, and certainly a complete answer to any who have doubted his ability to defend these boys before the U. S. Supreme Court. The American Scottsboro Committee supports Mr. Leibowitz to the end in bringing justice and freedom to every boy in the case."

Lynchings-1935
Legal Punishment for Rape.

Alabama.

5832

Lag Hurts Scottsboro Fund Drive

Only $220.78 received by the International Labor Defense Monday and Tuesday, although $8,629.26 more urgently is needed for the appeals.

"I cannot sit by and allow the loss of the Scottsboro boys and Angelo Herndon. I remember Sacco and Vanzetti," a New Hampshire farmer writes the International Labor Defense. "Have already contributed five dollars previously.

"Enclosed find $5.33 collected from several Finnish lumberjacks, a farmer, a road foreman, a house-worker, the Marlow Unit of the Communist Party, and my family and myself.

"As a member of the National Grange, the Executive Committee of the New England United Farmers Protective Association, and the Communist Party, U. S. A. it is my duty to help along in the great work of freeing the Scottsboro boys, Angelo Herndon, and other class-war prisoners.

LEWIS W. FENNER"

Funds urgently needed for the Scottsboro and Herndon appeals in the United States Supreme Court should be rushed to the national office of the International Labor Defense, Room 610, 80 East 11th Street, New York City.

Scottsboro Quota Set By Denver

By George Kaplan

Denver District Secretary, International Labor Defense.

The Denver district has decided to raise its quota for the Scottsboro-Herndon Defense Fund from the fifty dollars suggested by the National Executive Committee, to one hundred dollars, and has pledged to raise this sum immediately.

We will raise this money through mobilization of every organization sympathetic to the cause of the freedom of the Scottsboro boys and Angelo Herndon, especially through the actions of our branches over four Rocky Mountain states.

Our district challenges every other district of the International Labor Defense to double its quota, and fulfill the increased pledge, for Scottsboro-Herndon defense.

Funds urgently needed to carry through the United States Supreme Court appeals in the Scottsboro and Herndon cases should be rushed by air mail to the national office of the International Labor Defense, Room 610, 80 East 11th St., New York City.

Women Aid Scottsboro Fund Drive

How funds are being collected for the Scottsboro-Herndon defense in New York is illustrated by this letter received Friday by the International Labor Defense:

Dear Friends:

I submit herewith $10, which was collected at a house party given at the home of Mrs. Weinstock, 740 Sutter Ave., Brooklyn.

The women who contributed the funds have had no previous contact with this sort of work. When the case was explained to them, they saw immediately the importance and justice of your work.

Sincerely,
A SYMPATHIZER

Funds urgently needed to carry the Scottsboro and Herndon appeals through the United States Supreme Court should be rushed to the national office of the International Labor Defense, Room 610, 80 East 11th Street, New York City.

Scottsboro Appeal Made In France

PARIS, France, Jan. 27. — Two petitions for the freedom of Haywood Patterson and Clarence Norris, the two Scottsboro boys whose cases are now before the U. S. Supreme Court, have been circulated here by the Committee to Save the Scottsboro Boys and signed by many nationally known figures.

The Committee announces that it is asking Sinclair Lewis, famous American writer, to take one of these appeals in person to President Roosevelt.

Included in the list are the names of G. Monnerville, depty from Guiana; Gustave Charpentier, member of the French Institute; Henry Torres, deputy from the Maritime Alps; Victor Basch, Honorary Professor at the Sorbonne and president of the League for Human Rights; Hadamard, member of the French Institute and professor at the College of France; Guignebert, professor at the Sorbonne, and the writers Romaine Rolland and Andre Gide.

A second petition, which has been transmitted to the U. S. authorities by the French Scottsboro Committee, is signed by Leon Jouhaux, general secretary of the Federation of Labor; Gabriel Cudenet, president of the Radical Socialist Party "Camille Pelletan," Albert Reyal, secretary of the National Union of Co-operative Groups; R. Goehringer, general secretary of the Republican Youth; Emile Farinet, federal secretary of the Seine Federation of the Socialist Party; Jacques Duclos, secretary of the Communist Party of France; Raymond Guyot, secretary of the Young Communist League; Fred Zeller, federal secretary of the Seine Federation of the Young Socialists; Bernard Lecache, president of the League Against Anti-Semitism; Imache, editor of the "North-African Star;" Cordier, secretary of the French International Labor Defense; J. Barnes, secretary of the Teachers Union; Semard, secretary of the Federation of Railway Workers; Mansouri, president of the League for the Defense of Algerian Muselmans; Dadot, secretary of the Union of Civil Service Employes, and many others.

Albany-Decatur, Ala. Daily
January 24, 1935

Knight As Prosecutor

Having noted with pleasure the splendid manner in which former Attorney General Thomas E. Knight, Jr., conducted the prosecution of the Scottsboro case and the high level to which he kept his conduct of the case at all times, it is with unusual gratification that friends here received news of his appointment as special prosecutor.

Attorney General Albert Carmichael made the announcement, paying a deserved tribute to the work Mr. Knight had done previously in the cases and explaining that since he already had gone so far with them it was nothing but good judgment to permit him to continue the task he had undertaken.

Mr. Knight's many North Alabama friends applaud the comment of the Montgomery Advertiser, which says of the appointment:

"The Advertiser hastens to congratulate Attorney-General Albert A. Carmichael upon the wisdom and rightness of his decision in appointing Thomas E. Knight, Jr., his predecessor as Attorney-General, to conduct future trals arising from the infamous 'Scottsboro cases.'

"This action by Attorney-General Carmichael should be immensely pleasing to Alabamians. It is not only poetic justice, it is good sense. It is sound patriotism.

"No other living Alabamian knows as much about these cases as our new Lieutenant-Governor. No other Alabamian would have it in him to put more of conscience, sense and patience into the trial of these cases than Tommy Knight.

"Since the outer world has chosen to make an issue of Knight, the only fair and decent thing for the State of Alabama to do is to throw Knight back into the teeth of all vilifiers of this commonwealth.

"If Knight were a cheap blatherskite, instead of an honest, able lawyer ,it would be different. But Knight has been conscientious about the Scottsboro mess, he has been dignified, he has been clean, and yet he has suffered at the hands of outsiders who vilified him unscrupulously and made him the symbol of a lost and degraded civilization, whereas the young man is controlled only by a sense of honor as a lawyer and a sense of decency as a patriot.

"Bravo, Carmichael Step on it, Tommy!

Eufaula, Ala. Tribune
January 24, 1935

KNIGHT IS APPOINTED

That was a fine move Attorney General Carmichael made when he requested former Attorney General Thomas E. Knight to continue prosecution of the noted Scottsboro cases. Mr. Knight knows these cases and he knows how to handle them and his selection is an ideal one.

Commenting on the appointment, The Montgomery Advertiser remarks:

The Advertiser hastens to congratulate Attorney-General Albert A. Carmichael upon the wisdom and rightness of his decision in appointing Thomas E. Knight, jr., his predecessor as attorney-general, to conduct future trials arising from the infamous "Scottsboro cases."

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Bravo, Carmichael! Step on it, Tommy!

SCOTTSBORO APPEALS IN HIGH COURT SOON

Amsterdam News Lies About I.L.D.—The Role of Leibowitz in Norris Appeal

By Benjamin J. Davis, Jr.

The appeals of Haywood Patterson and Clarence Norris, two of the nine innocent Scottsboro boys, will be argued in the United States Supreme Court this week or early in the week of February 17.

Despite the fact that the broadest united front is necessary at this crucial moment to force a reversal of the death sentences handed down by the lynch courts of Alabama, all of those forces which have for the last four months attempted to divide and weaken the Scottsboro defense continue their disruptive activities. The broadcasting station for these forces has been the unprincipled "Amsterdam News," Negro reformist newspaper published in Harlem and owned by William H. (Kid) Davis.

The February 9th issue of the Amsterdam News carries the following headline: "I. L. D. QUITS AS SCOTTSBORO LAD PICKS LEIBOWITZ." Following this headline is an article which says, among other things: "Finally it was brought out that the I. L. D. lawyers had failed to file the Patterson appeal to the Alabama Supreme Court in the time specified by law." The article continues, "Norris, however, has stuck steadfastly to Mr. Leibowitz during the defense fight and has repeatedly stated that the New York attorney would argue his appeal before the Supreme Court."

Matter of Public Record

This same issue of the Amsterdam News also prints a photostatic copy of a United States Supreme Court document in which it is agreed that Walter H. Pollak and Osmond K. Fraenkel, attorneys retained by the I. L. D. withdraw from the Clarence Norris appeal in favor of Samuel S. Leibowitz and George W. Chamlee, both former I. L. D. attorneys.

Pending an official statement by the I. L. D. and the attorneys of record in charge of the appeals, the Daily Worker has learned:

That by agreement between the attorneys, Walter H. Pollak and Osmond K. Fraenkel remain as attorneys of record in the appeal of Haywood Patterson now before the U. S. Supreme Court. Samuel S. Leibowitz and George W. Chamlee are attorneys of record in the case of Clarence Norris. This is a matter of public record in a document signed by all four attorneys, filed with the clerk of the United States Supreme Court.

Although no public statement has been made by the I. L. D. or its attorneys in the appeals, all friends of the Scottsboro boys regard this as a definite step toward a unified defense in the U. S. Supreme Court and to prevent the splitting apart of the cases in their presentation before that court.

The agreement was made following filing of a motion by the court, by Leibowitz, asking for a change of attorneys based on a retainer obtained in January from Clarence Norris.

"Kid" Davies Lies

The I. L. D. is not only continuing its efforts for the lives and freedom of Norris and Patterson and all the Scottsboro boys, but is daily intensifying and broadening its mass campaign to force a reversal of the lynch decrees in the United States Supreme Court. No matter who the attorney for the Scottsboro boys may be, the I. L. D. will double and re-double its defense of widest mass pressure—the decisive factor which has thus far halted the hand of the Southern lynchers. This is in sharp contrast to the statement of Dr. George E. Haynes, executive vice-president of the American Scottsboro Committee, who declared that "unless the boys repudiate the I. L. D., we will wash our hands of them and let them take their medicine." Certainly if the lives of the Scottsboro boys were the first consideration of the unscrupulous Dr. Haynes and his crew, nothing could prevent him from joining the fight to save them.

The statement that the "I. L. D. lawyers failed to file the Patterson appeal in the time specified by law" is not only a shameless lie, but it brands the "Amsterdam News," which makes it and its owner, Kid Davis, as among the worst enemies of the Scottsboro boys, and the struggle for Negro rights.

This argument has already been set forth in the brief of the State of Alabama as a "technical" reason for throwing the Patterson appeal out. The Negro-hating attorney-general, Tom Knight, who will argue in the U. S. Supreme Court for the Alabama lynchers, and Kid Davis' Amsterdam News, are therefore in perfect agreement. The I. L. D. exploded this lie when it forced the United States Supreme Court to review the Patterson as well as the Norris cases.

Statement About Norris Untrue

The statement that "Norris, however, has stuck steadfastly to Mr. Leibowitz during the defense fight, etc.," is no less untrue. Until quite recently, both Norris and Patterson repeatedly wrote letters of confidence to the I. L. D. and to myself personally. After Norris and Patterson first signed with attorney Leibowitz, I visited them and both of them sent letters of renewed confidence to the I. L. D. and to Attorneys Joseph Brodsky and Fraenkel. When Messrs. Fraenkel and Pollak obtained stays of execution for Norris and Patterson and later filed the writs requesting reviews of their cases in the United States Supreme Court, they did so upon retainers signed by both Norris and Patterson. This was done well after the so-called "defense fight" was begun. On the contrary Norris remained steadfast with the I. L. D. and its attorneys until the terror of the lynchers against him became so fierce and inhuman that he could not possibly bear it. His mother, Mrs. Ida Norris, now on tour under I. L. D. auspices for the Scottsboro defense, has steadfastly maintained her faith in the I. L. D. defense policies and conduct of the case, behind which all the Scottsboro mothers stand.

The present agreement between the attorneys actually strengthens the legal defense since it prevents any possible controversy in the Supreme Court between the attorneys themselves and gives them the possibility of spending all their energies on the vital issues (exclusion of Negroes from juries, exclusion of Ruby Bates' testimony from Patterson trial) as presented in the defense briefs, which were prepared in line with I. L. D. policies by the attorneys retained by the I. L. D.

Such unity of legal defense is in accord with the united front policy of the "controversy" with Leibo- clearly stated at the very inception of the "contraversy" with Leibowitz. The National Scottsboro-Herndon Action Commitee which supports the defense policy of the I. L. D. in the Scottsboro case has also made three united action proposals to the "American Scottsboro Committee." All three have been flatly rejected. Every effort has been put forth by the I. L. D. and by the Action Committee to accomplish unity in the defense.

Boys Are First Consideration

The record of the I. L. D. in organizing and leading the Scottsboro defense for almost four years proves that the lives of these boys are its first and only consideration.

The attacks and slanderous distortions of the "Amsterdam News" against the Scottsboro defense and the I.L.D. are nothing new. This yellow sheet has followed a disruptive policy, and finally lined up with the Alabama lynch courts to try to throw the Patterson appeal out of the United States Supreme Court.

William H. (Kid) Davis has many times exposed himself as an unmitigated liar, in close competition with anti-labor William Randolph Hearst. Kid Davis sent a telegram to Haywood Patterson last October in which he stated that the I. L. D. was "bulldozing the Scottsboro mothers." When a delegation of four Scottsboro mothers and others, visited him, he squirmed but he was forced to eat those words. Before 5,000 Negro and white workers at Rockland Palace last August Davis promised to turn over every cent he collected for Scottsboro defense to the I.L.D. but since then, although he has collected large sums of money for Scottsboro defense, he has not turned one red copper to the I.L.D. In fact no one knows what Kid Davis has done with this money as neither he nor his handpicked American Scottsboro Committee have made public any accounting whatsoever of the funds they have faithlessly dragged out of honest and sincere contributors.

Kid Davis' game is clear. He works hand in glove with the treacherous Negro misleaders—the Dr. George Haynes, the Reverend A. C. Garners, L. H. Kings, Richard Boldens, et al.—who have their own interests to serve. Their interests are to prolong the miserable oppression of the Negro masses under the capitalist system, so that they too along with their white ruling class masters can continue to exploit them. Kid Davis intends to build the circulation of his lying sheet, at the expense of the lives of the nine innocent Scottsboro boys.

The experience of Attorney Pollak in successfully arguing the first Scottsboro appeals, attests his unquestionably brilliant selection by the I. L. D. and recommends him to the attorneys for Norris in the present appeals. There should be the closest cooperation of all attorneys in both cases, thus insuring the best defense for both Norris and Patterson.

It remains for the Negro masses and white workers, all friends of the Scottsboro boys and Angelo Herndon and all sympathizers and fighters for Negro liberation to unite in joint activities for the Scottsboro defense.

Funds Urged

Telegrams, protest resolutions, letters, must flood the United States Supreme Court demanding the freedom of the Scottsboro boys and Angelo Herndon. Protest post cards are available by the thousand at the offices of the I. L. D., all over the country. Funds must be rushed to the national office of the I. L. D. Room 610, 80 E. 11th Street, New York City.

Scottsboro - Herndon conferences must be set up all over the country, drawing together and welding all forces fighting for the lives and freedom of the Scottsboro boys and Angelo Herndon, and for the complete liberation of the Negro people.

Decatur, Ala. Daily
February 16, 1935

Has It Changed

The Supreme Court, now reviewing the Scottsboro case again, granted the review the first time on the grounds that the defendants were not properly represented by counsel.

The defendants, at least some of them, now have the redoubtable Samuel Simon how-do-you-spell-it for counsel ,which makes us wonder if the Supreme Court will not grant another hearing on the same grounds?

General Tax Bill To Get 11-Day Study In Senate

Measure Reported Out Of Committee With Recess Till June 25 Proposed

Hearings Slated

Appropriation Of $25,000 To Install Elevator In Capitol Wins Approval

The finance and taxation committee of the Senate yesterday reported the State's $22,000,000 general revenue bill "without recommendation" and agreed to support a resolution adjourning the Senate from Friday until June 25 for hearings on the 456-page measure.

The finance and taxation committee will hold public hearings on the measure next week with all members of the Senate especially invited to attend, making the sessions, in theory, committee of the whole meetings.

In the event public hearings do not last throughout the week, Senator Shelby Fletcher, chairman, said the Senate likely would go into actual session as a committee of the whole.

The voluminous bill came over from the House late Wednesday containing a $2,000 homestead exemption clause, a section greatly reducing auto tags, a 10 per cent tax on snuff and tobacco, a 50cedure for study of the revenue bill, then andreduced from $35,00 to $25,000, the appropriation in the House-approved O'Neal bill to defray expenses of counties in the prosecution of the "Scottsboro case."

In its reduction, the committee overstepped a suggestion by Senator Robin Swift, oneof Escambia that the amount be made $50,000 to "advertise we want this mess over with and show that the State of Alabama whole heartedly is behind the pro-

In offering an amendment to reduce the appropriation Senator J. M. Bonner, of Wilcox, said he was opposed to anticipating costs "that have not yet accrued."

Senator I. J. Browder, of Jackson and Morgan Counties already had exceeded $25,000 and Swift said he would offer his $50,000 amendment when the bill reaches the floor.

Lynchings—1935
Legal Punishment for Rape

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Whole Scottsboro Defense Should Emulate Unity Seen In Courtroom, Urge Writers

By A. W. Berry and
Benj. J. Davis, Jr.

DEPRIVED of the opportunity to play one attorney against another at the Scottsboro hearing last week, the Supreme Court resorted to the most subtle maneuvers to stem the brilliant offensive launched against the Southern lynch system by a unified legal defense.

When Justice Hugo Black interrupted the defense counsel and stated, "It is not so much whether Negroes have ever been seen on the Morgan County juries, but the point is whether they have ever been called for jury service," it was clear that he was trying to find a loophole in the legal defense through which the Supreme Court could reach down and pull the Alabama lynch tribunals to victory.

Veil Ripped

But the basic International Labor Defense policy of fighting for the lives and freedom of the Scottsboro boys ripped aside the thin veil of "impartiality" with which the white ruling class surrounds the Supreme Court.

The essence of the united legal defense was that the Norris and Patterson appeals were presented as one case. The briefs prepared by Attorneys Walter H. Pollak and Osmond K. Fraenkel, were used by Attorneys Leibowitz and Chamlee, although the latter were attorneys of record for Norris. The main issue in these briefs was the unconstitutional exclusion of Negroes from the Alabama juries.

By agreement of all four attorneys of record, Leibowitz presented the facts of both cases and Pollak argued the constitutional law of both cases. While Leibowitz presented a very able explanation of the methods of jury exclusion and the jury roll forgery, there can be no question about the fact that Pollak, eminent constitutional authority, was the guiding force of the legal defense.

The use of Pollak's briefs together with the agreement of counsel themselves to entrust him with the law in the case amply prove this fact. Certainly, Mr. Leibowitz himself cannot honestly assert the contrary.

Yet, Dr. George E. Haynes, head of the American Scottsboro Committee and shameless disrupter of the Scottsboro defense, has stated:

"Those who believe in justice and freedom for the Scottsboro boys should take hope for a favorable verdict if the brilliant, masterly presentation such as Attorney Samuel S. Leibowitz made for the constitutional rights of these boys is to weigh in the matter as it is now before the highest tribunal of our land. . . . His powerful plea for the rights of Negro citizens to sit on grand and petit juries and his vivid presentation of the denial of that right in the Scottsboro case was a master stroke for Negroes' rights, and certainly was a complete answer to any who have doubted his ability to defend these boys before the Supreme Court."

In other words, Mr. Pollak did not even figure in the case.

To Dr. Hynes and his high-class Uncle Tom friends, the Scottsboro hearings were significant only so far as they vindicated Mr. Leibowitz, and only so far as they provide a springboard for further attacks on the unity of the Scottsboro mass defense.

The Negro reformist newspapers—the Amsterdam News, the New York Age, etc.—are leaving no stone unturned to build the reputation of a lawyer at the expense of the Scottsboro boys.

Evade Unity

Not once do these lackeys mention the necessity of the broadest unity of the Negro masses and white toilers in struggle for the lives and freedom of the Scottsboro boys. They have already feverishly begun the task of building the confidence of the Negro people in the U. S. Supreme Court by trying to lull them into depending upon the "fairness" of these puppets of their white ruling class masters.

Victory in Scottsboro Case Must Be Gained, Appeal Says

BIRMINGHAM, Ala., March 1.—A reversal of the Scottsboro lynch verdicts will not only aid the fight for the lives and freedom of these innocent boys, but will also constitute a tremendous step forward in the fight for Negro rights, the Birmingham Scottsboro-Herndon Action Committee declared in an appeal to all groups and individuals to flood the U. S. Supreme Court with demands for the reversal of the sentences.

"The United States Supreme Court," the appeal states in part, "is asked to reverse these convictions on the proven ground that Alabama deliberately and systematically exclude Negroes from the grand and petit juries in contravention of the 14th and 15th Amendments to the Federal Constitution. A victory must be gained."

PORTLAND, ME.
EXPRESS
APR 2 1935

STARS FALL ON ALABAMA

The action of the Supreme Court of the United States in setting aside the death penalty imposed upon two Negroes in the famed Scottsboro case will meet with sympathetic approval from most people who have followed the apparent attempt to railroad to the chair a group of boys about whose guilt there is grave doubt.

The case is one of that kind that exhibits Southern justice at its worst—one of alleged criminal assault upon a white woman. It has been very much in the public eye for nearly four years; and once before the Supreme Court has had to intervene because the Negroes had been unconstitutionally deprived of the aid of counsel in preparation for their first trial.

The opinion of the Court was this time predicated upon a question of fact, undisputed, that Negroes had been "arbitrarily, and systematically excluded," although qualified, from jury service. Chief Justice Hughes, who read the opinion, asserted that the absence of Negroes from the jury rolls should have caused the trial court to quash the indictments; and he declared, "We think the evidence that no Negro has been called for jury service in Jackson County for a generation establishes there had been discrimination."

Those who have followed the case as reported in great metropolitan newspapers and in the magazines in full detail will feel a little disappointed that the Supreme Court ruled only on the technical question of exclusion. Probably that was all it could be asked to rule on, since it appears to be the only constitutional question raised. From the evidence reported, there were many other indications that considerably less than justice was meted out to the seven defendants in the Scottsboro case.

It is hard for those who live far from "the Negro problem" to get the Southern point of view. And to be perfectly fair, it should be said that the defense counsel in the case, supplied by a Northern society, was so bluntly uncompromising in allegations of injustice reflecting forcibly upon the Southern code of honor and the Southern politico-social system as to preclude anything but the harshest judgment from being visited upon his clients.

It seemed during the trial that the Negroes were doomed in advance to receive the death penalty. Perhaps some way will be found to mete it out in such a way that the United States Supreme Court will be unable to intervene. At least, the Negroes during four years have had a semblance of legal rights, without interposition of lynch law. Probably now, so persistently has their case been a national problem of country-wide interest, there is less danger that the law will be short-circuited by mob action. Another trial is to be expected, but an acquittal is hardly to be thought probable.

It may even be that the men are guilty as charged; but the unconstitutional denial of their rights by the state authorities must be thought prima facie evidence that in Alabama a charge of this kind against a Negro is tantamount to a death warrant, no matter what the facts actually are. The Supreme Court has given not only the Negroes, but the state of Alabama itself another chance. It must be hoped that a new trial will establish guilt or innocence beyond peradventure.

NEW HAVEN, CONN.
JOURNAL COURIER
APR 4 1935

Scottsboro Decision.

The Supreme Court of the United States has rebuked the state of Alabama again for its Negro policy. The Civil War ended seventy years ago, but anti-militarists may well point to these latest cases for evidence of war's futility. The war was fought, of course, to save the union; emancipation was never its major purpose as Mr. Lincoln understood it, but became a necessary item in the great pattern of statecraft which Mr. Lincoln composed. But emancipation was to prove more formal than real in the whole southern expanse. The slaves were no longer slaves, but their rights were hardly more.

Three years ago the Supreme Court rebuked Alabama's refusal to give the Scottsboro boys the benefit of counsel. The opinion reproduced the semi-literate colloquy between bench and bar on the point at the original trial; the record itself was eloquent of the denial criticized. The same result is reached again, now, by a different road; for the court finds due process is impugned when Negroes, duly qualified, are excluded from the juries. The federal judiciary has done its part in the name of the heroic generosities of democracy; the spotlight turns again to Alabama.

MOVE TO UNITE SCOTTSBORO DEFENSE - DELEGATION PROPOSES UNITY CONFERENCE

NEW YORK - (CNA) - An important step toward effecting unity of all forces in the Scottsboro defense was taken here last Wednesday. A delegation from the National Scottsboro-Herndon Action Committee and other organizations visited the office of the American Scottsboro Committee, in an effort to discuss with the executive officers of the latter organization, a basis for achieving complete unity of action.

When the delegation arrived at the office of the American Scottsboro Committee shortly after noon, no executive officer was present. A secretary, Miss Jetter, informed the delegation that the executive secretary, Dr. George E. Haynes, had received the letter from the National Scottsboro Herndon Action Committee requesting the conference and had dictated a reply earlier in the morning, but that he would not be in the office until late in the afternoon. Miss Jetter also stated that the American Scottsboro Committee would not meet before the middle of March, since the executive officers were leaving for the South.

The chairman of the delegation, Mr. A.W.Berry, urged that the American Scottsboro Committee set a date for a conference at the earliest possible time. The Delegation included Mrs. Mary Crain Speed, a native white mother of Alabama; Alfred Hirsch of the National Committee for the Defense of Political Prisoners; Richard B. Moore and Anna Damon of the International Labor Defense; Milton Herndon, brother of Angelo Herndon, and M. Rodnia.

The Reverend Shelton Hale Bishop, prominent Negro clergyman and rector of Saint Phillip's Parish House, endorsed the proposals of the delegation and answered it to use his name.

CLEVELAND, O.
PLAIN DEALER
APR 2 1935

Justice to Reach Scottsboro.

The United States Supreme Court again saves the Scottsboro defendants. It reverses the convictions of two of the seven Negro youths, holding that their trial was invalid because Negroes were barred from service on the jury which found them guilty. Since the five other defendants were named in the same indictment it is probable that yesterday's decision will apply to all.

The Supreme Court does not pass upon the merits of the charges against the Negro youths. That is beyond its jurisdiction. They could all be tried again in Alabama.

It does not seem likely that they will be. In the first place the evidence upon which they were originally convicted has been well shattered in the two trials and subsequent appeals. In the second place, the Supreme Court has now twice served notice upon Alabama that it is still part of the United States and that it cannot continue to gauge justice by color. It is time for Alabama to pay attention.

Thus yesterday's decision does much more than bring a brighter hope of belated justice to seven obscure youths. It outlaws the custom, common in many other states than Alabama, of Jim Crowing the law. That is a scoring for justice which will be felt far beyond Scottsboro. It is refreshing to every American not biased by racial prejudice.

ITHACA, N. Y.
JOURNAL
APR 2 1935

Justice and Alabama

For a second time the United States Supreme Court has ruled that the Scottsboro case was not fairly conducted, and that the young Negro defendants are entitled to a new trial.

The point at issue in the appeal was one of constitutional rights. It was shown that Negroes eligible for jury service had been systematically excluded from the Scottsboro jury, as they have been in all trials conducted in Jackson and Morgan Counties, Alabama, for a generation.

To a dyed-in-the-wool Southerner, this practice may seem perfectly justifiable. But to the rest of the country it is a flagrant violation of the rights guaranteed by the American constitution. There can be no fairness in a trial, or in any other human activity, when race prejudice is allowed to dominate.

In the opinion handed down by Chief Justice Hughes, it was held that there is no controversy as to the constitutional principle involved, that: "Whenever by any action of a State, whether through its Legislature, through its courts, or through its executive or administrative officers, all persons of the African race are excluded, solely because of their race or color, from serving as grand jurors in the criminal prosecution of a person of the African race, the equal protection of the laws is denied to him, contrary to the 14th Amendment of the Constitution of the United States."

If that prejudice-ridden section of the State of Alabama is unwilling to give the Scottsboro boys a fairly conducted trial, the case should either be moved elsewhere or dropped. This see-sawing with the Supreme Court cannot go on indefinitely.

BUFFALO, N. Y.
NEWS
APR 3 1935

SCOTTSBORO CASES AGAIN

In 1933 the Supreme Court of the United States ordered new trials for the seven Negroes condemned to death at Scottsboro, Ala., on charges of attacking two white girls in 1931 the court holding that the "due process" clause of the Constitution had not been observed by the trial court. The chief factor was the claim of the defense that the accused men had been forced to go on trial within a few minutes after appointment of counsel—before there had been any adequate opportunity to prepare their cases. This application of the "due process" clause, supported by all members of the court except Justices Butler and McReynolds, was commonly approved as an expression of sound policy.

Comes now another Supreme court decision in two Scottsboro cases, those of Clarence Norris and Haywood Patterson, both condemned to death after trial on the selfsame charge that had led to the previous seven convictions. Again the court finds for the defendants. In one case it holds that there was discrimination because for years Negroes have been barred from jury service in the Alabama counties where the trials were held, the testimony showing that there were Negroes in these counties who could qualify for such service. In the other case, the jurisdiction of the Supreme court was challenged, and it sent the issue back to the courts of Alabama for "further proceedings." The decisions in both cases were supported by eight members of the court. Justice McReynolds had nothing to do with either case.

The decisions in all the Scottsboro cases re-emphasize that at the heart of the American system of government there is a tribunal which is as much concerned to protect the rights of the humblest citizen as the rights of the most influential. The Supreme court, in effect, has called upon the courts of Alabama to demonstrate that they will not yield to the pressure of mob opinion and that the legal rights of a defendant, no matter what his social rating may be in the South, will be respected. The fact that the rights of these Negroes were disregarded in certain important particulars has made the Scottsboro cases a basis for Communistic propaganda. It must be hoped that if these men are again to be tried everything possible will be done to assure a proper regard for due process, in the vital spirit as well as in the form of it.

Scottsboro, Ala., Apr
April 4, 1935

The decision of the U. S. Supreme Court handed down Monday in the famous "Scottsboro" case is one of the most far reaching in many years, especially as it effects the South. The opinion seems to have been practically unanimous, at least there was no dissenting opinion and it will have the effect of changing entirely our jury system. This court specificallyy says that because of the fact that there were no negroes on the jury that indicted the negroes or on the petit jury that tried them, their trial was null and void. In other words any negro can claim his right of having negroes in the jury box when they are tried and of course will necessitate our laws conforming to this decision or risk such consequences as this.

Lynchings - 1935
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MONTGOMERY, ALA.
ADVERTISER
APR 4 1935

MR. HUGHES HAS NOT SAID ENOUGH

To the Honorable Charles Evans Hughes:

For more than 140 years Negroes have been "systematically excluded" from seats on the Supreme Court of the United States. Has that circumstance affected the justice of the Court's decisions involving the races?

For more than 140 years Negroes have been "systematically excluded" from the bench in Federal court districts.

For more than 140 years Negroes have been "systematically excluded" from seats on the bench of the Supreme courts of the States, except possibly in the Reconstruction years. There may have been some Negroes on the Supreme court of one of the Southern States in that period, although at the moment The Advertiser has no recollection of any exception to the rule.

For more than 140 years Negroes have been "systematically excluded" from the bench of nisi prius courts, at least in the Southern States, if not in all others. Have these circumstances prejudiced the cause of white or black citizen? If not, why not?

Yet the Supreme Court of the United States remands for rehearing a cause in which two Negroes were convicted of the capital offense of rape in Alabama, all upon the ground, not specifically that no Negro sat on the jury that convicted the defendants, but upon the ground that for a "generation"—about 30 years, we believe—Negroes had been "systematically excluded" from jury service in Jackson County, Alabama.

The Advertiser herewith takes the liberty of asking Mr. Hughes and his colleagues of the Supreme Court of the United States this question: If Negroes had served on Jackson County juries every year for 29 years before the "Scottsboro" infants came into court in their diapers and shaking their baby rattlers, but for some reason—any reason—had not been drawn to serve on the jury that tried the infants aforesaid, would the solemn Supreme Court of the United States have solemnly averred that justice had been outraged?

Does it follow that, in the light of the decision of the court as read by Mr. Hughes, no black man, no matter what the evidence against him may be, can have his sentence affirmed by the republic's highest court unless black men sat upon the jury that convicted him in the first instance?

Does it follow that an oathbound jury is entirely without virtue and respectability if only white men serve on it when Negroes are on trial?

Has the Supreme Court of the United States ever reversed the verdict of a trial court involving the liberity or life of an Indian upon the ground that no Indian sat upon the jury that convicted him? Or a Spaniard, of an Italian, or a Frenchman, or a Russian or a Japanese or a Chinese?

There is no relevancy in the observation of the Chief Justice to the effect that Negroes had been excluded from jury services for a generation before the Scottsboro infants were put to trial. The only relevant question is whether Negroes served on the jury that convicted these infants.

Suppose Negroes had been on all Jackson County juries for 29 years but that for some reason they were not accepted for jury service in the year that these puling infants were tried and convicted—would that not have been a miscarriage of justice?

We just wanted to know.

Charleston, S. C. News & Courier
April 3, 1935.

A "One Big State" Decision

The necessary inference from the decision of the supreme court of the United States ordering a new trial for two negroes condemned to death in Scottsboro, Alabama, on the ground that their "constitutional rights were violated because negroes were excluded from jury service at their trials," is that unless negroes shall be allowed to serve on juries any negro convict may have a new trial if his case shall be carried on appeal to the United States supreme court.

As every Southern man of common sense well knows, non-discriminating acceptance of white and negroes alike on juries would revolutionize Southern jurisprudence and demoralize Southern civilization.

The decision of the court can and probably will be evaded. Its language, whether or not by intention, suggests a loophole. Hear it: "We think the evidence that no negro has been called for jury service in Jackson county for a generation established that there has been discrimination." That might be interpreted that if in a county half a dozen negroes were called for jury duty in a generation it would be sufficient to convince the United States supreme court of non-discrimination. In some Southern counties negroes are found on jury panels. Occasionally they were summoned for service in Richland county, this state, a few years ago and may still be. Of course in a capital case, or in any case, they can always be asked to "stand aside," if they are not too many.

We shall not discuss the supreme court's decision further than to say that in South Carolina it cannot and will not be obeyed in spirit. We cannot have mixed racial juries in this state. The state has not yet arrived at a point when that would be safe. The Northern negro associations and their sympathizers have been striving years for this decision. It is a victory for them. It strikes at the heart of the social order in the South. The right or wrongness of the Southern way of doing things is not at this moment concerning The News and Courier. It is deciding realistically in contradiction to the court's decision—and our decision, which has only the force of prediction, will be vindicated by events as they come to pass.

It is quite useless to say it to the South Carolinians, but we tell them that their present disposition toward the Washington government invites decisions inimical to their handling of the "race question." They are enthusiastic for the One Big State. Its establishment is primary in the New Deal's plans. Manifestly, when state rights shall be destroyed, the handling of the jury question within the states without federal interference will come to an end.

The truth is that support of centralization in Washington implies approval of the decision that "thrills" Mr. Liebowitz, the defender of the Scottsboro negroes. In One Big State a negro will be "as good as a white man." That is certain.

Montgomery, Ala., Advertiser
April 7, 1935

MAKING THE NEGRO THE GOAT

The masses of Negroes in Alabama are law-abiding, well-behaved people. All they want is peace and a chance to make a living and a chance to improve their status as a social and economic unit.

Whenever a member of their race commits a serious offense against society respectable Negroes are embararssed. They despise the criminal Negro more than whites do, for criminal conduct by a Negro reflects upon all Negroes and so creates unnecessary difficulties for them.

The Advertiser for three years has been impressed with the fact that the controversy about the "Scottsboro case" was and is a white man's row.

The Advertiser has no doubt that if only Negroes had served on the juries in the Scottsboro cases there would have been as many indictments and as many convictions as we have had.

The average law-abiding Negro despises the lawless member of his race with a passion quite unknown to white people. He feels that every Negro criminal is a Judas to his race.

The Advertiser is close to the Negro leadership of Alabama. No Negro leader, great or small, hesitates to come by The Advertiser to talk frankly of any problem that troubles him.

All of them know that The Advertiser has always been their sympathetic friend, and so Negroes usually talk freely to The Advertiser. In the light of this circumstance it is remarkable that never at any time has any Negro in Alabama ever appealed to The Advertiser against the courts that indicted and convicted the Scottsboro defendants. We have never heard from a Negro any expression of opinion regarding these defendants.

No Negro leader in Alabama has lent his voice to the world chorus against Alabama since the Scottsboro case first became a cause celebre.

In Alabama Negroes and whites understand how to get along together, but whites elsewhere in the world do not seem to be quite satisfied with the arrangement.

What we mean to say is this: The average Negro in the South, especially in Alabama, stands for law and order, he stands for good citizenship. He ought not to be humiliated unduly by the criminals of his race. He ought not to be humiliated by the debates involving public policy which follow.

Ft. Payne, Ala., Times
April 11, 1935

Scottsboro, Supreme Court and Governor Graves.

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THE decision of the Supreme Court of the United States reversing the well-known Scottsboro cases on account of the exclusion of negroes from jury rolls in Jackson County, where the indictments were returned, was received by our people with such calmness and lack of rancor that one almost marvels at the progress that has been made in the abatement of the animosities that the cases originally incited. The daily press of the state is almost, if not quite, unanimous in its commendation of the order of Governor Graves to Judges and Jury Commissions to give effect to the decision in making up jury rolls in the future.

We are not disposed to rub it in, but, as a Republican newspaper in the deep South, we can scarcely refrain from saying that, if this had to come, we are glad it came while we have a Democrat in the White House and a Democratic Governor at the helm in the state. It is indeed a far cry from the time, not so long ago, when such spell-binders as Tom Heflin and Buck Oliver were coming into the old Seventh District and lashing Republicans with the fury of their oratory on the ground that Republican rule was threatening white supremacy in the South, to the time when a Democratic Governor, in plain words, says that negroes are to be given recognition equal with whites in making up jury rolls in Alabama. As Brisbane would probably say, that's progress. We suppose that some one will rise to remark that it was a Republican Chief Justice that handed down the decision, but it must be remembered that there are three Democrats sitting as Justices on the Court and up to the time of going to press we had not heard of either of them filing a dissenting opinion.

When one reflects upon it, there is nothing so very radical about the decision after all. The Courts of this state have affirmed time and again that negroes must not be denied the equal protection of the law, and there is nothing so vital to equal protection of the law as the fair and equable selection of juries to determine our rights under the law. And there is a vast difference between equal protection under the law and social equality between the races.

With one declaration of Governor Graves we are in particular accord. That is where he states that Alabama, as one of the states of the American Union, must observe the supreme law of America. Therein lies our safety and security as a nation, as a state and as individuals.

Valdosta, Ga., Times
April 4, 1935

NEGROES NOT BARRED

The decision of the United States supreme court in reversing the conviction of two Scottsboro, Ala., negroes on the ground that negroes were systematically excluded from jury duty in that state causes widespread comment among officials of southern states.

It is pointed out by officials that there are no laws barring negroes from jury duty in the states where comment was heard, although they rarely are called for service. There have been instances of negroes serving on juries in the Southern states but most officials point out that "they are just left out of the jury boxes, although there is no law against their names being included."

Most of the comments have emphasized that the decision will have little or no effect on future trials. In Alabama, Circuit Solicitor Bailey, who prosecuted the original indictments, said the decision was a "body blow" to criminal procedure in the state. Alabama officials have been emphatic in their statement that the negroes, whose convictions were reversed, will be tried again, even if it is necessary to indict them again or even if it is necesary to revise the jury lists so as to include negroes.

The decision has also served to direct attention to the various methods used in the Democratic primaries in the Southern states to prevent negroes from voting in primaries. In Georgia voting by negroes in the primary "just isn't done"; it is custom and not the law.

In Texas, Florida and Arkansas membership in the Democratic party is limited to whites. Louisiana and Mississippi require persons registering to "interpret" any portion of the constitution the registrar may put his finger upon. Alabama requires the voter to be able to read, write and understand the constitution. South Carolina Democrats require both whites and negroes to read and interpret the constitution relative to voting qualifications. Certain educational qualifications are necessary in Virginia. Tennessee allows them to vote. North Carolina has no law on the subject. Texas excludes negroes from the Democratic primary by ruling of the state Democratic convention.

The whole question of negroes serving on juries or voting in the primaries is an evolution from the carpet bagging days. Very few of them are able to comply with educational qualifications and they are, therefore, barred from jury service and from voting. It is a situation which the negroes themselves, for the most part, understand and there is little show of resentment. Negroes realize that certain regulations are necessary and they feel the inability to qualify is the fault of their own race.

Savannah, Ga. Press
April 5, 1935

NEGROES ON THE JURY

The decision of the Supreme Court will probably have no effect in the South besides the retrial of the Scottsboro negroes

No Southern state has a law against negroes serving on the jury. No Southern state for instance has a law against a colored man serving as governor, but no one would think of electing a colored man governor. It is a question of intelligence and prominence.

Jurors are drawn from panels fixed by the jury commissioners of each county and men are not excluded for race or color but for intelligence. The South regulates the jury question entirely within the Constitution without any illegal amendments such as the United States Supreme Court charged in its decision.

A review of the laws in the Southern states discloses no objectionable or unconstitutional provision such as the Supreme Court seemed to imagine prevailed in some of the Southern statute books. The court itself took cognizance of this fact in its decision about the Texas state primary. The court drew the correct conclusion in that case but it seemed to be convinced that there was an illegal statute on the books of some of the Southern states barring out negroes from service on the jury.

Wilmington, N. C. Morning Star
April 6, 1935

MUCH ADO ABOUT NOTHING

THE first repercussions from the recent sweeping decision of the supreme court regarding negroes on juries in southern states came yesterday from Montgomery, where Governor BIBB GRAVES ordered all county and judicial officers to provide a list of negro citizens for jury call. At the same time it was announced that a new indictment would be sought for the two men whose implication in the celebrated Scottsboro case, called down the reversal of the nation's highest tribunal.

In his message, Governor GRAVES set forth that 'whether we are in accord or otherwise the ruling of the supreme court is the law of the land and must be obeyed." It was intimated that in other states a similar pronouncement would be forthcoming.

North Carolina's supreme court has on two occasions held that the mere fact that negroes do not commonly sit on juries is not evidence that they are barred, and this precedent is expected to govern for the time at least. Negroes have, however, sat on superior court juries in Wake, Durham and other counties and occasionally have appeared on federal panels in Wilmington and other places throughout the state.

This newspaper is not inclined to be worked up over the matter. In fact it does not believe in juries in the first place, and would prefer to see the administration of criminal justice left in the hands of men learned in the law, as in Maryland and sometimes in Pennsylvania. At the same time, we candidly feel the country's most august court is stirring a tempest from a teapot for the simple reason that regardless of the names inserted in a jury box, and regardless of their color, creed or classification, the ultimate twelve will be selected only after the opposing attorneys have exhausted every means possible to obtain the dozen they desire. If the names of all negroes who pay taxes are placed on the jury rolls of every southern state, and the negro shows the slightest inclination to follow the white man, he will move heaven and earth to dodge service if and when called.

It is quite a time and distance from Ranymede and King John and the jury system as it now exists has become quite shopworn in the interim.

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DEFYING PUBLIC SENTIMENT

WITHOUT A DOUBT, the arrogant and unjust attitude of Special Prosecutor Thomas E. McKnight, in which he brazenly and unjustly defies public sentiment which is overwhelmingly favorable to dropping the attack charges against the nine Alabama Negro youths, of Scottsboro fame, excels in unfairness any attitude that has been noted on the part of a public official of our nation in many years.

Hardly had the last word been uttered by Chief Justice Charles Evans Hughes, in which he announced the decision of the highest court of our land, pointing out the injustices exhibited by the Alabama courts and ordering new trials for the defendant Negro youths, than did the apparently prejudiced prosecutor of the youths express determination to place the commonwealth of his state to the enormous expense of conducting trials on the charges again 4-4-35

The fiery lieutenant-governor may be spurred on to further persecution of these Negro youths by the recent honor that has come to him at the hands of the electorate of his state, wherein it appears that his elevation to the lieutenant-governorship was a reward bestowed upon him in view of his vigorous prosecution of the Negroes on the altogether too flimsy attack charge. If such is the case, the young Alabamian will do well to think of other ambitious men who chose to ride into office by catering to the race prejudice on the part of their race toward the Negro racial group. There is Heflin, of his own state, who was noted because of his tirades directed at the Negro, and in recent years, no man has suffered more because of his defeats and unpopularity than has Tom Heflin. Then Tillman and Blease, of South Carolina; Vardaman, of Mississippi, and others of those who thrived for a short time because of their unexcelled ability to send forth volumes of Negrophobia, but it is plain that they built on foundations that were altogether flimsy, as is indicated by their ends.

The decision of the United States Supreme Court offers consolation to our citizenship, especially as that high tribunal directs criticism at the lower courts of Alabama because of their toleration of gross and flagrant injustices toward their Negro citizens. Reference is made to the failure on the part of Alabama jury commissions to select Negroes for jury service. Just such an unjust and unlawful attitude is practiced in more states than Alabama, and those sections where such a condition prevails, should promptly set about to remedy the same. Certainly it should not become necessary for any defendant on trial in the courts of our land to spend enormous amounts of money that his constitutional rights might be protected and in ored to have justice prevail.

It will be extremely difficult for the average Negro on trial to have his case reviewed by the United States Supreme Court, in view of the great expense involved, but this should not serve as an excuse for the lower courts refusing to protect his rights.

In the meantime, it does seem that there are a sufficient number of influential, justice-loving advocates of fair play among the white citizenship of Alabama to bring pressure to bear on Prosecutor McKnight to desist from further persecuting those nine Negro youths. In view of the statements of one of the original witnesses for the state, that the defendants are not guilty as charged, and because of the flimsy evidence produced at the trials, the ends of justice would be properly met by turning these boys out to return to their homes and their loved ones. Certainly such would be the exhibition of fairness and justice. It is greatly to be regretted that it was not within the power of the high court to issue such an order as they sent the cases back for new trials.

NEW YORK SUN

APR 2 1935

Seeking Scottsboro Solution

Alabama Officials Determined to Resume Prosecutions of Accused Negroes.

MONTGOMERY, Ala., April 2 (U. P.).—Alabama officials today determined to prosecute the Scottsboro assault cases "to the end."

The four-year legal fight over the lives of the nine Negro defendants must begin all over, because the United States Supreme Court ruled yesterday that systematic barring of Negroes from jury duty invalidated indictments and convictions.

Few officials would comment, but they agreed there was no possibility that the Negroes would be released without further prosecution.

The course of procedure was undecided. It probably will involve addition of Negroes to the jury rolls in Jackson county (Scottsboro) and the empanelling of a special Grand Jury to re-indict all the defendants.

Circuit Solicitor H. G. Bailey, who obtained the original indictments in Scottsboro late in March of 1931, saw the Supreme Court decision as "a body blow" that might have far-reaching effects in the South.

Southern Viewpoint.

Negro jury service is virtually unknown in Southern State courts. Southerners contend that Negroes are not seen on juries because so few can meet the qualifications and not because of a systematic racial exclusion.

The Supreme Court decision may force more consideration of Negroes for jury service in all Southern States, Bailey said. He added that he expected a move from defense attorneys to free Clarence Norris and Haywood Patterson, whose convictions were reversed by the Supreme Court yesterday, on writs of habeas corpus. If released, the State could promptly re-arrest them on new warrants to await new Grand Jury action, he said.

To make the new indictment valid the Jackson county jury commission would have to revise its rolls to include Negroes. From the rolls a venire of sixty or seventy would be selected. The eighteen names to compose the Grand Jury would be drawn by lot.

In all probability the trials would be transferred from Jackson county on a change of venue. A similar process of jury roll revision would be necessary in the county where the new trials would be held.

Attorney-General A. A. Carmichael would say only that "the case will be prosecuted vigorously when they come up in the natural course of events at a later date." Lieut.-Gov. Thomas E. Knight Jr., former Attorney-General, will continue to lead the prosecution.

Patterson 'Playing Crazy.'

The Supreme Court ruling made Clarence Norris "a happy person." He and Patterson are confined in separate cells in death row at Kilby Prison here. Patterson, a tall, black Negro whom Warden Frank Bowell said "has been playing crazy lately," refused to talk to reporters. He lay on his cell cot, mumbling "Go ahead and do what you want to with me—I don't care—new trial, new trial, new trial . . ."

Norris wrote to his New York attorney, Samuel S. Liebowitz:

"It is beyond words how I feel over being granted a new trial. I am a happy person to know that the grand argument which you made for this new trial was a great success. The high court's opinion should pave an avenue for my complete freedom in my next trial. . . ."

Norris and Patterson have been in death cells at State Prison here for more than a year. They are two of nine Negroes accused of assaulting Victoria Price and Ruby Bates, white girl "hoboes," on a freight train near Scottsboro on March 25 1931. Two of the nine cases are pending in juvenile court.

In the fall of 1932 the Supreme Court reversed convictions and death sentences for the seven defendants convicted at Scottsboro, on the ground that they had not had time to prepare a defense. The following spring Patterson was convicted the second time when tried at Decatur on a change of venue. But Circuit Judge James E. Horton gave him another trial on grounds of insufficient evidence.

Patterson was convicted for the third time and Norris the second time in trials before Judge W. W. Callahan at Decatur in December of 1933.

NEW YORK SUN

APR 1 1935

Scottsboro Ruling Expected

Supreme Court May Give Opinion Also Today on Rail Pension Act.

WASHINGTON, April 1 (A. P.).—The lives of two Negroes convicted of assaulting two white women four years ago near Scottsboro, Ala., hung in the balance today as the Supreme Court met to hand down decisions after a two weeks' recess.

It was expected generally that the justices, in a session beginning at 12 noon, would pass for the second time upon the validity of Alabama trials, which resulted in death sentences for the Negroes.

The capital also looked to the court for a decision on the constitutionality of the railroad pension act. Observers were mindful of the possible effect of this opinion upon the social security legislation that President Roosevelt has asked Congress to pass.

Death sentences imposed on Clarence Norris and Haywood Patterson, Negroes, twice convicted in the Scottsboro assault cases, have been suspended while their second appeal to the Supreme Court has been pending.

They were among nine Negroes originally accused of assaulting two white women who were riding a freight train from Tennessee into Alabama. One of the nine was acquitted and one freed because of his youth.

After Alabama courts convicted the remaining seven and sentenced them to death, the Supreme Court set aside the convictions, saying the Negroes had been denied proper counsel. Norris and Patterson who were tried and convicted again, contended in their appeal this time that they were indicted and tried before juries from which Negroes had been excluded systematically.

The Alabama Supreme Court said the evidence failed to show that Negroes had been so excluded.

Rail Act Passed Last Year.

The railroad pension act was enacted last year. It provides for retirement of railroad employees with pay after thirty years of service, or after they reach 65 years of age.

The railroads have contended that the act is unconstitutional and would impose an unbearable financial burden.

After handing down decisions the court is expected to hear arguments in a suit testing the legality of the Frazier-Lemke farm moratorium measure. Passed at the last session of Congress, this act gives hard-pressed farmers a five year mortgage moratorium if they are unable to reach an agreement with their creditors.

New York Herald-Tribune

APR 2 1935

Alabama Ready To Rush Retrial At Scottsboro

Lt. Gov. Knight, Special Prosecutor, Announces Move for Re-indictment

Leibowitz Hails Decision

Calls Ruling Greatest for Negroes Since Dred Scott

By The Associated Press

MONTGOMERY, Ala., April 1.—New indictments to prosecute the Scottsboro attack cases "to their conclusion" will be sought promptly, Lieutenant Governor Thomas E. Knight jr. announced today. The Lieutenant Governor, who as Attorney General prosecuted Haywood Patterson and Clarence Norris, the Negroes whose sentences for alleged attack on a white woman were set aside by the United States Supreme Court today, has been retained as special prosecutor to conduct the state's case.

Mr. Knight said he did not know whether a special session of the grand jury would be called at Scottsboro, or whether the case would await a regular session.

The news brought joy to eight of the defendants, but the ninth, Patterson, greeted it with shouts of derision from his cell, in death row at Kilby prison near here.

In the Jefferson County jail, from the other seven defendants awaiting trial, it brought shouts of joy.

History of Alabama Trials

DECATUR, Ala., April 1 (*AP*).—Haywood Patterson and Clarence Norris, two of nine Negro defendants in the Scottsboro case, were convicted and sentenced to death in Morgan circuit court, under a change of venue, in December, 1933. The Negroes, tried separately, were charged with attacking Mrs. Victoria Price, Huntsville, Ala., mill worker, aboard a Southern Railway freight train on March 25, 1931, in Jackson County.

Ruby Bates, who testified in the original trial that she also was attacked, in April, 1933, appeared here to repudiate her previous testimony, but in the trials in December, 1933, she testified through interrogatories.

On the appeal from the original convictions in the case in April, 1931, the Alabama Supreme Court confirmed the sentences of seven of the Negroes, including Patterson and Norris, but set aside one, that of Eugene Williams, holding he was a juvenile.

The seven convictions upheld by the Alabama court in a decision on March 25, 1932, were set aside by the United States Supreme Court on November 7, 1932.

On motion of counsel supplied by the International Labor Defense, the cases were then transferred to the Morgan circuit court here, and on April 9, 1933, Patterson was convicted a second time. This conviction was set aside on June 22, 1933, by Judge A. E. Horton, who presided at the trials.

In December, 1933, Patterson was found guilty for the third time, and Norris was again convicted.

Leibowitz Doubts Retrial

The Scottsboro Negroes who have won the right to a new trial by yesterday's decision of the United States Supreme Court will never be tried again unless the State of Alabama revolutionizes its jury system, Samuel S. Leibowitz, counsel for the defense, said last night at his offices, 225 Broadway. "Any grand jury which indicts them will have to have Negroes on its roll, and any jury which tries them will also have to be drawn from a roll in which every qualified Negro in the county is listed," he said.

He indicated strong doubt as to whether there would ever be another trial, and said it was probable that an airplane would be used to bring the Negroes north from Alabama, after their ultimate release.

"No words can express how much that decision by the Supreme Court means to me," Mr. Leibowitz said. "It is the greatest milestone in the story of Negroes' rights in our courts since the Dred Scott decision."

Birmingham, Ala. News

April 2, 1935

The Supreme Court's Ruling On The Scottsboro Cases

Again the United States Supreme Court has set aside the verdicts in the Scottsboro cases and ordered new trials for two of the defendants. In the other review of the cases by the Supreme Court the verdicts imposed on all the defendants were annulled on the ground that the Negroes had been unconstitutionally deprived of the aid of counsel in preparation for their first trial. There was a dissenting opinion on that occasion.

In the latest review the verdicts were set aside on the ground that the defendants had been deprived of constitutional rights because they were indicted by a Grand Jury and convicted by a trial jury from which members of their race had been "systematically excluded." This time there was no dissenting opinion, although one member of the court, Justice McReynolds, took no part in the case. Thus we have the United States Supreme Court saying to the Alabama courts, in an opinion unanimously concurred in by all the justices participating, that trials of Negroes in this state, where members of their race are excluded from jury duty, are illegal. Chief Justice Hughes, who read the opinion, said that the absence of Negroes from the jury rolls should have caused the trial court to quash the indictments.

This opinion by the highest tribunal in the land raises a question for Alabama which is far greater than the immediate issue involved in the Scottsboro cases. According to the Supreme Court's ruling, no case involving Negro defendants which has been tried in Alabama in a court from which Negroes were excluded as jurors has been legal. The court, of course, did not make reference to any other cases; but it plainly follows from the opinion in these cases that the court would consider unconstitutional any trial involving a Negro in which members of his race were excluded from jury duty.

The conclusion is inescapable, it seems to *The News*, that Alabama will have to take steps to correct the situation criticized by the Supreme Court wherever it holds true. If this should not be done, every case, either of a major or a minor nature, involving a Negro defendant, hereafter tried in Alabama, could conceivably be appealed to the United States Supreme Court, and each conviction set aside, where Negroes are excluded from the jury rolls.

Negroes have not only been included on jury rolls in Alabama, but they have in some instances actually served as jurors. Negroes have served as jurors in federal courts in this state. Probably they have served, or at least they have been eligible to serve, on juries in state courts in some counties. They have served, or been eligible to serve, in some other Southern states. The Supreme Court is convinced that in Jackson and Morgan Counties, scenes of the Scottsboro trials, Negroes were "systematically" excluded from the jury rolls. That is almost certainly not true of every county in Alabama. It is apparent, then, that there is nothing in Alabama law which would prevent the inclusion of the names of Negroes on jury rolls. Even if there were, such provision, according to the Supreme Court, would be unconstitutional.

The court's opinion unquestionably calls for remedial action in those counties where Negroes are excluded from the jury rolls. This is the absolute minimum of change of current practice in Alabama necessitated by the court's ruling.

Lynchings-1935
& Legal Punishment for Rape

Alabama

5836

GOVERNOR GRAVES'S LETTER ABOUT NEGRO JURORS

The Advertiser does not see how Governor Bibb Graves could have done less than to assume his full responsibility as the chief executive and the titular leader of Alabamians in urging all judges and solicitors to take steps immediately to have this State conform its jury practices to the demands of the Supreme Court of the United States since there is no other court to which this State may appeal. Advertiser

The Advertiser several days ago said that it would now be necessary for Alabama jury commissions immediately to recognize the demands of the Supreme Court, otherwise it would be useless to expect that body to affirm any conviction of a Negro by an Alabama court, regardless of the evidence. 4-6-35

Governor Graves in his letter to circuit judges and solicitors merely recognizes the realities of the situation. It is vital that whatever readjustment to the Supreme Court's decision is to be made should be made immediately. We think it is the function of the Governor to point the way, and so we are glad, but not surprised, that Governor Graves should have acted in the forthright manner that he did. He could not have done less. Montgomery, Ala.

There is talk of new legislation on the subject. The Governor indicates that he will advise the Legislature in May to enact whatever legislation may be necessary to bring State practice into line with Charles Evans Hughes's opinion.

We doubt if new legislation is necessary or desirable. Certainly Senator Miller Bonner's suggestion that we revise the law so that only qualified voters may be eligible for jury duty would seem to be far enough to go. The Advertiser's opinion is that the matter can be safely entrusted to the jury commissions of the counties and the lawyers practicing at the bar.

We do not anticipate serious difficulties. Everybody knows that there are hundreds of Negroes in Alabama who are qualified by native intelligence and personal character to serve on a jury drawn to hear any cause. They are as well qualified for jury service as any other citizens. They do not especially desire to be called for jury service and we have no doubt that colored men of this calibre and rank are naturally embarrassed by recent developments.

It is not in response to any demand from them that the Supreme Court has nullified the action of the oathbound courts of the sovereign State of Alabama.

Nevertheless the great majority of Negroes are not yet prepared for the responsibilities of jury service, and for the information of Mr. Charles Evans Hughes The Advertiser will here say upon its own responsibility that the great majority of Negroes in Alabama are not likely to be summoned for jury duty in future. If they are the respectable practitioners at the bar on both sides of a cause will strike their names.

Finally and in conclusion: The Advertiser does not believe that if the 12 Apostles, returned to life, should declare the Scottsboro infants guilty, the Supreme Court of the United States would affirm the verdict.

The Advertiser does not believe that the Supreme Court of the United States would affirm any verdict of guilty against these puling infants.

The Advertiser believes that the State of Alabama should resolutely prosecute these sucklings to the bitter end! It believes that this sovereign State should at last have its way. If these sucklings are innocent they should be acquitted in an Alabama court.

If they are guilty they should be convicted in an Alabama court, if it takes 100 years to convict them!

After which the Governor of Alabama, whoever he may be at that time, may properly take into account certain extenuating circumstances and act in his own wisdom to save these sucklings from the supreme sacrifice.

It would be weak, apologetic and cowardly for Alabama to back down now!

Therefore, we hope that Thomas E. Knight, Jr., as weary as he may be of these nasty cases, will pursue them to the very end. Let Alabama continue to drop these sucklings into the laps of the ponderous, querulous old men who quaver aimlessly in the chambers of the Supreme Court of the United States.

The dignity of a self-respecting State can demand no less.

WILMINGTON, N. C.
NEWS
APR 5 1935

Editorial Comment From Other Angles

EPOCHAL DECISION
(The Charlotte Observer)

Attorney General Seawell makes no unlikely prophecy in contending that the decision of the United States Supreme Court in the celebrated case of the negroes tried in Scottsboro, Ala., opens the way for unlimited appeals to that tribunal in view of the finding that in this particular case, negroes were excluded from the jury as they are customarily in the South.

The Supreme Court three years ago reversed the findings of guilt of the defendants on the ground that at that time, they had been denied their right to obtain counsel.

The latest reversal, pivoting upon the point that negro jurymen had been deliberately and systematically denied the right of service in this case, opens, of course, a wide range of involvements in respect to racial distinctions in the South.

And while our negro element has desisted generally from claiming its rights in such jury service in our courts in the past, this decision will unavoidably inspire them with new determinations to claim such as the court now clearly invests them with, and in the event of denial, adverse verdicts rendered in such cases as their people may be involved in the courts of the State may give the Unitd States Supreme Court an abundance of other similar instances.

Charlotte, N. C., News
April 2, 1935

Constitution vs. Local Customs.

The supreme court has set aside the death sentences imposed by an Alabama court upon two of the Scottsboro Negroes and has ordered a new trial for them. Its reasons are simple and not to be misunderstood: "We think," read Chief Justice Hughes,

> ". . . the evidence that no Negro had been called for jury service in Jackson county for a generation established that there had been discrimination. We find no justification for excluding Negroes from the trial jury."

This is a disturbing opinion. The fact is that in by far the greater part of the South Negroes are not called for jury duty. It might be shameful, but it is true; and being true it would seem to suggest grounds on which to perfect any number of appeals from convictions rendered at the hands of all-white juries.

Which would crystallize an issue that, notwithstanding the Scottsboro case and the fallibility of justice generally, had much better be left in a state of flux. No great constitutional principle is involved, merely the obnoxious 14th amendment which was designed not so much to better the status of the Negro as to subjugate a defeated enemy, the South. Section 2 of that amendment, apportioning representation in congress, is ignored by tacit agreement yet more and more Negroes are voting and the matter is adjusting itself. Time and the increasing understanding between the two races of the South will eventually settle the question of jury duty. Until then, let sleeping dogs lie.

SCOTTSBORO RULING DISTURBS THE SOUTH

4-7-35

Move to Put Negroes on Jury Lists in Alabama Follows Supreme Court Decision.

NEW TRIAL IS DISLIKED

By JOHN TEMPLE GRAVES.

Editorial Correspondence, THE NEW YORK TIMES.

BIRMINGHAM, Ala., April 5.—Symphony Orchestra, and who, with a group of Negro friends in the right and wrong of the matter of Southern newspapers and the Thirty-six hours after the United evening dress, occupied the stage these Alabamians undoubtedly had ambiguity of the first statements States Supreme Court ordered new boxes as honor guests of the asso- a certain satisfaction and relief in issued by officials. In so far as the

Scottsboro case itself is concerned, the guilt or innocence of the Negroes long since has ceased to be the paramount issue in the minds of most Alabamians.

The real question is whether there is to be a spectacle of defeat for communism and of punishment for rape. That circumstances make such a spectacle necessary to the social stability of this section, in spite of the fact that Samuel Leibowitz, counsel for the Negroes, has dissociated himself from the International Labor Defense and that the crime is doubtful, is the inflexible if misguided conviction of many Alabamians who will insist that a fresh start be made now in the business of getting the accused men to the electric chair.

Governor's Action.

Prompt action by Governor Bibb Graves to have the names of Negroes placed in Alabama jury boxes in conformity with the decision and his statement that "Alabama is going to observe the supreme law of America" are being taken as fresh examples of a political realism and an executive courage which have made him one of the strongest Governors in Alabama's history. Nearly all daily newspapers in the State gave the announcement a leading place on their front pages.

Birmingham papers are unanimous in praise. Although there has not been time yet to estimate the general reaction, indications are that the statement gives Alabamians a clue to which they are quite likely to respond, in spite of efforts on the part of some politicians to seek new devices against bona fide admission of the Negro to jury service.

Thus far, Southern comment on the Supreme Court decision runs more to the general than to the particular implications in the matter of admitting Negroes to jury service. Although there are many suggestions that the subterfuges and legal fictions employed heretofore to exclude Negroes will have to be replaced now with other devices to accomplish the same end, more thoughtful opinion, particularly in the press, inclines to a belief that the decision must be accepted in dead earnest and that Negroes must be admitted to jury duty henceforth in Southern courts if convictions are to stand on appeal to the highest court in the land.

Views of the Press.

That the change in Southern practice will not be as revolutionary in what it calls for or what it threatens as some Southerners may fear, is the opinion of The Birmingham News. Pointing out that Negroes serve already on Federal juries in Alabama and that they are included in jury rolls and sometimes drawn for service in State courts in some counties, The News thinks the conclusion inescapable "that Alabama will have to take steps to correct the situation criticized by the Supreme Court wherever it holds true. The court's opinion unquestionably calls for remedial action in those counties where Negroes are excluded from the jury rolls."

Long before last Monday's decision the matter of admitting Negroes to juries had been under discussion in the South and many voices were being lifted in favor of it. Not only are the ideas of Southern white people changing but the Negro himself is continually improving and many who would have held him unfit for the duties and rights of citizenship a decade or so ago consider him qualified today. It is safe to suggest that the South is not half as shocked at the prospect of Negro jurors as it is at the threat of another Scottsboro trial.

How Much to Rejoice

The Scottsboro victory in the Supreme Court last week is significant because it virtually orders every Southern state to revise its jury lists so as to include colored people as well as white.

The AFRO-AMERICAN sees in this a step forward, but it is not yet ready to admit that this solves the problem of even-handed justice.

To place one colored man or even two on a jury list of sixty or one hundred might comply with the Supreme Court ruling, but, after all, counsel for either side in a single case may exercise the right to strike off names and easily eliminate from any jury one or two persons.

Had the Supreme Court said, as it could have said, that equal protection of the law in this case means that jury lists should contain the names of colored persons in proportion to the population, that would have been a different matter.

It did not say that, so a real honest-to-goodness reform of the South's jury system is not likely to follow from the Scottsboro ruling.

I. L. D. Rival Asks To See 'The Boys'

A communication was transmitted yesterday to the office of Atyt. Gen. Albert A. Carmichael from Dr. George S. Hayes, vice-chairman of the American Scottsboro Committee, Inc., of New York, which has been endeavoring to keep the Scottsboro case defendants from remaining under the influence of the International Labor Defense, stating he wants to interview the two Scottsboro case prisoners now confined at Kilby Prison.

He said he would like to see these two men, Heywood Patterson and Clarence Norris, Saturday morning during a stopover he will make in Montgomery en route to Tuskege, and asked permission to talk to them, though he did not state the purpose of the interview.

Advising that it has no authority to issue a permit to anyone to visit any inmate of Kilby or any other prison in Alabama, the Attorney General's office told Dr. Hayes that such permission is given by the State Convict Department; suggested that he apply for it there, and added that he should have no difficulty in obtaining the permit desired.

In addition to being vice-chairman of the American Scottsboro Committee, Inc., Dr. Hayes is also secretary of the Federated Council of Churches in America, it is stated.

NEGROES SUMMONED FOR GEORGIA JURIES

40 Names on List for Criminal Cases

NORFOLK, Ga., April 9. —(INS)— Following the recent supreme court ruling on the "Scottsboro Negroes" case, judges of both corporation courts today ordered that the names of 40 negroes be added on the jury rolls for trial of criminal cases.

The jury rolls of the circuit court and the court of law and chancery, which deal with civil matters, were not affected by the order.

Negroes have been barred from jury duty in state courts here since reconstruction days.

BIRMINGHAM, ALA.
NEWS
APR 2 1935

The Supreme Court's Ruling On The Scottsboro Cases

Again the United States Supreme Court has set aside the verdicts in the Scottsboro cases and ordered new trials for two of the defendants. In the other review of the cases by the Supreme Court the verdicts imposed on all the defendants were annulled on the ground that the Negroes had been unconstitutionally deprived of the aid of counsel in preparation for their first trial. There was a dissenting opinion on that occasion.

In the latest review the verdicts were set aside on the ground that the defendants had been deprived of constitutional rights because they were indicted by a Grand Jury and convicted by a trial jury from which members of their race had been "systematically excluded." This time there was no dissenting opinion, although one member of the court, Justice McReynolds, took no part in the case. Thus we have the United States Supreme Court saying to the Alabama courts, in an opinion unanimously concurred in by all the justices participating, that trials of Negroes in this state where members of their race are excluded from jury duty, are illegal. Chief Justice Hughes, who read the opinion, said that the absence of Negroes from the jury rolls should have caused the trial court to quash the indictments.

This opinion by the highest tribunal in the land raises a question for Alabama which is far greater than the immediate issue involved in the Scottsboro cases. According to the Supreme Court's ruling, no case involving Negro defendants which has been tried in Alabama in a court from which Negroes were excluded as jurors has been legal. The court, of course, did not make reference to any other cases; but it plainly follows from the opinion in these cases that the court would consider unconstitutional any trial involving a Negro in which members of his race were excluded from jury duty.

The conclusion is inescapable, it seems to *The News*, that Alabama will have to take steps to correct the situation criticized by the Supreme Court wherever it holds true. If this should not be done, every case, either of a major or a minor nature, involving a Negro defendant, hereafter tried in Alabama, could conceivably be appealed to the United States Supreme Court, and each conviction set aside, where Negroes are excluded from the jury rolls.

Negroes have not only been included on jury rolls in Alabama, but they have in some instances actually served as jurors. Negroes have served as jurors in federal courts in this state. Probably they have served, or at least they have been eligible to serve, on juries in state courts in some

tionably calls for remedial action in those counties where Negroes are excluded from the jury rolls of change of current practice in Alabama necessitated by the court's ruling.

Lynchings-1935

Legal Punishment for Rape.

Alabama

5037

COLUMBIA, S. C.
STATE
NOV 21 1935

Again the Scottsboro Case.

We have long been wondering what Alabama really thinks about the Scottsboro case. So very little has been publicly said about it there, outside of the court rooms and off the political stump. One is permitted, however, to draw some conclusions from reading between the lines.

In the introduction to a special article on this case appearing in The New York Times, and written by John Temple Graves, 2nd, son of the celebrated Southern orator and editor of that name, we find this:

New indictments in the Scottsboro case point to an early resumption of all the noise, bitterness, notoriety and expense that attended the earlier trials. Alabamians still are divided on the merits of the case, but of one mind in the wish to be rid of the thing for better or for worse.

There is no present disposition in the press or anywhere else to debate the guilt or innocence of the defendants any longer. Comment everywhere runs now to regret that the ugly business must be brought forth again and to hope that this time it will be settled permanently one way or another. To meet the decision of the supreme court a Negro sat on the grand jury that found the new indictments.

Tom Knight, who was attorney general at the time of the last trials and who conducted the prosecution in that capacity, has since been elected lieutenant governor, largely as a result of prestige won in opposing "Communists and New Yorkers" allied against him in the case. Detailed as special prosecutor for the new trials, he is said to have gubernatorial ambitions which new triumphs in the Scottsboro case would serve handsomely. Those close to him are convinced that he believes absolutely in the guilt of the Negroes, who are charged with assaults upon two white girls.

In the opinion of many Alabamians the prime thing to be considered today is whether the International Labor Defense shall be permitted to win a famous victory and exploit it to further the Communist movement among Southern Negroes. These Alabamians would be well satisfied if the defense could be taken over by some well-known Southern lawyer or lawyers and an acquittal won under such command. They do not believe acquittal would be wise if the International Labor Defense were in a position to claim credit for it and they do not believe an acquittal will be possible if the defense is conducted by this or any other group identified with what has come to be known as "outside interference in Alabama's affairs." This is in all probability the essentially realist attitude toward the case.

From the very outset the tactics of the spokesmen for the International Labor Defense and other Northern organizations ostensibly rallying to the defense of those accused Alabama Negroes, as well as the conduct of the Northern lawyers sent down here to defend them in their several trials, increased instead of lessened the jeopardy of the defendants. Those people, seemingly for publicity purposes for themselves, not only intensified the already existing race feeling, but created new and bitter prejudices. No policy could have been adopted better calculated to insure the conviction of those defendants by Alabama juries, than the policy pursued by these "outsiders" who injected themselves into the case in the role of defenders. What crass stupidity to assail Alabama juries and judges and courts while the lives of the accused rested upon unprejudiced action by the courts!

Prejudice may be condemned; it may be bitterly denounced. And all that is said against it may be true, but it cannot be removed by such methods. One wonders whether the International Labor Defense and its agents were really concerned in saving the lives of those defendants?

John Temple Graves of Alabama says: "Alabamians would be well satisfied if the defense could be taken over by some well-known Southern lawyer or lawyers and an acquittal won under such command. They do not believe acquittal would be wise if the International Labor Defense were in position to claim credit for it." So it seems that because of these new prejudices created the International Labor Defense has become more conspicuous as a defendant in the dock than the six Negroes, and to prevent its triumph it is regarded as "unwise" to set the Negroes free.

Of course, it is deplorable that "expediency" should ever be considered instead of "justice." But when bitterness has been created that is what happens. Nowhere is it easy to hold the scales of justice evenly balanced; when prejudice gets a foothold it is impossible. It is most deplorable that exploitation of persons or organizations should be placed above human lives or justice.

CHARLESTON, W. VA.
MAIL
NOV 29 1935

Involving the Issue

For persons who had hoped for a calm and ordered justice in the impending trial of the Scottsboro case defendants, there is not much reassurance in the reports that have come recently from Alabama. From Birmingham, a correspondent of the New York *Times* writes of this *cause celebre* that present signs point to "an early resumption of all the noise, bitterness, notoriety and expense that attended the earlier trials" and that Alabamans generally, although divided on the merits of the case, are "of one mind in the wish to be rid of the thing for better or for worse."

The United States supreme court twice has intervened to set aside sentences of death because of the denial of constitutional safeguards by the state courts of Alabama. The *Times* correspondent continues:

In the opinion of many Alabamans the prime thing to be considered today is whether the International Labor Defense shall be permitted to win a famous victory and exploit it, to further the Communist movement among southern Negroes. These Alabamans would be well satisfied if the defense could be taken over by some well known southern lawyer or lawyers and an acquittal won under such command. They do not believe acquittal would be wise if the International Labor Defense were in a position to claim credit for it and they do not believe an acquittal will be possible if the defense is conducted by this or any other group identified as "outside interference in Alabama's affairs."

West Virginians, who occasionally get a taste of outside interference in the mining regions, may share the dislike of the Alabamans for the way in which New York communists have capitalized the Scottsboro case. Nevertheless, it has to be admitted that "'no well known Southern lawyer" so far has come forward to take over the defense, and had the International Labor organization not intervened, several, if not all, of the defendants might have been executed under a procedure that the supreme court has condemned. The ominous aspect of the whole situation is the continued tendency on both sides to lose sight of the simple issue of justice involved and to make these seven Negroes, charged with criminal attacks upon two women, symbols either of capitalistic oppression or "outside interference."

KANSAS CITY, MO.
TIMES
NOV 23 1935

Alabama Resents Interference.

Reports that have come from Alabama in connection with the new indictments in the Scottsboro case are far from reassuring. A correspondent of the New York Times writes from Birmingham that present signs point to "an early resumption of all the noise, bitterness, notoriety and expense that attended the earlier trials" and that Alabamans generally, although divided on the merits of the case, are "of one mind in the wish to be rid of the thing for better or for worse."

The correspondent then continues with respect to a case in which the United States supreme court has twice intervened, to set aside sentences of death because of the denial of constitutional safeguards by the state courts of Alabama.

In the opinion of many Alabamans the prime thing to be considered today is whether the International Labor Defense shall be permitted to win a famous victory and exploit it, to further the Communist movement among southern Negroes. These Alabamans would be well satisfied if the defense could be taken over by some well known southern lawyer or lawyers and an acquittal won under such command. They do not believe acquittal would be wise if the International Labor Defense were in a position to claim credit for it and they do not believe an acquittal will be possible if the defense is conducted by this or any other group identified as "outside interference in Alabama's affairs."

Many outsiders will share the dislike that such Alabamans feel for the way in which New York Communists have sought to capitalize on this case. In all fairness, however, it must be admitted that so far no "well known southern lawyer" seems to have come forward to take over the defense and had the International Labor organization not intervened, several, if not all, of the defendants might have been executed under a procedure that the supreme court has condemned. The ominous aspect of the whole situation is the continued tendency on both sides to lose sight of the simple issue of justice involved and to make these seven Negroes, charged with criminal attacks upon two women, symbols either of capitalistic oppression or "outside interference."

ROCKFORD, ILL.
REGISTER REPUBLIC
NOV 23 1935

SCOTTSBORO AGAIN.

The nine defendants in the famous Scottsboro case have been indicted again. This time organization of the grand jury which returned the indictments was slightly different from the one which voted the original charges, for one of the jurors was colored. He helped vote the new charges.

A ruling of the United States Supreme court in the case hit the "systematic" exclusion of colored men from grand and trial juries in Alabama and made it necessary to reindict the defendants. Inclusion of the single colored juror was not a voluntary act of Alabama.

It will be interesting now to see what disposition Alabama will make of the case against the colored defendants. Their case has attracted wide public attention. Many have considered the previous conduct of the case a miscarriage of justice.

NEW ORLEANS, LA.
ITEM

NOV 18 1935

Scottsboro Slants

THE celebrated Scottsboro case, getting off to a new start, may move faster. Conviction of the accused Negroes, net result of more than four years' fighting in the courts, was invalidated by the United States Supreme Court on the ground that Negroes had been systematically excluded from the grand and trial juries. A Negro served on the grand jury which has just returned new indictments. All is ready for rewarming old evidence.

It is hard to discern any gain to civilization in the amendment to the Scottsboro technique. One Negro could not, of course, affect the will of 17 white members of the new grand jury, where a majority is enough. Inclusion of a Negro in a new trial jury would be unlikely to affect the verdict. Again we speak of practice, not theory.

The Scottsboro appeals and the Supreme Court decision have established obedience to the letter of the United States Constitution. What is obedience to the letter worth? Meantime the Scottsboro prisoners have had a long wait. The best they can say of that is that it leaves them still among the living.

In addition to forcing the inclusion of Negroes in juries all over the South, these Scottsboro proceedings may yield another by-product. We note that Mr. Horton, the Alabama jurist who conducted the first trial, is under serious consideration for a seat on the Federal bench in succession to the late Judge Grubb. We hope he gets it. We are sorry Alabama's Senators have not endorsed him.

He bore himself at the Scottsboro trial in a civilized and judicial manner to bring credit to his profession and his state. As a result he was defeated of re-election by a small margin. It would be a very happy joke on the unbalanced elements that defeated if they have merely succeeded in kicking him far upstairs.

JAMESTOWN, N. Y.
MORNING POST

NOV 15 1935

THE SCOTTSBORO CASES.

The presence of a negro on the Alabama grand jury which brought new indictments against the nine negro defendants in the noted Scottsboro cases surely presented a novelty in court procedure in that state. Possibly, in reconstruction days negroes were permitted to perform jury services in Alabama, but certainly not in recent years. The fact that the prejudice was laid aside to the extent of placing a black man on the grand jury evidently was due to the intense desire to bring the accused men to trial.

The Supreme Court of the United States had set aside the verdicts in the cases because of the systematic exclusion of negroes from jury service in the state. Therefore, the exclusion heretofore practiced was set aside sufficiently to admit one grand juror of the proscribed race. That, evidently, was felt, to be sufficient to comply with the Supreme Court ruling.

The Scottsboro cases, which have been pending in the courts of Alabama for five years, grew out of an alleged attack by the negroes on two women. Because of the reputed character of the women, doubt was felt of the guilt of the accused and their plight aroused sympathy. Their cause was taken up by some outside interests and handled by them until the final decision was reached by the Federal Supreme Court. One of the women who were prosecutors in the original trial has disappeared. The outcome seems to hang on the credit given to a single woman who claims to have been attacked when both she and the accused were permitted as free riders on a freight train.

The doubt of the guilt of the accused men ed to the effort in their behalf. However, having once started to prosecute the black men and having encountered rebuffs in the effort, the desire to convict and execute them apparently became more intense. It is possible that the way has been cleared for a conviction and execution, though the character of the prosecuting witness would seem to warrant a doubt. That there has been so great delay, and so many obstructions have been interposed, appears to have increased the desire to put the blacks to death. The doubt attending the case may not be sufficient to save them, if they be not guilty. Therein is their peril.

NOW THAT THE SCOTTSBORO defendants have been reindicted by the grand jury—with one Negro juror—the business of a new trial will doubtless proceed with all possible speed. Since the available constitutional avenues of relief have been exhausted, the fate of the nine Negroes will be decided by the State of Alabama. This being true, it is necessary for the defense to put up the strongest possible case. If they are to be defended by a Northern lawyer—and the difficulties in the way of getting competent Southern counsel seem to be enormous—such a lawyer should be unhampered by friction extraneous to the case itself. A very large number of persons have been interested in the fate of the defendants, and numerous groups have been active in attempting to save them from the electric chair. It is hardly necessary to review the past history of unpleasant quarrels among these groups, all of them working for the same end but some of them unable to endure the others. What is obviously needed now is teamwork and concentration on the immediate task of freeing the Negroes from a charge of which there is every reason to believe them innocent.

COLUMBIA, MO.
MISSOURIAN

NOV 20 1935

Scottsboro's Pride and Prejudice

IN Scottsboro, Ala., new indictments charging criminal attack were returned against nine Negro defendants who are charged with attacking two white women aboard a freight train in Jackson County on March 25, 1931. A Negro was sitting on the Grand Jury for the first time in the county's history.

The first three trials were only the beginning. The Supreme Court has at last handled the case but only decreeing that Alabama give the Negroes another hearing and also admit Negroes to the jury panel. Alabama has at no time shown disposition to give the Negroes any quarter. In spite of the most doubtful evidence and witnesses, Alabama convicted and sentenced them all to death.

One bit of irony about the affair is that it all happened back in 1931. And, closer now to five than four years, the case is still dragging along. For over four years nine Negro boys have been in Alabama prisons under sentence of death.

At no time in the case was the evidence against them stronger than the word of two white women of questionable character.

If not stopped soon this affair may go on for many years. Soon, the public will get tired of reading about Alabama's pride and prejudice.

ASHEVILLE, N. C.
TIMES

NOV 20 1935

The Scottsboro Case

DISCUSSING the Scottsboro case, in his editorial correspondence to The New York Times, John Temple Graves 2d puts forward a timely and sensible suggestion.

There is no longer in Alabama, he finds, a disposition to argue the guilt or innocence of the defendants. Many Alabamians, he thinks, would be well satisfied to see the Negro youths acquitted, provided their defense were conducted by some well known Southern lawyer or lawyers, so that the victory could not be used to exploit Communism among the Negroes.

The point is well made. Forgetting the past of this case, it is time for the defense to be placed in the hands of lawyers whose very presence will not excite animosity in the minds of Alabama people.

Lynchings- 1935
& Legal Punishment for Rape

Alabama

5038

MINNEAPOLIS, MINN.
JOURNAL

APR 6 1935

Alabama the Real Defendant

Almost, it might be surmised, the United States Supreme Court has grave disbelief in the guilt of the Negroes who have come to be known as the Scottsboro boys. Twice this great tribunal has sent back the Scottsboro cases for new trials. Both reversals, it is true, were on technical grounds. But it begins to look as though the Justices at Washington had heard attentively from some source the old yarn about the man who was thrown out of the dance hall three times, finally remarking he was on the point of concluding they didn't want him in there.

The State of Alabama may well take note. For the Scottsboro case goes back now on the ruling that there has been systematic exclusion of Negroes from jury service in that State. The reversal is of immediate significance to the defenders of these Scottsboro boys, but it reaches much farther than this. It serves notice on the States that no color line is to be drawn in the selection of citizens for jury service.

To be sure, this in itself is not sufficient reason for suspecting the Supreme Court's doubt of the Scottsboro boys' guilt. But it does betoken an impression that all is not well with judicial procedure and the defense of justice in Alabama.

DETROIT, MICH.
FREE PRESS

APR 3 1935

Scottsboro Justice

THE Supreme Court of the United States has ordered a new trial for one of the Scottsboro defendants on the ground that the exclusion of Negroes from the jury which tried his case and placed a noose around his neck, was in defiance of the principle of equal protection of the law for all.

Chief Justice Hughes declared that it has long been held that the exclusion of qualified persons of African descent from jury service because of their race or color rendered the court proceedings invalid.

The charge had been made, Chief Justice Hughes said, that qualified Negroes had been arbitrarily and systematically excluded from the jury in the Scottsboro case, wherein a number of Negro youths were accused of assaulting a white woman, and the absence of Negroes from the jury rolls should have caused the trial court to quash the indictments.

Any other ruling by the Supreme Court would have been difficult to compose with Section 1 of the Fourteenth Amendment, which provides that no State shall make or enforce "any law which shall abridge the privileges or immunities of citizens of the United States."

The exclusion of qualified Negroes from jury service is an abridgment of the privilege of American citizens to do jury duty, as well as an abridgment of the far more vital privilege of Negro defendants to be tried by a jury of their peers.

DURHAM, N. C.
HERALD

APR 6 1935

NEGRO JURORS IN THE SOUTH NOW SOMETHING INEVITABLE

(Raleigh Times)

Comments from a number of southern states, including North Carolina, show that the decision of the supreme court in the Scottsboro case, which went off on the point of Negroes being denied the privilege of jury service, is taken at its face value as a new problem.

It is unfortunate, however, that a number of official commentators attempt a kind of plea of confession and avoidance by pointing out that in their states there is no overt attempt by law to disqualify the Negro citizen from performance of jury duty. Theoretically, they insist, Negroes have the same right to serve on juries as they would have if white. Suppose, then, it happens that they do not serve? How is the federal constitution violated?

All such comment is no better than specious window dressing with argument. Its essential futility is shown by the fact that the supreme court itself recognized that the absence of Negroes from jury panels was not an open defiance of the constitution but an evasion of its provisions. Whereupon the supreme court took judicial notice of the prevailing customs by which the constitution was evaded in this respect and cut through it with sure strokes to say that it in reality violated the constitution. This talk and comment, therefore, is worth no more than that of a lawyer who criticizes a definite adverse decision after he has lost his case.

COLUMBUS, O.
CITIZEN

APR 2 1935

JUSTICE

EIGHT United States Supreme Court justices united in striking down the conviction of two Scottsboro defendants. The court held that Negroes had been illegally barred from acting as jurymen in the trials. Alabama now must either dismiss the famous cases or re-indict and re-try the defendants with Negro jurymen on the panels.

This is the high court's second rebuke to the prosecutors of these Negro youths and their companions. In November, 1932, the court ordered retrials on the ground that Alabama had denied the defendants due process on other grounds.

In these two opinions the Supreme Court has done much more than save the lives of obscure boys. It has done more than hearten the faith of 15,000,000 American Negroes in their country's courts. It has helped reenforce the very foundations of the Republic.

In his first inaugural address Thomas Jefferson said that equal and exact justice to all men of whatever state or persuasion, through trials by juries impartially selected, forms the surest bulwark against anti-republican tendencies. This is even truer today than in 1801.

HARTFORD, CONN.
COURANT

APR 8 1935

Negroes o Alabama Juries

With becoming ace, Governor Graves o Alabama has followed the decision of the Supreme Court of the United States in the Scottsboro case with a suggestion to the circuit judges and solicitors of the State that the jury lists be revised to include Negroes. At the same time he announces that he will ask the legislature when it convenes on April 30 to cover the dumping and refilling of Alabama jury boxes. "Whether we like the decisions (of the Supreme Court) or not," the Governor states, "it is the patriotic duty of every citizen and the sworn duty of every public officer to accept and uphold the law in letter and in spirit."

No one need be apprehensive that this change will bring Negro majorities to juries even in those communities where the colored population outnumbers the white four to one. Negro illiteracy in Alabama is 26.6 per cent and the franchise is extended to an even smaller percentage of the population. Moreover to the necessity of being a voter it may well be that such a requirement as the payment of a poll tax will be added for qualification as a juror. Nonetheless, if it happens, that occasionally one man of eleven on a jury dealing with Negro cases is himself a Negro, it will be a gain. Slowly as the illiteracy disappears and Negro schooling improves under national, if not local, initiation and financing, the numbers are likely to increase. It is the entering wedge of the first few men that is sure to be the hardest to drive.

TOLEDO, O.
NEWS BEE

APR 2 1935

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BOSTON, MASS.
HERALD
Transcript

APR 4 1935

The South's Dilemma

Comment by two Southern attorneys general upon the decision of the Supreme Court of the United States in the Scottsboro case presents a sharp difference of opinion. Attorney General William McGraw of Texas is quoted as saying: "Texas statutes and the conduct of criminal trials are in conformity with the decision of the Supreme Court. Generally when Negroes are drawn for service a suitable excuse is presented and always accepted. Texans have demonstrated perfect ability to properly control the Negro question within the Constitution." On the other hand, Attorney General A. P. Staples of Virginia expresses the opinion that "If the Supreme Court has held it necessary to have Negroes on juries, chances are we shall have to take cognizance of it."

In the light of the decision of the Court it would seem that the Virginian takes the sensible view. Chief Justice Hughes wrote in one portion of the opinion that "although the State statute defining the qualifications of jurors may be fair on its face, the constitutional provision affords protection against action of the State through its administrative officers in effecting the prohibited discrimination"; and elsewhere: "For

this long-continued, unvarying and wholesale exclusion of Negroes from jury service we find no justification consistent with the constitutional mandate." The Texas attorney general admits that there has been long continued and wholesale exclusion of Negroes from jury service in his State.

But the claim is made that the Texas procedure is within the Constitution. When Negroes are drawn for service a suitable excuse is generally presented and always accepted. To excuse a man from jury duty is obviously not unconstitutional. But if administrative officers accept excuses in such manner as to draw the color line when it comes to jury service, it is conceivable that the Supreme Court would find, should a Texas case be brought before it, that there was no justification under the Constitution for this wholesale exclusion of Negroes.

Attorney General A. A. F. Seabury of North Carolina says the present decision "gives us pause for thought." That is a reasonable view. It suggests dispassionate approach to the subject. The way out of the difficulty may be found in the fact that Southern States, in the light of the opinion of the Court, are not under compulsion to accept for jury service Negroes who are not qualified. The Court threw emphasis on the evidence that there were such Negroes who would have been available for service in the Scottsboro case had they been called. The fixing of the qualifications is within the hands of the States, so long as racial discrimination is not involved. Raising the standards would not keep Negroes of education and ability from the jury box, but it would tend to keep out undesirables both black and white. The South in this matter might set an example to the North. The problem of finding jurors of the right sort is not sectional.

Chicago First I. L. D. District To Respond to Call to Build $20,000 Scottsboro Fund

With $300 wired from the Chicago district of the International Labor Defense, in response to the appeal of the National Executive Committee of the organization, and $30 from other sources, the Scottsboro defense fund of the I. L. D. rose yesterday to $1,852.

Chicago was the first district of the I. L. D. to answer the call to build a $20,000 defense fund to defeat the efforts of the authorities to re-indict the Scottsboro Boys, bring them to a new lynch trial and railroad them once again to sentences of death in the electric chair.

Immediate steps being prepared by the I.L.D. to fight the lynchers, who have so far not only refused to free the Scottsboro boys, but are busy whipping up lynch sentiment against them, following the second reversal of the convictions against Haywood Patterson and Clarence Norris by the U. S. Supreme Court, are the development of a mass campaign around the slogans of "No re-indictments, no new trials, immediate, unconditional freedom for the nine innocent Scottsboro Negro boys."

At the same time, the I.L.D. attorneys, Osmond K. Fraenkel and Benjamin J. Davis Jr., are working out legal steps in the case. These will require thousands of dollars for expenses in printing of legal papers, court charges and expenses. The daily outlay in connection with these steps is very heavy. Thousands of dollars are needed immediately.

Rush them in immediately to the national office of the International Labor Defense, Room 610, 80 East 11th Street, New York City.

Total received yesterday, $330: —Chicago I.L.D., $300; Cleveland I.L.D., $20; Buffalo District Communist Party, $10. Still to be raised in $20,000 fund drive, $18,248

Sylva, N. C., Journal
April 4, 1935

NEGROES AS JURORS

Chief Justice Hughes, who was defeated for President in 1916 by Woodrow Wilson, read a decision of the United States Supreme Court, in the Scottsboro case, the other day, that will place all Southern States in a dilemma. The court said, in effect that the Negroes, twice convicted of the rape of white girls, must be given a new trial, because there were no Negroes in the panel from which the jury that convicted them, in Jackson county, Alabama, was drawn.

Again, after we had thought that things had pretty much righted themselves in the South, as concerns the amity between the races, the post War Between the States amendments to the Constitution, which were, almost of us down here verily believe, illegally adopted and forced upon us, rise up to bedevil us. There are no laws prohibiting Negroes from serving on juries, but Southern officials have generally made a practice of ignoring the Negro race when placing names in the jury box; and it is this that the Supreme Court drives up as a peg upon which to hang its decision granting the Scottsboro Negro rapists a new trial.

Hereafter, when a Negro is on trial in any Southern State, he can raise the same point as grounds for a new trial or in a motion to quash a bill of indictment for any trial, no matter how grave or how trivial.

That Negroes will be generally placed on juries in the South is inconceivable. Yet, we have the Supreme Court telling us that unless they are, there is the ever-present danger of all Negro criminals defeating the sentences imposed, through appeal to the United States Supreme Court. Taking it by and large, we fear that the court of Judge Lynch has been given its biggest boost in 50 years, by that decision. Watch and see if it doesn't turn out that way.

There is no apparent way to get the bedeviling, unconstitutional amendments out of the Constitution. International labor organization, Reds, and the Society for the Advancement of Colored People, all of which are foreign to the South, wont allow us to continue them, and Judge Lynch, who has been impeached of late years, may again be elevated to the bench. There is no appeal from his decisions. There would be no difficulty in white people and Negroes living amicably together in the South, if outsiders would but let Southern Negroes and Southern white people, who know and understand each other, work it out alone.

It is outside interference that has caused practically all the race problem in the South.

No matter what comes or goes, the white men of the South are going to protect the white women from black fiends; and if trial in the court of Judge Lynch, revolting to sensibilities as it is, is the only recourse, they will see to it that his courts operate.

Athens, Ala., Democrat
April 11, 1935

THE WISE STEP

Gov. Graves, in our opinion, acted wisely in immediately calling on the judges of the state to see that the fiat of the United States supreme court as to the names of negroes being put in the jury box is observed. It was the sensible thing to do and the governor did it in a forthright, courageous way.

We all know that these names in the past have been omitted from the jury rolls; we now know that under the supreme court's ruling any negro's conviction could be set aside if we continue to disregard the decision of the court in the Scottsboro case. Hence, there is nothing left for the jury commissioners to do but put the names of some worthy negroes in the jury boxes. Few believe they will serve on the petit juries as attorneys will likely exercise their right to strike them off.

Athens, Ga., Banner-Herald
April 10, 1935

THE SCOTTSBORO CASE

The decision of the Supreme Court of the United States, in the Scottsboro cases, in reversing the Alabama court in which two negroes were convicted of criminal assault on a white woman, is indeed, perplexing. The ruling of the highest court in the country did not touch on the guilt of the convicted, but based its decision on the fact that no member of the race of the criminals were members of the jury before which they were tried.

The Supreme Court has set a precedent and a standard for trials in the future. If this decision is to remain a law, then it occurs to us that the juries must be made up of all nationalities in case foreign born are brought before the state courts for trial on charges of violation of the laws of the respective states. The decision was purely one of racial question and not of guilt. If these negroes were proved to be guilty, and, they were by a jury made up of white citizens supposed to be of good character and integrity, certainly the verdict of the state court should have been affirmed.

The Supreme Court judges, high and mighty, are all members of the white race. We do not presume that they were prejudiced against the trial jury, who were all white men, but if justice is to appertain, under the decision that no negroes were on the jury that convicted the Scottsboro criminals, it occurs to us that the same condition should exist on the Supreme Court of the United States.

Alabama.

5039

Lynchings-1935
Legal Punishment for Rape.

Scottsboro Again

Alabama is getting ready for another legal lynching. A Jackson county grand jury includes in its list two Negroes. The world wonders whether or not these two Negroes, even though meeting the "letter" requirement of the law, harmonize with the spirit of our constitutional government. Black Dispatch

In other words, we question whether there was constitutional regularity practiced by Alabama when these two blacks landed on the jury list. We know that Attorney General Knight of Alabama, and his jury commission were guilty of "jury exclusion." Are they now guilty of "jury inclusion" not according to law? 11-16-35

It is common knowledge, and was exposed before the United States Supreme court, that in Morgan and Jackson County, Alabama, crude attempts were hurriedly made during the now famous Scottsboro cases, to falsify court records to show that Negroes were included in the jury lists. No one in official life of Alabama considered it wrong to "fix" a trial and violate their sworn oaths so long as the objective was to legally lynch Negroes. We wonder if the records are "fixed" this time.

Attorney General Knight, who is now the lieutenant governor, has just recently broken into print with the statement that the "inclusion of Negroes" this time would meet any constitutional question raised in previous trials of the Scottsboro boys. Oklahoma City

But even though by naming two Negroes, Knight may meet the mechanics of justice, we wonder whether the State of Alabama is meeting the spirit of justice in the retrial of Clarence Norris, Heywood Patterson, Roy Wright, Andy Wright, Willie Robertson, Olin Montgomery, Ozzie Powell and Charlie Weems?

Take, for example, the evidence. One of the girls who formerly alleged that these boys raped her, has repudiated her statement, and has made the allegation before thousands of people that she was lieing when she made the false charge. The other girl, Victoria Price, when the trial was held, offered such flimsy testimony that Judge James E. Horton, the presiding officer at the trial, set the death verdict of the jury aside, declaring the evidence of guilt insufficient.

Ask yourself this question: Do you believe that a learned judge would wilfully cast himself into political oblivion as in the case of Judge Horton, unless he had discovered some violent and revolting miscarriage of justice was about to happen, and for which he was unwilling to take moral responsibility? Unlike Pontius Pilate, Judge Horton did not believe he could conspire in the murder of helpless human beings and then wash the stain of guilt from his hands.

Thomas E. Knight aspires to be governor of Alabama. The basic shame in this picture rests in the fact that as his atrocious conduct and monstrous figure rise above the farcial trial, the populace applauds. Alabama gives public sanction not only to mob murder, but to legal lynching, and Thomas E. Knight knows this.

Scottsboro Boys See New Hope In Labor's Fight for Herndon

(Daily Worker Washington Bureau)

WASHINGTON, Nov. 17.—Returning from a visit with the Scottsboro Boys in Jefferson County Jail, Birmingham, Anna Damon today reported the youths find renewed hope for their own release in the strength and breadth of the workers' campaign to free another Negro labor prisoner, Angelo Herndon.

"I was astonished at the knowledge the Scottsboro Boys, especially Heywood Patterson, have of the Herndon case," said Miss Damon, acting secretary of the International Labor Defense. She continued:

"Heywood has been corresponding with Angelo. Heywood told me, 'We didn't organize workers to fight for relief like Herndon did, but we know that, like him, we are in jail largely because of our color. We know that, like Herndon, we have been kept alive this far by the campaign of our friends in the I.L.D. and other workers' organizations. All us boys know that. We talk about it on Sundays. And we know that the I.L.D. and all the people will get us out yet, like they'll get Herndon out.'"

'Within the Law' Frame-Up

Miss Damon commented that it would take renewed efforts indeed, of "all the people" in the broadest mass campaign to save the Scottsboro boys now. For, she pointed out, they "are the victims of a new 'within-the-law' frame-up." The state of Alabama is striving to rush them to conviction by a "compliance" with the latest Supreme Court ruling which "still in spirit and in fact denies them justice."

The lone Negro on the Alabama jury which has just reindicted the youths is a sample of the state authorities' new technique, Miss Damon pointed out. Close to half of the state's population are Negroes, but the division of the jury was one Negro and seventeen white jurymen.

"Their lives are in graver danger now, perhaps, than ever before," she added. "Their morale is strikingly good, though they are tired, very tired of imprisonment, as one can well understand since several were taken as mere children and have grown up behind the bars."

Mass Support Needed

"Now, more than ever the case demands the united efforts of Negro and white trade unions, liberal groups, church people, all organizations."

Miss Damon went to Alabama after attending the habeas corpus hearing for Angelo Herndon, in Atlanta. With her in Atlanta were several of the Joint Committee to Aid the Angelo Herndon Defense which is broadly representative of trade unions and workers' defense organizations and political parties.

The decision in this procedure is expected soon. Should the habeas corpus writ be denied, Miss Damon announced, the defense will seek to have Herndon released on bail while the case is carried again to the United States Supreme Court.

Olin Montgomery Is Going Blind

Just before surrendering, Herndon spent some days with Mrs. Viola Montgomery, mother of Olin, the Scottsboro Boy. Several of the Herndon Committee also went to see Mrs. Montgomery and Mrs. Powell, the mother of Ozie Powell. Miss Damon made arrangements for both mothers to visit the boys in Alabama. One has not seen them for a year, the other for two years. Mrs. Powell is not well, but she pleaded to make the trip.

Olin soon will undergo an operation for the removal of an eye. It was affected at the time of his arrest; since then it has become almost sightless and the vision of his other eye is dimming too. Incarceration has aggravated the condition Miss Damon believes. She sent C. B. Powell, I.L.D. attorney in Alabama, to obtain permission for the operation to be performed by a specialist.

SCOTTSBORO HEARING SET FOR DECEMBER 16

Constitution

First of New Trials Slated January 6 Under New Court Order.

11-20-35

DECATUR, Ala., Nov. 19.—(AP)—Arraignment of the nine negro defendants in the "Scottsboro case" under new indictments charging them with attacking two white women was set for December 16, today by Judge W. W. Callahan, with the trials fixed for January 6, 1936. Ga.

The dates of the trials were announced after Judge Callahan had conferred by telephone with Lieutenant Governor Thomas E. Knight Jr., retained by the state as special prosecutor in the case that has been in the Alabama courts since 1931.

The new indictments, returned at Scottsboro last week by a grand jury that included one negro, Creed Conyers, charge each of the defendants with participating in alleged mass attacks on Mrs. Victoria Price and Ruby Bates in Jackson county March 25, 1931.

Lieutenant Governor Knight said in Montgomery on announcement of the dates, that Judge Callahan had agreed to postpone the trials in event a special session of the legislature was called before they were finished.

Governor Bibb Graves recently announced he would call the legislature into special session early next year, and it generally is believed in official circles the call will be for January 14.

This Knight said, would permit one trial at least, before he must return to Montgomery to preside over the senate in his capacity as lieutenant governor.

The new indictments were necessitated, if the negroes were to be brought to trial again, by a decision of the United States supreme court which last spring held in the case of Clarence Norris, then under death sentence, that negroes were "systematically excluded" from grand and trial juries in Jackson and Morgan counties.

Under Alabama procedure, the cases automatically revert from Jackson county to Morgan county, on reindictment, under a change of venue granted in March, 1933.

Norris was tried and convicted here in December, 1933, the week following the conviction and death sentence of Haywood Paterson.

Further trials then were postponed on motion of Samuel S. Leibowitz, chief counsel for the negroes, who held further proceedings were useless until the United States supreme court review the constitutional question raised.

Birmingham, Ala. News
November 13, 1935

NEGRO CHOSEN ON GRAND JURY FOR SCOTTSBORO CASE

New Group Named To Reopen Probe Into Attacks On White Women

SCOTTSBORO, Ala.— (AP)—Creed Conyers, Negro farmer of Paint Rock, was one of 18 members of a Grand Jury organized here Wednesday to reinvestigate the "Scottsboro case."

Conyer was one of two Negroes drawn in the venire of 36 from which the jury was chosen. He was the fourteenth juror drawn. The other Negro, Bird Hill, farmer of Bridgeport, was excused because of his age as the jurors were qualified. Hill said he was 74.

The Grand Jury will be asked to return indictments against nine Negroes accused of mass attacks on Mrs. Victoria Price and Ruby Bates aboard a freight train March 25, 1931.

Previous convictions and death sentences in the case were set aside by the Supreme Court of the United States, first on the grounds that the Negroes were without benefit of adequate counsel, and more recently on the ground that the defendants were deprived of constitutional rights by the exclusion of Negroes from the grand and trial juries.

Conyer is chairman of the board of trustees of the Negro school at Paint Rock, where the nine defendants in the case were arrested as they were taken from the train.

Wiley Whittaker, a farmer, of Woodville, was named foreman of the Grand Jury.

Judge A. A. Hawkins, in delivering a charge which took less than two minutes, did not specifically mention the "Scottsboro case." He told members of the jury the special session had been called "for several reasons for the public good."

Solicitor H. G. Bailey will have charge of the presentation of evidence before the Grand Jury. Lieut. Gov. Thomas E. Knight, special prosecutor in the cases, left for other business in Athens and Decatur after conferring with Judge Hawkins and Solicitor Bailey.

Mrs. Price, one of the alleged victims in the "Scottsboro case," was here and it was expected that she would be among the first witnesses called.

In addition to Foreman Whittaker and Conyer, members of the Grand Jury are: Europe Smith, Otis V. Thomas, Rankin L. Airheart, Burt L. Vann, Jim Bryant Potter, Jeremiah Hester, John A. Snodgrass, Carl Gross, Leonard Tiffin, Ben Rudder, Robert McMahan, Sam G. Milligan, Robert Wellborn, J. Wyatt Moore and George W. Oliver. Most of them are farmers.

New York Herald-Tribune

NOV 14 1935

Negro on Jury That Reindicts 9 in Scottsboro

Citation Against Defendants in Attack Case Follows Ruling of Supreme Court

County Precedent Is Set

First Mixed Panel in Resident's Memory Takes Action

By The Associated Press

SCOTTSBORO, Ala., Nov. 13.—New indictments charging criminal attack were returned against the nine Negro defendants in the Scottsboro case today by a Jackson County grand jury upon which a Negro sat for the first time in recent history.

Each of the defendants was indicted on two counts of attacking Mrs. Victoria Price and Ruby Bates, white women, aboard a freight train in Jackson County on March 25, 1931. The crime is punishable by death.

The re-indictments were made necessary by a ruling of the United States Supreme Court in reversing death sentences previously imposed on two of the defendants on grounds of "systematic" exclusion of Negroes from grand and trial juries.

Creed Conyers, farmer of Paint Rock, Ala., and chairman of the board of trustees of Negro schools there, was the Negro on the jury returning the indictments today. Old residents said it was the first time in their memory a member of the race had served on a jury here.

The names of two Negroes were included among the venire of thirty-six prospective jurymen called for the eighteen man grand jury. The other Negro was disqualified because of age.

Judge A. E. Hawkins in his brief charge did not mention the Scottsboro case, but it was apparent that the grand jury immediately took it up, as Mrs. Price was one of the first witnesses called.

New York World Telegram

NOV 13 1935

2 NEGRO VENIREMEN IN SCOTTSBORO CASE

Grand Jury to Reinvestigate Eighth Death Penalties.

By the Associated Press.

SCOTTSBORO, Ala., Nov. 13.—A Jackson County Grand Jury was summoned today to reinvestigate the five-year-old "Scottsboro case," in which nine Negroes are charged with attacking two white women aboard a freight train.

Judge A. E. Hawkins, who in April, 1931, sentenced eight of the nine defendants to death, issued the call after a new jury roll had been completed. On the venire of thirty-six from which the Grand Jury of eighteen will be chosen were two Negroes.

Lieutenant Governor Thomas E. Knight, Jr., Special Prosecutor, said the inclusion of Negroes would meet any constitutional question raised in previous trials.

The new inquiry was necessitated by the United States Supreme Court decision in March which upheld a defense contention that Negroes had been "systematically excluded" from the Grand and trial juries in Jackson and Morgan counties.

New York World Telegram

NOV 14 1935

NINE MEN REINDICTED IN SCOTTSBORO CASE

Jurors, Including One Negro, Deliberate an Hour.

By the United Press.

SCOTTSBORO, Ala., Nov. 14.—A Grand Jury, on which a Negro sat for the first time in Scottsboro history, reindicted the nine Negro defendants in the famous Scottsboro assault case last night, facing one of the defendants with his fourth trial on the four-year-old charges.

The jury deliberated little more than an hour. There was no indication what part its lone Negro member, a Scottsboro laborer, played in the secret discussion.

Reindictment of the nine was necessitated by the decision of the United States Supreme Court that conviction of one of the defendants Haywood Patterson, was illegal because Negroes were excluded from Scottsboro Grand Juries.

Winston-Salem, N. C., Sentinel
November 13, 1935

NEGRO ACCEPTED FOR NEW SCOTTSBORO JURY

Scottsboro, Ala. (UP).—A special grand jury containing one Negro—Creed Conyer—was impanelled and went into session in record time to consider new indictments today against the nine Negro defendants in the famous Scottsboro case.

Scottsboro, Ala., Age
November 14, 1935

Thursday, Friday and Saturday will be Rabbit days for Scottsboro and the county. The annual North Alabama Rabbit Show will be in progress here in Scottsboro and promises to be one of the best yet held. Rabbit breeders from all over the country have signified their intentions to enter the show. Scottsboro raisers have taken many prizes in shows all over the country and they are anticipating the taking of many prizes this week. Rabbit breeding has become a very important industry in the county and much pleasure and profit is realized from it. All are invited to come over and see the exhibit. It will be held at the Hosiery Mill building.

Charlotte, N. C. Observer
November 13, 1935

NEGROES DRAWN AT SCOTTSBORO

Two Listed Among 36 on Grand Jury Venire as Celebrated Case is Started Anew.

SCOTTSBORO, Ala., Nov. 12.—(AP)—From its starting point nearly five years ago, "the Scottsboro Case" tonight had been moved back to Jackson county where a new grand jury tomorrow will again investigate the alleged mass attacks on two white women on March 25, 1931.

The venire of 36 from which the 18-man grand jury will be selected contained the names of two negroes, the first to be called in Jackson circuit for many years, but whether they will serve was not known.

Lt. Gov. Thomas E. Knight, Jr., special prosecutor retained by the State, said he would call as many witnesses as necessary, and would ask that true bills be returned against the nine negro defendants charging them with attacking Mrs. Victoria Price and Ruby Bates.

Mrs. Price has appeared in all seven trials in the case thus far, but the Bates girl after appearing in the first four here, two years later at Decatur, repudiated her previous testimony. She asserted she was not molested.

LINCOLN, NEB.
EVENING STATE JOURNAL

NOV 16 1935

Again the defendants in the Scottsboro case are to be tried. Indictments have been returned against them on the basis of the crime with which they were charged in 1931. The supreme court stepped into the case after the last conviction and held that Negroes had been systematically excluded from jury service in Jackson county, Alabama, so the convictions in these cases involving Negroes were faulty. Jackson county is using Negro jurors, since the supreme court acted in this manner. There is, of course, no hope of an improvement in the machinery for dispensing justice, just because the system has been changed to conform with the law. As long as the prejudice against the race remains in the south methods for legally keeping them from jury service in cases where prejudice dictates the verdict, will be found. Jackson county merely neglected to keep up appearances. It had made the mistake of dropping the pretense of drawing Negroes for jury service.

Lynchings - 1935
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ANOTHER TRIAL FOR THE SCOTTSBORO BOYS



Associated Press.

Last week new indictments were returned. Some of the defendants at a previous trial at Decatur are shown as they marched to court under guard of militiamen.

ALABAMA SEEKS END OF SCOTTSBORO CASE

By New Indictments the State Hopes to Meet Supreme Court Ruling and to Conclude Trials Speedily

By JOHN TEMPLE GRAVES 2d.
Editorial Correspondence, THE NEW YORK TIMES.

BIRMINGHAM, Ala., Nov. 15.—New indictments found this week in the Scottsboro case point to an early resumption of all the noise, bitterness, notoriety and expense that attended the earlier trials. Alabamians still are divided on the merits of the case, but of one mind in the wish to be rid of the thing for better or for worse.

There is no present disposition in the press or anywhere else to debate the guilt or innocence of the defendants any longer. Comment everywhere runs now to regret that the ugly business must be brought forth again and to hope that this time it will be settled permanently one way or another. To meet the decision of the Supreme Court a Negro sat on the grand jury that found the new indictments.

Tom Knight, who was Attorney General at the time of the last trials and who conducted the prosecution in that capacity, has since been elected Lieutenant Governor, largely as a result of prestige won in opposing "Communists and New Yorkers" allied against him in the case. Detailed as special prosecutor for the new trials, he is said to have Gubernatorial ambitions which new triumphs in the Scottsboro case would serve handsomely. Those close to him are convinced that he believes absolutely in the guilt of the Negroes, who are charged with assaults upon two white girls.

"Outsiders" Not Wanted.

In the opinion of many Alabamians the prime thing to be considered today is whether the International Labor Defense shall be permitted to win a famous victory and exploit it to further the Communist movement among Southern Negroes. These Alabamians would be well satisfied if the defense could be taken over by some well-known Southern lawyer or lawyers and an acquittal won under such command. They do not believe acquittal would be wise if the International Labor Defense were in a position to claim credit for it and they do not believe an acquittal will be possible if the defense is conducted by this or any other group identified with what has come to be known as "outside interference in Alabama's affairs." This is in all probability the essentially realist attitude toward the case.

When the United States Supreme Court ordered a new trial in the cases of two of the defendants last April on the ground that members of their race had for years been barred from jury duty in Jackson and Morgan Counties, Alabama's Governor, Bibb Graves, took immediate steps to comply with his interpretation of the decision by having the names of Negroes placed on the jury rolls of this State's courts. Similar steps were taken in other Southern States.

But it is a long cry from a jury roll to a jury room, and thus far few Negroes have made it. Negroes are being listed in jury venires and on grand jury panels, and some of them get as far as the grand jury itself, but a Negro on a trial jury is as rare as ever in the deep South, except in Federal courts.

Lawyers Bar Negroes.

The ordinary procedure from jury roll to jury room for criminal cases is that a venire of 50 to 180 names is drawn each week from the list of those on the roll, and from this venire, by a process of letting each side strike names until only 12 remain, a trial jury is selected.

In civil cases the judge draws 24 names from a box and each side strikes 6. In both criminal and civil cases, if Negroes survive the drawing they can be—and are—easily eliminated by one or both sides through the striking privilege.

Because of the relatively small number of Negroes on the original jury rolls only a very few are ever drawn for venires. These are generally struck by both sides at once opposing counsel advising the court that to avoid advantage or disadvantage to either side the striking is by mutual agreement.

In the selection of grand juries there is a different situation. The judge draws the 18 names from a panel of 36 and inevitably, if the drawing is properly conducted, some of the Negroes on the panel will be chosen.

At Decatur, in the same court room where the last Scottsboro trials were held, three Negroes were drawn a few weeks ago for service with 15 white men on the Morgan County grand jury. Judge A. A. Griffith administered the oath to them without comment. But when a Negro warehouse employe was qualified for trial jury duty in Jefferson County the same week he was promptly stricken from an assault case panel by Assistant Solicitor Long.

Many "Race-Conscious."

In other States of the deep South the situation seems to be much the same. Georgia and Mississippi report a few Negroes on grand juries but none on trial juries. Florida has no Negroes on any juries at all. In Louisiana a Negro was admitted to a trial jury at Orana which convicted a member of his race accused of attacking a white woman. In Tennessee Negroes are appearing occasionally on grand juries and there is report of one on a trial jury in Criminal Court at Knoxville.

In the rare instances in which Negroes are allowed to serve on trial juries in cases involving members of their race the effect must be a matter of speculation and hearsay, of course, but it is not likely that the defendant's cause is served appreciably. The Negro juror is inclined by the circumstances to be painfully race-conscious.

Southern lawyers with whom this writer has discussed the situation are convinced that the now apparently South-wide practice of placing the names of Negroes on jury rolls is legally faithful to the point made by the United States Supreme Court last April, and that their continuing absence from actual juries is something against which there can be no recourse at law now.

The Issue Raised.

They point out that even though Chief Justice Hughes mentioned "evidence that for a generation or longer no Negro had been called for service on any jury in Jackson County" he lodged his specific criticism against the fact "that, according to the practice of the jury commission, their names would normally appear on the preliminary list of male citizens of the requisite age, but that no names of Negroes were placed on the jury roll." In other words, they believe that the placing of names on the jury rolls was all the Supreme Court ordered, or could order.

There is no doubt of the fact that Negroes are just about as success-

fully and consistently excluded from jury duty in this part of the South today as they were before the Supreme Court's decision. And there are enough legal loopholes and human ingenuities on hand to keep them excluded, apparently, for a long time to come.

The letter of the court's injunction is being served, perhaps, but its spirit will not prevail until the white men themselves are convinced that it is safe, comfortable and wise to rub elbows in jury rooms with their colored brothers.

REINDICTED



International.

Heywood Patterson, among the accused in the Scottsboro case.

THE SCOTTSBORO CASE.

Suggestion of Local Lawyers for Defense Is Approved.

To the Editor of The New York Times:

In THE TIMES last Sunday John Temple Graves 2d, your editorial correspondent of Birmingham, Ala., wrote freely, frankly and very impressively of the Scottsboro case, again acutely in the news because of a new indictment of the involved Negro youths handed up by a grand jury that included a Negro in its personnel.

From Mr. Graves's summation, after thoroughly going into several Alabama points of view, it is not so difficult to reach the conclusion that Alabama would be glad to "save its face" and let the Scottsboro boys go free, provided the fait accompli could be done in its own way. And so long as freedom of the boys is the sole objective of their well-wishers, there could be no reasonable objection to providing no further occasion for the Lieutenant Governor of Alabama to realize his political ambitions from "defending his State against the Communists and New Yorkers allied against him" in previous Scottsboro trials. Then Attorney General, designated to prosecute, he got to be Lieutenant Governor and as such has again been designated to prosecute at the new trials.

As Mr. Graves found it, there is a feeling that the boys would fare better if defended by local talent next time, and I am inclined to agree. Like the man who discovered a bleeding victim alongside a railroad track and stanched the flow of blood, thereby preserving his life until the doctors got hold of the injured man in a hospital, the International Labor Defense completed its work in the Scottsboro case when it prevented the boys' electrocution in execution of the judgment at the first would-be trial and eventually got two favorable decisions by the United States Supreme Court.

Very properly, the previous Scottsboro trials were conducted from the standpoint of having the record contain grounds for successful appeals. Eventually, the highest court will find no Federal question involved, and then it will be "just too bad."

Not one of the Scottsboro youths has yet indicated any desire for martydom, and the Communists require "martyrs" to propagate their cause.

It seems to me that, presently, the youths are foils of the I. L. D. on the one side and of Jack Knight's ambitions on the other side, and if, as John Temple Graves obviously suspects, the Scottsboro case would be consummated with the boys' release from custody if defended by home talent at the new trial, then let us give home talent a chance. RIENZI B. LEMUS.

New York, Nov. 18, 1935.

PASSAIC, N. J.
HERALD
NOV 15 1935

The Scottsboro Case Again

FOR THE FIRST time in 60 years since the carpet-baggers' regime, a member of the Negro race sits upon the Grand Jury in and for the County of Jackson in the State of Alabama.

The Supreme Court of the United States threw out the famous Scottsboro case in which nine Negroes were condemned to die for attacks upon white women which there is good reason to believe never occurred. It threw it out because of the practice, common throughout the South, of excluding Negro citizens from grand and petit jury service.

To meet this situation the authorities included the names of two Negroes in the venire of 36 prospective jurymen for the eighteen-man Grand Jury, and so it happened that Creed Conyers, farmer and chairman of the trustees of the Negro schools in Paint Rock, achieved the distinction of being actually drawn for service, his name being the fourteenth out of the box. The Grand Jury promptly re-indicted the nine defendants, who now will be tried again after five years of suffering in jail. Twice their conviction has been achieved, twice it has been reversed by our highest court.

This time the Scottsboro defendants who have been incarcerated in Birmingham since the last ordeal, may have a fairer trial, for a change of venue was granted nearly three years ago, and this time the case will be tried before the Circuit Court judge of Morgan County.

In justice to the defendants, and for the honor of Alabama and the whole South, it is to be hoped there will be an utter absence of prejudice now, and that the case will be tried upon its merits this time.

Newport, Tenn. Plain Talk
November 15, 1935

A lot of people are hoping that the noted "Scottsboro Cases" will soon be off the dockets in Alabama. Several negroes were convicted of assaulting two white women several year ago and all were given the death sentence. The matter was taken up by the Civil Liberties League of New York and finally got into the federal courts. They have been trying the case in Alabama ever so often since that time and the trials are still going on. Maybe some of these days all of the cases will finally be settled in some manner.

Blood Money

The Scottsboro boys are in the gravest peril. In the past they could depend upon the supreme court to save them from the penalty of illegal convictions. But now Alabama calls Negroes to jury service along with whites. If found guilty the boys can only pay the penalty.

Alabama is doubly determined to convict. It hates them for their race and for the radicals who have befriended them. Even should a Negro qualify for the trial jury, there is nothing to stop the state from exercising its right and "striking off" the objectionable juror as is done every day in courts all over the land. Alabama has the power to take the life of these boys!

It is said that Attorney Leibowitz, he whose brilliant defense made this commonplace criminal trial the hammer which destroyed the South's jury system, is willing to defend the boys again—if he is not made to work with the I. L. D. attorneys. The boys would be fortunate to have his services. Yet they may be unable to see beyond the aid the I. L. D. has given them and their parents, and for that reason decide to trust it with their further defense.

Whatever the motives of the radicals, the International Labor Defense did have its attorneys associated in the defense. If Alabama cannot see that the boys were not to blame for the company they found themselves in, so much less will the boys see the extra danger they incur if they go to trial now with I. L. D. attorneys defending them.

Having publicly declared its intention to live up to the spirit of the supreme court's decision, Alabama has taken a decided step forward toward law observance. If only it would now see how pitifully humble are these accused persons, victims of a system that had slain their people ruthlessly, and therefore not to be blamed for turning toward any outstretched hand, it might also call upon the world to behold its justice! No matter how much Alabama dislikes radicals, it cannot be little enough to take its revenge out on these Negro boys.

Both the boys and Alabama are on trial in the coming Scottsboro case. They are going to be tested for judgment, it for its humanity. The great good to society, a new jury system, has already been smelted out of situation. What a blessing it would be if there came along as a by-product an effort of both races to understand each other!

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Supreme Court Again Reverses Scottsboro Convictions

FOR the second time the supreme court has stepped in to prevent the execution of the Negro boys who have been under sentence of death since 1931 for an alleged attack on white girls near Scottsboro, Alabama. The reversal in this instance sustains the argument of the defense that, by barring Negroes from jury service, the state of Alabama denies the "equal protection of the laws" to Negroes who are on trial. In sending the case back to the Alabama courts a second time the supreme court held that there had been error in not quashing the indictments in view of this racial discrimination practiced in the process of jury selection. There was no dissenting opinion, although Justice McReynolds, a southerner, took no part in passing on the case. All who perceive the relation of racial justice to the future welfare of the nation will rejoice at the decision of the supreme court. Once more it has been demonstrated that the federal authority will not wittingly permit human rights to be treated as subordinate to color prejudices. But even in the hour of rejoicing there should be clear perception of two immediate and practical issues raised by the court's reversal. First, there is the issue as to how Alabama will deal with the boys. Will it now quash the indictments, as virtually directed by the supreme court? If it does so, will it see to it that the boys themselves are protected against mob violence? Second, there is the issue which most of the southern states now confront as to the justice of their legal processes. Alabama is not the only state which habitually keeps Negroes off jury rolls. If the Scottsboro conviction was a perversion of justice because of the reasons set down by the supreme court, few criminal convictions rendered against Negroes in the south would stand federal review. In other words, this most recent Scottsboro decision will not only provide a test of the worth of the legal protection afforded the racial minority in Alabama, but it should produce an overhauling of the machinery of justice generally throughout the south.

AND SCOTTSBORO REMAINS

The decision of the United States Supreme Court on April first setting aside the death sentences of Clarence Norris and Haywood Patterson in the Scotsboro case sends the matter back to Alabama for legal adjudication. And so Scottsboro will remain for a while longer. The fact of the decision has been recorded. It has been given to the country by news dispatches This recalls the fact that previous to this the Supreme Court ordered a new trial for these and five others on the ground that they had been unconstitutionally deprived of the aid of counsel in the preparation for the first trial. In this latest case the contention was that the two had been deprived of their constitutional rights by being indicted by a grand jury and found guilty by a trial jury from which Negroes had been systematically excluded. Evidence was presented to show that forgery had been resorted to in Jackson County Alabama to get names of Negroes on the jury rolls after the indictments had been returned. The significance of this decision of the Supreme Court is too vast to have adequate treatment in the brief compas of this editorial; however, space must be allowed now for two or three patent observations.

Alabama must know by this time that the verdict of the public is that these Negro boys have not committed any crime that merits the death penalty. That verdict rests not only upon the conditions surrounding the alleged crime and the atmosphere in whiich the trials have been conducted, but upon the evidence itself as it stands in the record. The United States Supreme Court has no desire nor willingness to become a part to the judicial lynching of these helpless boys in order to satisfy a cross section of unreasonable, defiant race prejudice. If there has been any doubt on that point, that doubt has been dispelled by now. It is also very clear to the enlightened public that the commonwealth of Alabama, and not the Scottsboro boys, is on trial now! Is Alabama capable of conducting a fair, impartial court in which helpless Negroes can be tried according to their constitutional rights and upon the basis of evidence tested by enlightened judicial cannons? Alabama must answer, and she knows that by now. And there are thousands of honest, fairminded white men and women of Alabama who are anxious to give to the world the correct answer, only they want that answer to dignify Alabama in the eyes of the civilized world.

Another word. Discrimination in jury service based on race or color in this country is doomed, if civilization is to have any meaning, and if courts of justice are to function in upholding the law and protecting the rights of all the citizens. But have Negro people learned the value of orderly persistence in contending for their rights in the courts of the land? Have not many of our people suffered grave injustice because they were not willing to contend for their rights, and others were unwilling to contend for them? And do black people know that it cost something more than a lot of hot air and reckless speaking and acting to put up a wise, common sense, orderly, courageous and effective fight for justice? And do they know that the freedom they desire and the justice they seek will not be theirs in any large and permanent way until they are willing to pay the price? Until then Scottsboro will remain—reference here is not merely to Alabama, but to what Scottsboro at the present time symbolizes.

Selma, Ala. Times
April 2, 1935

THE SCOTTSBORO CASE AND OUR JURY SYSTEM

It is a bit strange that the U. S. Supreme Court should have waited until the celebrated Scottsboro case was brought before them a second time to find that a reversible error had been committed by the trial court in excluding negroes from the jury. Why was it necessary to incur the heavy expense involved, together with the enormous waste of time and effort, to try this case a second time when the defense at the original trial presented the evidence to show that negroes had been excluded from the jury panel? Many thousands of dollars might have been saved to Jackson county, which it is reported, has been brought to bankruptcy by the heavy costs of these trials.

Now the Supreme Court holds that the indictment should have been quashed because there were no negroes on the jury. Our own state Supreme Court in affirming the findings of "guilty" by the Decatur trial court made the extraordinary admission that a deliberate exclusion of negroes from the jury box would make the procedure unconstitutional and void, but it held that this had not been done and cited the proof that the names of a number of qualified negroes did actually appear in the jury lists of Jackson county. The High Court at Washington did not trust this evidence, believing the names had been interpolated after the trial had begun. It is rather amazing that the state should have pitched its entire defense program on the absurd contention that negroes do serve on juries in Alabama, when every ten-year-old school boy knows that they do not. A frank, courageous avowal of this fact would have put our courts in a better light. A very certain aftermath of this malodorous case, it appears, will be the slow break down of our white jury system and the substitution of mixed juries. Of course, this nauseous situation will be resisted as stubbornly as possible.

NEW YORK TIMES

APR 2 1935

NEW TRIAL ORDERED BY SUPREME COURT IN SCOTTSBORO CASE

Chief Justice Hughes Rules Negroes Were Barred From Juries in Norris Ruling.

SECOND CASE SENT BACK

If Alabama Does Not Grant New Trial to Patterson, High Court Will Order It.

The text of the Supreme Court's decision is printed on Page 15.

Special to THE NEW YORK TIMES.

WASHINGTON, April 1.—Clarence Norris and Haywood Patterson, Negroes condemned to death on charges of having assaulted a white woman in the celebrated Scottsboro case, must have new trials, the Supreme Court held today in two opinions by Chief Justice Hughes.

The whole weight of the opinion in the Norris case was that Negroes had for years been barred from jury duty in Jackson and Morgan Counties, Alabama, where the Scottsboro cases were tried. The opinion on Patterson dealt almost entirely with Alabama's protest that the Supreme Court had no jurisdiction.

Asserting that Negroes had been arbitrarily and systematically barred from jury duty, Justice Hughes in the Norris case held that court proceedings were invalid where citizens were excluded because of race and color from jury duty. He reviewed the evidence that Negroes had not been called for jury duty and the addition of Negroes' names to the jury rolls after the first trial.

"While there was testimony which cast doubt upon the qualifications of some of the Negroes who had been named, and there was also general testimony as to the lack of 'sound judgment' of the 'good Negroes' in Jackson County," the Chief Justice said, "we think that the definite testimony as to the actual qualifications of individual Negroes, which was not met by any testimony equally direct, showed that there were Negroes in Jackson County qualified for jury service."

Holds Discrimination Shown.

"We think that the evidence that for a generation or longer no Negro had been called for service on any jury in Jackson County; that there were Negroes qualified for jury service; that according to the practice of the jury commission their names would normally appear on the preliminary list of male citizens of the requisite age, but that no names of Negroes were placed on the jury roll, and the testimony with respect to the lack of appropriate consideration of the qualifications of Negroes established the discrimination which the Constitution forbids," the opinion added.

Chief Justice Hughes condemned the "sweeping characterization of the qualification" of Negroes in Alabama as stated by the authorities of Morgan County.

"Upon the proof contained in the record now before us, a conclusion that their continuous and total exclusion from juries was because there were none possessing the requisite qualifications cannot be sustained," he declared.

In the case of Norris the court specifically ordered that he must be tried again, but in the Patterson case the issue was sent back to the Alabama courts for "further proceedings." Lawyers and court officials agreed that if a new trial should be refused to Patterson he could approach the Supreme Court for a direct order for a new trial.

In other Scottsboro reviews the court had set aside the convictions of seven of the nine Negroes accused of assaulting two white girls in a box car in 1931. The court then held that the defendants had not had full opportunity to consult counsel.

Norris and Patterson alone were tried the second time in Alabama. Two of the other Negroes were not brought to trial and the remaining five whose convictions were set aside still await trial.

Justice McReynolds did not hear argument and took no part in the consideration and decision of either of the cases ruled on today.

Patterson Case Sent Back.

By The Associated Press.

WASHINGTON, April 1.—While both the Norris and Patterson cases were sent back to the Alabama courts for further proceedings by the Supreme Court today, the status of the two cases differed.

The court found no doubt of its right to set aside the death sentence in the Norris case on constitutional grounds, but it sent the Patterson case back for decision as to whether the lower courts, notwithstanding technical objections, will grant him a new trial.

Chief Justice Hughes said it would be wrong to set aside the death sentence in the Norris case and on a technicality be unwilling to retry Patterson, in whose case the same constitutional objections with regard to absence of Negroes from the juries existed and where a new trial should be granted on constitutional grounds if technical objections could be removed.

The State had contended in the Patterson case that the high court had no jurisdiction because a bill of exceptions had not been filed within the required time. In a separate opinion on this case, Chief Justice Hughes said:

"We have power to make such disposition of the case as judgment requires."

The judgment then was ordered reversed.

TO ASK NEGROES' RELEASE.

Leibowitz Prepares to Seek Federal Writ if Alabama Refuses.

Samuel S. Leibowitz, chief of counsel in the Scottsboro cases, announced yesterday that he will go to Montgomery, Ala., on receipt of the official decision of the Supreme Court and ask for the dismissal of the proceedings against all nine Negro defendants.

He said he expected the decision tomorrow or Thursday. In order that no time be lost in the move for dismissal of the indictments Mr. Leibowitz said he will make the trip by airplane.

"I am going to ask that the indictments against the nine defendants be quashed," Mr. Leibowitz said. "Under the Supreme Court decision the defendants should be released. If the Alabama authorities refuse I shall sue out a writ of habeas corpus in the Federal court.

"The next move is up to the State authorities of Alabama. We are certain of our position in the case."

In commenting on the decision by Chief Justice Hughes, Mr. Leibowitz said, "I am thrilled beyond words."

"The victory just won for the 'Scottsboro boys' in the Supreme Court of the United States is the culmination of the hopes and ambitions of 15,000,000 Negro souls in America. More than two years ago when I took up the case in behalf of these innocent Negro boys I knew then that our only salvation lay in the highest court of the land, and I then laid the groundwork for an appeal in the event of a conviction, which was a foregone conclusion.

"For the first time in the history of American jurisprudence actual proof by way of living witnesses was produced in open court in an attack against bigotry and prejudice which bars the Negro citizen, although qualified, from serving on a jury in any of the State courts in that part of the country.

"The decision of the highest court, just handed down, is a triumph for American justice and is an answer to all those subversive elements who seek to engender hatred against our form of government."

This reference was directed by Mr. Leibowitz to the Communists and other radicals who were active in one form or another in the Scottsboro cases.

Mr. Leibowitz and an associate, Walter H. Pollak, argued the appeal in the Supreme Court a month ago. Briefs were prepared by Mr. Pollak and Osmund K. Fraenkel.

Mr. Leibowitz defended the nine Negroes in Decatur, Ala., in 1933, when they were convicted in a retrial before Judge William W. Callahan. The conviction was affirmed in the Alabama Supreme Court.

In addition to Clarence Norris and Haywood Patterson, whose convictions were set aside, the other defendants are Roy Wright, 17, his brother Andy, 21; Eugene Williams, 18; Olen Montgomery, 22; Ozzie Powell, 21; Charlie Weems, 23, and Willie Roberson, 22 years old.

BRITISH PRESS HAILS RULING.

New Scottsboro Trial Called 'Tremendous Blow for Negro.'

LONDON, Tuesday, April 2 (AP).—The United States Supreme Court's decision in the Scottsboro case received prominent display today in British newspapers.

It was featured as the biggest news of the day in The Liberal News Chronicle, which also carried an editorial asserting, "the Supreme Court struck a tremendous blow for the rights of the American Negro generally."

Minor Status Of 2 Menaced In Scottsboro

Daily Worker

DECATUR, Ala., Nov. 20.—Eugene Williams and Roy Wright, the two youngest of the Scottsboro boys, will be taken out of the jurisdiction of the Juvenile Court and put on trial for their lives together with the seven older boys, Lieutenant Governor Thomas E. Knight, Jr., who has been appointed special prosecutor in the case, indicated today.

11-21-35

"They have now come of age and may be tried in the Circuit Court," Knight declared, referring to the fact that the two lads, 13 and 14 years of age respectively at the time of their arrest, have reached the legal age during their incarceration of nearly five years.

The two boys were remanded to the Juvenile Court after a mistrial in the case of Roy Wright during the original Scottsboro trials, and reversal of the death sentence against Eugene Williams by the Alabama Supreme Court on an appeal by the International Labor Defense. Their trial before the Juvenile Court was blocked time and again by Knight, who conducted the prosecution of the boys, first as Attorney General of Alabama and later as special prosecutor appointed by the Governor.

According to present plans of the Alabama lynchers, the nine boys who were recently reindicted, will be arraigned in Decatur, Ala., on Dec. 16, and put on trial on Jan. 6. There are indications, however, that Knight will attempt to further speed up the dates for arraignment and trial of the boys.

Lynchings - 1935
Legal Punishment for Rape

Arkansas.

5042

TWO ARE ORDERED TO DIE

Negroes Found Guilty of Attack By Blytheville Jury

BLYTHEVILLE, Ark., April 10—(AP)—A circuit court jury, reporting late last night, prescribed the death penalty for Jim Caruthers and Bubbles Clayton, negroes, on a charge of attacking a 19-year-old girl.

The jury deliberated three hours before returning a verdict of conviction and fixing the sentence at death.

The young woman and her male companion identified the two on trial as the pair who held them up in a parked car on a lonely road and attacked the girl.

STAY NEGROES' EXECUTION

Futrell Grants Time For Appeal To Alleged Attackers

LITTLE ROCK, May 13.—(AP)—Governor Futrell stayed the execution of two negro youths today who were scheduled to die in the electric chair Friday morning.

The negroes were Jim X. Caruthers and Bubbles Clayton, convicted in Mississippi County on April 9 for an alleged attack on a young woman. Governor Futrell said he had been importuned to stay the sentences for 30 days in order that appeals might be perfected.

SENTENCE FARM HAND TO DEATH FOR ATTACK

Hogan to See Mother Before Going to Penitentiary

FORT SMITH, Ark., May 13.—Overruling a motion for a new trial, Circuit Judge J. Sam Wood today sentenced George Hogan, former Cash, Craighead County, farm hand, to be electrocuted July 26 for assaulting a 10-year-old girl. The sentence will be appealed.

Hogan, whose attorneys were given 59 days to prepare the appeal, was granted a request to see his mother before going to the state penitentiary.

Execution Stay Is Won for Two Negroes in Eastern Arkansas

LITTLE ROCK, Ark., May 22.—Having obtained a stay of execution just one week before the date set for the execution of James Caruthers and Bubbles Clayton, Negro youths held in the death-cell at Tucker Farm, the Caruthers-Clayton Defense Committee here has taken steps to bring these cases before the Arkansas Supreme Court. Attorney John R. Thompson, employed by the Defense Committee, will present the appeal.

Caruthers and Clayton, 18 and 19 years old, respectively, were arrested in Blytheville on a charge of "rape," one month after the rape was supposed to have been committed. Investigation by the Little Rock branch of the International Labor Defense showed that there is every reason to believe the "rape" charge was a frame-up. On the initiative of the I. L. D., a Caruthers-Clayton Defense Committee was set up. The Defense Committee characterizes the case against the two youths as the climax of a reign of terror that has gripped Eastern Arkansas for several months. The avowed object of this reign of terror, conducted by landlords and their agents, was to smash the Southern Tenant Farmers' Union.

In the course of the landlords' drive against the union, Ward Rodgers, Socialist, was arrested during the course of his activities in organizing sharecroppers and tenant-farmers. Students from Commonwealth College, assisting the organization work on the farms, were "taken for a ride" and beaten.

Following the "rape" cry that was raised in Blytheville, twenty-nine Negroes were rounded up. Caruthers and Clayton were arrested only a month after the accusation. The woman in the case —known to be of loose habits—said at the time of the supposed "rape" that she would be able to identify her assailants positively. However, she failed to accuse Caruthers and Clayton, although they were daily to be seen on the streets of Blytheville, a very small town.

The Southern Tenant Farmers' Union has made a financial contribution for the defense.

The Caruthers-Clayton Defense Committee asks that protests against the frame-up be sent to Governor J. Marion Futrell, and to the State Supreme Court, both at Little Rock, Arkansas.

TWO NEGROES TO DIE FOR ARKANSAS ATTACK

LITTLE ROCK, Ark., Nov. 18.—(AP)—The Arkansas supreme court affirmed today the death sentences of two negroes for criminally assaulting a white woman with the ruling that there was nothing in the records to show they were denied the privileges and immunities guaranteed under the constitution.

The condemned negroes are Bubbles Clayton, 21, and Jim X. Caruthers, 19.

Lynchings-1935

Georgia.

Legal Punishment for Rape

5043

2 NEGROES EXECUTED AT GEORGIA PRISON

MILLEDGEVILLE, Ga., April 5.—(AP)—Two negroes, one accused of attacking a young white girl, and the other of murder, were electrocuted today.

Albert Rivers was convicted in Screven county in the attack case and Isaiah Ashley was convicted in Appling on a charge of slaying J. W. Holton.

Superintendent R. H. Lawrence, of the prison, said Rivers never confessed but that Ashley had "admitted his guilt all along."

Lynchings- 1935

Legal Punishment for Rape

Kentucky

5044

Kentucky Assaulter Is Hanged

Doomed Man Harangues Wi[illegible] from Gallows

After Long Speech To Crowd

By DILLARD STOKES
Associated Press Staff Writer

SMITHLAND, KY., April 19.—(AP)—A 23-year-old white man was hanged at dawn today in the presence of the woman he allegedly attacked, after a 15-minute tirade from the gallows, in which he called her a cold blooded murderer and taunted the crowd to shoot him.

Nine times the man, William T. De Boe, Jr., of Paducah, shook his manacled hands over the heads of the 1,500 onlookers at 32-year-old Mrs. Marjorie Johnson and denied her accusation. Only once when he shouted, "If I had $500 I wouldn't be on this scaffold; she would have taken it," did she reply.

"Not if you had offered me $1,000," came back her strident voice. Spectators, some 150 crowded into the enclosure and about 1,400 jammed outside, had pointed her out at De Boe's demand as she stood beside her husband, Randall Johnson, a storekeeper. She watched with tightly compressed lips the rest of the time.

De Boe declared he had not had a fair trial here and taunted the crowd.

"I'm going to sleep in McCracken County (where his father lives)," the youth shouted. "A man can get justice there."

"And if any of you night adjusters out there like horsewhipped that 62-year-old woman (an outrage of several years ago) and you night riders have guts enough to shoot a man off the scaffold then go ahead and shoot!"

His attitude toward Sheriff G. H[illegible] Heater, the hangman, and G. Phil Hanna, consulting expert on hangings who had promised De Boe an easy death, contrasted with his bitter scorn of the woman accuser in the crowd.

"Look at him, this good sheriff," De Boe shouted. "See him standing there white as a sheet. I pray God to be with him and strengthen his hand." He also spoke in friendly terms of Hanna.

Patting the sheriff on the back, De Boe asked if he were talking too much. The Sheriff told him he was entitled to have his say before he died.

The hanging was the indirect cause of another death. Miss Neveline McClaren, 16, of Earlington, Ky., died of a broken neck when the automobile in which she and six others were going to the execution overturned.

De Boe's mother, Mrs. W. T. De Boe, Sr., and his 19-year-old sister, Margaret, accompanied the youth to the foot of the scaffold steps. The sister was red-eyed from three sleepless nights as she journeyed back and forth from Frankfort in a vain plea to Gov. Ruby Laffoon. The mother is dead.

A friend held his arm around the youth's waist as the two talked. The sister leaned heavily against her father. When the black hood was slipped over De Boe's face, she collapsed and her father led her away, crying, "Oh, I wish I could die with him."

When Kentucky adopted the electric chair 15 years ago for executions the provision was made, as in most other Southern States, that one crime—that against women—should be punished with hanging in the county where it was committed. Legislators explained they feared execution at the Eddyville Penitentiary would not bring home the stern lesson that hanging would. The hangings technically are private but for some score or more of legal witnesses, but few small county jails are large enough for a gallows.

Hanged In Jail Yard

De Boe was hanged inside a small eight-foot high enclosure erected in the jail yard. The gallows towered high above the wooden fence. People poured into Smithland last night to be assured of seeing the execution. Clouds and threat of rain kept down the number far below the thousands who in recent years have swarmed to hangings of negroes but the restaurants and beer parlors sold out long before dawn. It was an orderly crowd throughout the long tirade by De Boe, but after the drop had broken his neck those inside the enclosure rushed forward. Deputies and State police pushed them back. The crowds had left tonight and the village was quiet.

De Boe's harangue to the crowd was without precedent in the history of executions in Kentucky. The hanging automatically fell on Good Friday when the State Court of Appeals five weeks ago denied his petition for a rehearing. Gov. Laffoon refused to intercede, saying, "there is nothing I can do for him."

De Boe bitterly criticized Commonwealth's Atty. Alvin Lisanby, declaring Lisanby was "a party to a terrible miscarriage of justice."

"Why don't you speak?" he shouted at Mrs. Johnson. "Are you willing to stand there, say nothing and see me die? You should be here in my place!"

De Boe declared that if he had had money to settle the case with the prosecuting witness he would not have been sentenced to death.

When she denied, in the exchange of words before the hanging, that she would have taken money to drop the case, De Boe shouted:

"Oh, yes, you'd have taken the money and let me go."

Denied Attacking Women

De Boe denied that he had attacked women but admitted three robberies.

"Yes, I robbed those stores," he told the crowd. "I went in there and put the gun on them and took the money and goods. I'm guilty of that, but I didn't do those other things, not that assault."

He charged the Governor refused clemency because "he was afraid of big headlines in the newspapers."

De Boe also denounced Randall Johnson, his accuser's husband, and also a witness against him, and Shelly Wilson, a relative of the Johnsons. When he charged Wilson with trying to get on the jury, Wilson shouted back from the crowd: "I didn't try to get on that jury."

Sarcastically, De Boe replied: "No, you didn't. You went into that box and how you hated to tell them when they asked you, 'yes, I am a relative.' But it wouldn't have made any difference. That jury was set to send me here."

The "night riders" denounced by De Boe are reputed to have been active as vigilantes in "law enforcement" activities in western Kentucky. At the 1934 session of the Kentucky Legislature State Representative John W. Taylor, of Caldwell County, which adjoins this county, denounced the "night riders" and the "Ku Klux Klan," charging that the Klan was responsible for the lynching of a white man in Caldwell County in 1932.

De Boe was convicted of criminally attacking Mrs. Johnson during a holdup of her husband's store near here. Ezra Davenport, of Okemah, Okla., convicted as an accessory, is serving a 20-year prison term for aiding in the attack and a 27-year sentence for robbery.

Davenport stated at his trial he entered the store only to rob it and denied he held Johnson at the point of a pistol while De Boe attacked Mrs. Johnson. De Boe was indicted for another robbery and attack in Kentucky and accused of an attack in Tennessee. Captured at Dyersburg, Tenn., he and Davenport were spirited away from an angry mob and brought to Kentucky for trial.

fore the court.

The sheriff said of the Smithland hanging yesterday: "It is difficult for me to understand how the officials could permit such an outrage. If Montjoy hangs, he will be given a few minutes to speak and make his peace with God, but if he should commence attacking his victim like DeBoe did, the trap will be sprung immediately."

HUSBAND INVITED TO SPRING TRAP

Negro Convicted in Kentucky Assault Case

COVINGTON, Ky., April 20.—(AP)—Sheriff Louis Voght said today he will invite the husband of a woman allegedly assaulted by John Montjoy, 20, Covington negro, to spring the trap if Montjoy is denied a reprieve from a death sentence.

A jury convicted Montjoy last week. Kentucky law provides death by hanging for the offense. A motion for a new trial is pending be-

The Law In Kentucky!

Courier 4-27-35

Death Penalty For Rape Applied Only to Negroes, Petition Said.

PADUCAH, Ky., April 25— William DeBoe, 23 and white, was hanged last week for alleged rape of a white woman, but not before he had ranted for an hour on the gallows [illegible] become first-page copy in metropolitan dailies ... and the real attitude of Kentucky placed on paper.

In a petition signed by 900 white residents and presented to Governor Laffoon, Thursday, the following significant statement was included:

" ... This law fixing the penalty of death was and is primarily intended for Negroes who commit such crimes against white women and that punishment from 10 to 20 years is ample and will satisfy each and every red-blooded Kentuckian."

Lynchings – 1935

Legal Punishment for Rape

Maryland.

5046

Denies Assault Charge.

ROCKVILLE, Md., April 20.—(AP) James Poindexter, negro, was arraigned before Judge Charles W. Woodward in circuit court here today on an indictment charging him with criminally assaulting the young daughter of a Bureau of Standards official near Chevy Chase [illegible] months ago. He pleaded not guilty and asked for a jury trial. Judge Woodward set the case for trial on May 6.

Lynchings-1935
Legal Punishment for Rape.

North Carolina

5047

GREENSBORO, N. C.
NEWS
APR 5 1935

PUBLIC PULSE

THE CASE OF GEORGE WHITFIELD.
Editor of The Daily News:

"Consistency, thou art, indeed, a jewel."

I read in the Daily News of the 29th ultimo the following news item:

"Raleigh, March 28.—(AP)—George Whitfield, Guilford county negro sentenced to die tomorrow in the electric chair for criminal assault upon a white woman in Greensboro, today was granted a 90-day reprieve by Governor Ehringhaus to allow further study of his case."

Now since our governor, out of the goodness of his heart, has seen fit to grant Whitfield another reprieve and 90 days lease of life, the writer wishes to say this:

I am unacquainted with the young man, Whitfield, I do not know Governor Ehringhaus either but when he was a candidate for the office he now holds, I learned of him from a co-worker, when I was vice-president of the A. and M. college (now the A. and T. college) for 13 or 14 years.

He told me that Mr. Ehringhaus is a fine man and a friend to our people, that he knew what he was saying to be true, as he was born and reared in the same section of the state in which the governor was born.

Far be it from me to try to influence our governor, even if it were possible, against the dictates of his conscience in the premises. I am writing this article only in behalf of simple justice.

There appeared in the Greensboro Record of the 28th ultimo a personal article from two of George Whitfield's court-appointed counsels, who have made a profound study and investigation of his case in its most exact details, without any more pay or hope of reward than what the court will grant them for their services, viz: $25, so I am informed.

"If Whitfield is executed Friday morning, a gross miscarriage of justice will have occurred. We are firmly convinced that he is innocent of any capital offense.

"Whitfield was tried a day and a half after counsel had been appointed for him, and at a time when he could not possibly present evidence of innocence or extenuation. The subsequent matter presented since that time not only has not been given proper consideration and investigation by the officers charged with the duty of investigation, but has been summarily dismissed.

"If justice is to be administered properly, the solicitor's militant attitude should cease after he secures a conviction."

I trust you will pardon this personal sketch and observation.

I am a native of the Old North state and have resided in Greensboro and in the regions round about for over half a century. Moreover, I have made a study of both races and their respective approach towards each other in this community during these years; and what applies in this case here, applies elsewhere in the south, so far as my observation and knowledge go.

There are some white people of a specific caste, who prefer to live in a community where a similar type of negro lives than among their own race, because whenever they are inclined to do something which may be questionable or contrary to the law of the land, they do not wish their own people to know anything about it. But whenever anything happens contrary to the law because of the mixing together, the negro is the goat and charged as the culprit and his word isn't believed, nor any of the negro witnesses in preference to a white witness, whether the negro witness or witnesses tell the truth or not.

I'll, however, admit there are a few exceptions; but the exceptions prove the rule true.

According to the write-up of the alleged crime by the local press, it was stated that the white family was advised several times by the police to move out of that community of colored people. But no, they preferred to remain there, for reasons best known to themselves. But according to the scriptures, some people love the darkness rather than the light.

The writer believes some negroes have been electrocuted or hanged for committing the statuatory offence who were innocent. But they had no friend at court to speak in their behalf.

Only recently, within a period of eight months, I believe, a colored boy down about Sanford, Lee county, was framed by two white girls of a criminal assault. He was kind enough to give them a ride in his car, at their own request, while they were hiking somewhere along the highway.

He was tried, convicted and sentenced to be electrocuted and would have been before now dead, but providentially, as I am advised, Mrs. Blanche Carr Sterne of this city, knowing the reputation and character of the girls, went to Raleigh, saw Governor Ehringhaus, and interceded in behalf of the boy; the result, he was saved by the sentence being commuted.

The writer is not pleading for mercy but justice, in view of such untoward circumstances in the case, for he believes if George Whitfield is electrocuted, the state will be guilty of putting to death a person who is innocent of the crime for which he was charged and convicted.

It would be presumptious in me, a human being, to say that the following scripture reference applies altogether to George Whitfield; but somehow I can't help believing that a part of the verse does: Job 33-9th verse.

CHAS. H. MOORE,
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CHAS. H. MOORE,
Greensboro.

MAN, 70 YEARS OLD, MUST DIE FOR RAPE

OXFORD, N. C., Nov. 21 (ANP).—John Kenyon, age 70, who in August was saved from a mob by State Highway patrolmen, was found guilty of charges of raping a young white woman in Creedmore and sentenced to die in the electric chair on Dec. 27. At the trial, which was held here Thursday, Kenyon again denied being guilty of the charges but the jury decided otherwise and the aged man must pay the death penalty.

Oklahoma

Lynchings-1935
Legal Punishment for Rape.

5048

Doomed Negro Gets New Trial On Race Issue

WASHINGTON, May 13.—(AP)—The Supreme Court pounded home anew today its fiat that negroes may not be excluded from juries but failed to rule on two controverted laws—NRA and the farm mortgage moratorium.

In a 20-minute session, the high tribunal set aside a death sentence imposed on Jess Hollins, Oklahoma negro convicted of criminal assault on a white woman, ruled on four other minor cases and granted two of 19 petitions for review.

When the court announced it would deliver decisions on the next two Mondays of May and the first Monday of June, on any of these days it may determine the constitutionality of the Frazier-Lemke farm mortgage law and rule on basic features of NRA challenged in the Schechter live poultry case from Brooklyn, N. Y. Rulings on these and 17 other cases were considered certain before the Summer recess.

Chief Justice Hughes delivered the blunt, 170-word unanimous decision in the Hollins appeal from Okmulgee County, Okla. It sent the case back for further proceedings. This will mean a new trial. Word from Oklahoma county officials was that the trial will be sought "as soon as possible."

Hughes cited directly the court's recent Scottsboro, Ala., opinion setting aside a death sentence imposed on Clarence Norris for alleged attack on a white woman on grounds that Norris had been deprived of constitutional rights because negroes had been excluded from jury service.

The Chief Justice said Hollins had "challenged the jury panel upon the ground that negroes for a long period had been excluded from jury service in that county solely on account of their race or color and that this discrimination had deprived petitioner of equal protection of the laws in violation of the constitution of the United States."

On the basis of this plea and an examination of evidence, the court returned the case for proceedings consistent with the Scottsboro ruling.

Lynchings-1935
Legal Punishment for Rape.

Oklahoma.

5049

Chattanooga, Tenn., News
May 20, 1935

A Second Hint

IN REVERSING an Oklahoma case recently, the Supreme Court of the United States repeated the hint that it will confirm no decision against a Negro in a criminal case unless it be convinced that, because of race or color, Negroes have not been excluded from grand or petit juries concerned in the case. In view of this prompt renewal of the Court's decisive declaration in the Norris Scottsboro case, the South can expect a flow of similar decisions until it heeds the behest of the Court.

An Oklahoma Negro named Jess Hollins had been convicted of criminal assault on a white woman and had been sentenced to death. As the Chief Justice put it, Hollins then "challenged the jury panel upon the grounds that Negroes for a long period had been excluded from jury service in that county solely on account of their race or color, and that this discrimination had deprived petitioner of an equal protection of the laws, in violation of the Constitution of the United States."

The opinion, read by Chief Justice Hughes, was unanimous. The Chief Justice said that the evidence showed that the case called for an application of the principles in the Scottsboro case. Therefore the judgment was reversed and the case remanded.

The South cannot ignore the Supreme Court's ruling. Gov. Graves of Alabama has already urged the judges of his State to see to it that Negroes were placed upon the panels for grand and petit jury service. Unless this course be followed, not only in Alabama but all over the South, no criminal conviction of a Negro can be sustained in the appellate courts.

Greenwood, S. C. Index-Journal
May 17, 1935

ANOTHER ONE

The Supreme Court of the United States a few days ago decided another case in the same way in which it decided the case of the two colored boys convicted and sentenced to death in Scottsboro, Alabama. The Court in this case from Scottsboro held that the evidence sustained the plea of the defendants that Negroes for a long period had been excluded from jury service in that county and that this discrimination had deprived the petitioners of that equal protection of the laws guaranteed by the Constitution of the United States.

The case just decided was that of Jess Hollins, an Oklahoma Negro, who had been sentenced to death by trial court of that State for criminal assault and the Supreme Court of Oklahoma had sustained the action of the trial court in refusing to grant a new trial to Hollins.

The attorney for Hollins carried the case to the Supreme Court of the United States and as stated in the first paragraph above that Court followed its own decision in the Scottsboro case and ordered the case sent back for further proceedings which means that a new trial must be given Hollins. A report from Oklahoma says that a new trial "will be had as soon as possible." The jury lists will contain the names of Negro citizens eligible for jury duty. This does not mean that they will be accepted as jurors either by the State or the defense but their names will be on the list as eligible jurors.

The decision of the Supreme Court of the United States in this Hollins case was unanimous, all associate justices concurring in the one hundred and seventy-word decision read by Chief Justice Hughes.

The instruction of Circuit Judge Hayne Rice, of South Carolina, to the jury commissioners of Spartanburg county some time ago that names of Negro qualified electors in that county be placed in the jury bov was timely. Judge Rice took action immediately after the Scottsboro case and before this case from Oklahoma had been argued.

Twice the Supreme Court of the United States has handed down a unanimous decision in cases in which this discrimination was alleged.

That some case from South Carolina may be headed for that same route is about as certain as anything human can be. Some lawyer or lawyers are certain to remember and to use this move to delay execution of the sentence of a State court.

In Alabama, Governor Bibb Graves immediately after the decision in the Scottsboro case ordered jury commissioners in that State to see to it that names of eligible colored citizens be placed on the jury lists. "This is the law of the land," he said, "and must be obeyed."

PROSECUTING WITNESS SLEEPS WHILE SENSATIONAL AND SORDID CHARGES ARE AIRED IN COURT

NEGRO NAMES MARKED WITH "C" ON ASSESSMENT RECORDS.

Probable New Trial On June 1

MUSKOGEE, Okla., May 27.—A hung jury in the court of Judge Enloe S. Vernor, refused to declare Charlie Miller, bellboy at the New Jersey hotel, guilty of rape upon the person of Maudie Miller, white girl.

Scarlet Woman Accuses

The alleged rape occurred March 5, according to the diminutive prosecuting witness, who was proved in open court to be a member of the scarlet sisterhood, woman's oldest profession.

Eight Believe Innocence

After two days of testimony in which the sordid story of underworld life in a cheap rooming house and Muskogee hotels, the jury stood 8 to four when it reported to Judge Vernor they were unable to agree. The case will doubtless go back to trial June 1, according to a statement coming from J. A. Beavers, assistant county attorney.

Hot About "Dates"

The defendant went on the stand in his own defense just before the case ended. He told of trouble he had had in the hotel because two white girls, the prosecuting witness and Morine Miller, accused him of giving "dates" to other girls in the illicit rendezvous and discriminating against them. He declared that the whole story of rape was fabricated because of their dislike for him.

The fact that in a southern city eight white men refused to convict the Negro on the charges made by these two white prostitutes indicates that there was plenty of evidence that Charles Miller is not guilty.

N. A. A. C. P. Defends

Attorney Cecil Robertson, attorney for Miller, and employed by the Muskogee Branch of the N. A. A. C. P., made a brilliant defense of his client. In a court room packed and jammed with blacks whites and Indians, Robertson deftly brought out the necessary testimony to convince the jury the girls were lying and the county attorney's office persecuting the defendant.

Hears Spicy Testimony

The arguments began shortly after 1:30 o'clock and continued until nearly 5 o'clock. A crowded courtroom was treated to a spicy afternoon of entertainment while the lawyers went into the sordid details of the alleged offense.

Maudie Goes To Sleep

All the while Maudie sat silently and was so quiet that one of the defense attorneys accused her of going to sleep "for the third time during the trial."

Jury Issue

Interest in the case was enlarged Friday when Attorney Robertson filed a motion to quash the entire district court jury panel on the grounds of discrimination against the Negro race. Judge Vernor overruled the motion and praised the county jury commission for its good work in selecting jurymen.

Lynchings - 1935
Legal Punishment for Rape.

Oklahoma

5050

Jess Hollins Wins 30-Day Stay From Supreme Ct. Justice

WASHINGTON, D. C. — Thirty hours to the minute before he was scheduled to be executed in Oklahoma, Jess Hollins was granted another thirty days of life by the U. S. Supreme Court.

The stay was secured by Charles H. Houston, vice dean of the Howard University law school, acting for the National Association for the Advancement of Colored People. Hollins was scheduled to be executed at 12:01 a. m. January 4. At 6 p. m. January 2, Mr. Houston secured from Mr. Justice VanDevanter of the highest tribunal, a stay, notice of which was telegraphed at once to the warden of the state penitentiary at McAlester, Okla. The additional month will be utilized by the N. A. A. C. P. counsel to prepare and file a writ seeking a review of the case by the U. S. Supreme Court.

Hollins was first convicted of criminal assault late in December, 1931. His apepal dragged along under the direction of the International Labor Defense and nothing was done for him for eight months. An appeal was sent to the N. A. A. C. P. in February, 1932, by friends of the condemned man in Sapulpa, Okla., but when the N. A. A. C. P. investigated and found the I. L. D. in charge, it left matters to that organization.

Hollins was sentenced to die August 18, 1932, and a frantic appeal for help came to the N. A. A. C. P. on August 15. Since at that late date nothing had been done to carry on Hollins case by the I. L. D., the N. A. A. C. P. stepped in by telegraph and long distance telephone and through its Oklahoma state president, Roscoe Dunjee, secured a stay of execution and filed notice of appeal to the Oklahoma high courts.

A new trial was quickly granted, the Oklahoma high court handing down a blistering rebuke to the lower court for the way Hollins had been robbed of his rights. It was brought out that Holins had been tried in the basement of the jail at night without a lawyer and wholly in the presnce of his enemies and that he had been threatened with lynching if he did not confess.

After a new trial, a wrangle over a change of venue and an airing of the exclusion of Negroes from the jury, Hollins was again convicted and the Oklahoma court of appeals upheld the sentence. At this stage, the Oklahoma N. A. A. C. P. branches, which had been carying on the fight, turned it over to the national office in New York, which in turn, referred it to Mr. Houston as he is located in Washington. Mr. Houston, who had nothing to do with the conduct of the cases in Oklahoma, will set about combing the record for grounds upon which an appeal to the U. S. court may be based. Needless to say, funds fort his phase of the work are badly needed by the N. A. A. C. P., and gifts and contributions to legal defense work will be greatly appreciated.

Hollins was convicted after direct appeal to race prejudice by attorneys and that members of the Negro race were excluded from the jury.

Before the Supreme court granted Hollins a review of his case Mr. Houston dispatched letters to the attorney general of Oklahoma and the warden of the state penitentiary at McAlester, calling attention to the fact that Hollins cannot legally be executed before the Supreme court had acted on the certiorari writ.

This action was taken so that in case the Supreme court did not act on the writ before April 5, the execution date, the state would not proceed with the execution.

HIGH COURT TO HEAR JESS HOLLINS' CASE

Oklahoman Doomed to Die Granted Review on April 29

4-5-35

WASHINGTON. — Jess Hollins, Oklahoman scheduled to die on Friday, April 5, was granted a review by the Supreme court of the United States Monday, this action automatically staying execution. The high court will hear the case on Monday, April 29.

Hollins is in the Oklahoma state penitentiary at McAlester where he has been held for several years while the National Association for the Advancement of Colored People and civic minded organizations of Oklahoma have sought to save his life. He was convicted on a charge of attack. His home is in Sapulpa, Okla.

Houston Handles Defense

Hollins' case was taken to the Supreme court by Charles H. Houston of the Howard university law school faculty and the defense committee of the N. A. A. C. P.

The case was taken to the Supreme court on a writ of certiorari in which it was pointed out that

5050

DEATH SENTENCE SOUGHT FOR NEGRO YOUTH WHO ANGERED ALLEGED WHITE PROSTITUTE

Oklahoma City, Okla

PRETTIER GIRLS CLAIMED ATTENTION OF "CUSTOMERS"; HOMELY GIRL FRAMES HOTEL PORTER

Aid Sought From Headquarters of N. A. A. C. P.

MUSKOGEE, Okla., Apr. 16.—Charging that a penniless Muskogee Negro is being railroaded to the penitentiary, because of the testimony of an aleged white prostitute, officials of the Muskogee Branch of the N. A. A. C. P. have written Walter White, New York, asking assistance from the national office.

The Negro, Charlie Miller, hotel porter, is charged with the crime of rape by the prosecuting witness, whom the evidence shows has once before charged another Negro porter with the same offense.

The letter from the Muskogee Branch to White follows:

"As president of the Muskogee County Branch of the N. A. A. C. P., I respectfully call the following matter to your attention.

"Charlie Miller, a young Negro, has been employed in a local hotel here for sevtral years as a porter and bell boy, in which hotel several prostitutes (white) ply their trade. On or about the 1st day of March, 1935, one of the prostitutes complained to the county attorney of this county that Miller had raped her. Miller was promptly arrested and held without bond, and on his preliminary hearing, he was bound over to the District court without bond for a jury trial, and the State is trying to get a verdict of death in the electric chair.

"Our local Branch promptly swung into action, and is now actively engaged in raising a fund for his defense, but because of the severity of the depression here, little progress is being made.

"At the preliminary hearing, Miller was represented by two white attorneys who tried the case fearlessly; the alleged victim admitted on the witness stand that she was and is a prostitute; that she was the complaining witness in another case in another county in which another Negro porter had been sent to the penitentiary for an alleged rape upon her; that after the alleged rape, she went to sleep for about 30 minutes before going to the county attorney's office to file her complaint; and that she never told any one in the hotel or any other person of the attack before going to the county attorney's office.

"The alleged victim is of the homely type, and Miller's story is, that she became angry with him because he directed men patrons to the prettier girls who consequently made more maney than she did.

"One of the other prostitutes testified that on the day preceding the alleged attack, the victim told her that 'Tomorrow, there is going to be a new porter around here.'

"The white public was highly incensed when Miller was first arrested and there were some threats of violence, but because of the nature of the evidence adduced at the preliminary, the excitement has subsided.

"The white attorneys and the defendant, have called in a Negro attorney to assit in the defense, and this attorney will raise the question of the exclusion of Negroes from jury service.

"This will be the first case since the Scottsboro decision, in which the question of the exclusion of Negroes from the jury will be raised, and great interest is being manifested in this connection.

"Our local branch is bending every effort to raise funds for this man's defense. He is a poor man and has no money or property and besides, he has a wife and two children, and is now in a delicate condition.

"We will highly appreciate any assistance you may give us either by way of advice or otherwise.

"Respectfully yours, C. E. Robertson, president, Muskogee County Branch, N. A. A. C. P."

Makes Brilliant Plea Before Supreme Court In Jess Hollins' Case

Shows Negro Never Called For Service In Oklahoma County

WASHINGTON, May 3.—Argument on the unconstitutional exclusion of qualified Negroes from jury service was heard in the United States Supreme Court Monday and Tuesday, April 29 and 30, in the case of Jess Hollins vs. State of Oklahoma. Hollins had been convicted and sentenced to electrocution in Okmulgee County, Oklahoma, for the alleged rape of a white girl.

In the United States Supreme Court the N.A.A.C.P.'s brief showed that no Negro had ever served on a jury in Okmulgee County since Oklahoma became a State in 1907, in spite of the fact that Negroes constituted seventeen per cent of the total population in the County and were fully qualified in every respect for jury service. Neither the jury commissioners nor the sheriff had ever called a Negro for jury duty.

At the trial the Sheriff had testified that he just did not summon Negroes for jury duty although he admitted there was a large number of Negro voters in the County and he personally knew some of them to be good citizens. One of the Deputy Sheriffs testified at the trial that the reason Negroes were not called for jury service was because Oklahoma had laws segregating the races. The Assistant County Attorney unsuccessfully tried to make a Negro witness admit that it would be just as embarrassing for a Negro to serve on a jury with white men, as it would be for white men to serve on a jury with a Negro. The colored witness denied it would cause a Negro juror any embarrassment, but the statement of the Assistant County Attorney remained in the record as an admission of segregation as the official policy of the County.

Judges Rebuke Oklahoma Attorney

In arguing the case for the State the Attorney General of Oklahoma attempted to go into the facts of the crime and prove that Hollins raped the girl at the point of a pistol; but the United States Supreme Court rebuked him and stated it was not interested in anything except the jury issue. The Attorney General then argued at great length about the failure to prove that any particular Negro citizen has been kept off the jury on account of race or color, but he failed to deny the policy of segregation.

Charles H. Houston, Special Councel for the N.A.A.C.P., hammered this official segregation policy home to the Court in his final argument. Associated in the case with him were his father, William L. Houston and Edward P. Lovett. A decision is expected soon.

N. A. A. C. P. Takes New Step

For the first time in its history last week a Negro lawyer argued one of the NAACP cases before the Supreme Court of the United States. Dean Charles H. Houston of the Howard University School of Law argued the famous Jess Hollins case from Oklahoma; and he argued that case ably, and undoubtedly with far more insight into "the unwritten practices" which play so important a part in the law, as any white member of the NAACP legal staff could possibly have argued it.

This is a step forward. Let us hope that the NAACP will never present another case before that high court without a Negro lawyer at the counsel table.

The Right To a Fair Trial

We want to repeat: Negroes have lost most of their battles for justice, not because they could not win, but because they do not have the courage, faith and perserverance to march on to the top of the hill. In almost every instance where prejudice strikes at the citizenship rights of Negroes there is a straight open road down which black folk could walk to freedom.

This week the United States Supreme court has told the governing agencies of Oklahoma that Negroes are systematically barred from jury service and that the same must be corrected. This is the first instance since statehood when Negroes have shown enough unity to stick together long enough to reach the Supreme court. Always, and ever, there has been some Uncle Tom standing on the sidelines, when we start towards the Supreme court, saying "It can't be done."

We want also to call attention to those carping critics who have withheld support from Jess Hollins, alleging that they would put their money behind another, and higher type of case—but not this one. This sort of Negro must have a tailor-made case, or he will not be identified with it. He is always afraid that he will be protecting some criminal (or at least that is his excuse for not lending financial assistance).

The Supreme court of the United States, we feel, aptly answered the question asked by such Negroes, when it admonished Attorney General Williamson in Washington recently. Oklahoma's attorney general was in the midst of a highly colored statement regarding the alleged rape by Hollins and the charge was being made that Hollins had a gun, etc., when the court interrupted with the statement that "We are not interested in whether the crime was committed or not. We are interested in whether Negroes are allowed to serve on juries in Oklahoma."

That is the answer to the critical Negro who looks askantly at any action which seeks to throw legal protection around Negroes who might be guilty of commiting a felony. The Oklahoma Branches primarily were not so much interested in the guilt or innocence of Jess Hollins. They were, however, vitally interested in determining whether the state had one method by which it tried and convicted white people and another for its citizens of darker hue.

The N. A. A. C. P. knew when it entered this case that Jess Hollins had been kangarooed. The N. A. A. C. P. knew that to drag a man into a midnight court and sentence him to die, all within a few minutes, was not due process of law. The flimsy, forced confession upon which the court stood was a travesty upon justice. The lone evidence of a delinquent white girl, whose testimony has since been many times impeached, was not sufficient to warrant the death penalty.

The evidence in this case is sufficient to warrant any fair minded person in the belief that Jess Hollins is not guilty of the crime of rape. He is perhaps guilty of a misdemeanor for which the state could not in justice exact more than a jail sentence or a light fine. Certain it is that if the defendant were white he would never have been subjected to the loss of liberty and a sentence of death.

It therefore appears that all of the 200,000 Negroes in Oklahoma had much to gain by the defense made in the courts for Jess Hollins. It has caused state officials to know that there can be but one type of justice administered by the courts, and it has caused the Supreme court to lay down a rule regarding jury service. As we go back to the trial of this cause every Negro should assume his individual responsibility in financing the court action. Keep in mind that unless we make Oklahoma legally safe for all Negroes, we may, each one of us, later find ourselves in the insecure position of Jess Hollins.

South Carolina

Lynchings - 1935

Legal Punishment for Rape

5051

Negro Must Die.

BARNWELL, S. C., April 10.—(AP)—Thurmond Harris, 24-year-old negro, today was sentenced to die in the electric chair June 7 following his conviction here on a charge of attempting to assault a 69-year-old white woman.

NEGRO PAYS PENALTY IN SOUTH CAROLINA.

COLUMBIA, S. C., June 7.—(AP)—Under the glare of arc lights in the high-walled death house, Thurmond Harris, 24-year-old negro, was electrocuted at 12:10 a. m. today for criminally assaulting a 68-year-old white woman near Williston March 3.

It was the first night time electrocution in this state. It installed the electric chair in 1912. Prison officials said the electrocution was held at night to avoid breaking prison routine and exciting the convicts.

The negro confessed as he was seated in the chair.

Lynchings - 1935.

Legal Punishment for Rape.

Tennessee.

5053

NASHVILLE, TENN.
EVE. TENNESSEAN

JAN 26 1935

A Wise Decision.

Bedford County and the state at large have every reason to welcome news that Judge Coleman has granted a change of venue to Nashville for the trial of E. K. Harris, the negro charged with criminal assault. Any doubt as to whether this defendant could get a fair trial, or any trial at all in Shelbyville, was removed by the mob violence of last month in which blood was shed and the courthouse burned to the ground.

An early trial in Nashville is said to be desired by the court, and there is every assurance that it will be conducted in a quiet and orderly manner, and that a jury verdict will be quickly returned on the legal evidence presented. If the defendant is found guilty it may be assured that the penalty will be promptly carried out.

It is unfortunate that the change in venue was not granted before the now-famous attempted trial began in Shelbyville on December 19, but the events of that day have plainly taken the wisdom of this latest decision out of the realm of opinion and speculation.

JURY VERDICT DOOMS NEGRO FOR ASSAULT

Telegraph

'That Black Devil Over There Attacked Me,' Girl Testifies in Nashville

2-19-35

TROOPS GUARD HIS TRIAL

Monday 18a.

Second Hearing of Case That Brought Fatal Shelbyville Clash Is Brief

NASHVILLE, Tenn., Feb. 18. (AP) E. K. Harris, 22-year-old Negro, whose rescue by national guardsmen from a Shelbyville mob December 19 cost four lives, tonight was convicted of criminally assaulting a young white girl and sentenced to die in the electric chair.

The jury was out eight minutes.

Jack Norman, attorney for the Negro, gave notice that he would file a motion for a new trial and Judge Charles Gilbert allowed him 30 days for that purpose.

No date for the execution was set, pending ruling on the motion.

Arrangements were made to take Harris immediately under heavy guard to the state penitentiary.

He was tried here on a change of venue after the mob had caused a mistrial at Shelbyville and subsequently burned the court house.

More than 200 national guardsmen, in addition to sheriff's deputies and city police, were on duty here as a precaution against a recurrence of violence.

The 14-year-old school girl identified Harris and said, "That black devil over there attacked me."

Harris, the only witness in his behalf, denied the charge and said he had spent the afternoon of Nov. 19, when it was alleged the attack occurred, in a Shelbyville poolroom.

Barricades Are Set Up

Brought here on a change of venue, Harris faced a jury of five farmers, an architect, two carpenters, a painter, a roof repairman, a merchant and a retired collector today.

Outside the court house, 200 national guardsmen and scores of police and sheriff's deputies patrolled the streets. Six sand bag machine gun barricades were thrown up and all persons entering the building were searched for weapons.

Under questioning by General Loser, the girl said that Harris tried to choke her and "said he would kill me if I hollered."

Her school teacher, Vassa Mai Scales, was called to testify as to the girl's condition after the alleged attack.

Frequent clashes between attorneys enlivened the proceedings, and as the trial sped toward conclusion Jack Norman of defense counsel charged General Loser with "deliberately" attempting to prejudice the jury.

Negro Is Only Defense Witness

With the conclusion of testimony of Mrs. Sam Osborne, who with her husband operated a store in the Fall Creek section, the state rested its case in chief. Mrs. Osborne testified regarding the condition of the girl after the alleged attack.

Harris himself was the only defense witness, and with conclusion of his testimony the defense rested.

He told the jury that he had been working during the morning the girl was attacked and that he spent the afternoon in a Negro pool room at Shelbyville.

Harris answered "no sir" to every question designed to link him with the attack.

Lynchings-1935
6
Legal Punishment for Rape.

Tennessee

5054

Negro Sentenced To Die In Chair For Assaulting 14-Year-Old Girl

NASHVILLE, TENN., Feb. 18.—(AP)—E. K. Harris, 22-year-old negro, whose rescue by national guardsmen from a Shelbyville mob Dec. 19 cost four lives, tonight was convicted of criminally assaulting a young white girl and sentenced to die in the electric chair.

The criminal court jury was out but eight minutes.

Jack Norman, attorney for the negro, gave notice that he would file a motion for a new trial and Judge Charles Gilbert allowed him 30 days for that purpose.

No date for the execution was set, pending ruling on the motion.

Arrangements were made to take Harris immediately under heavy guard to the State Penitentiary.

He was tried here on a change of venue after the mob had caused a mistrial at Shelbyville and subsequently burned the courthouse.

More than 200 national guardsmen, in addition to sheriff's deputies and city police, were on duty here as a precaution against a recurrence of violence.

The 14-year-old school girl identified Harris and said "that black devil over there attacked me."

Harris, the only witness in his behalf, denied the charge and said he had spent the afternoon of Nov. 19, when it was alleged the attack occurred, in a Shelbyville poolroom.

Shortly after his arrest a mob formed, but officers rushed him to Nashville for safe-keeping.

He was returned there for trial a month later, but the trial was interrupted by a mob charging the courthouse. Guardsmen fired into the crowd, fatally wounding four men. A mistrial was declared and the negro, disguised with a guardsman's uniform and wearing a gas mask, was brought back here. Later he was granted a change of venue to Nashville.

By The Associated Press

NASHVILLE, Tenn., Feb. 18.—E. K. Harris, 22-year-old negro whose rescue by national guardsmen from a Shelbyville mob Dec. 19 cost four lives, tonight was convicted of assaulting a 14-year-old school girl and sentenced to die in the electric chair.

The jury was out but eight minutes.

Jack Norman, attorney for the negro, gave notice that he would file a motion for a new trial and Judge Charles Gilbert allowed him 30 days for that purpose.

No date for the execution was set,

Taken to Penitentiary

Harris was taken under heavy guard to the state penitentiary.

The attack occurred on the afternoon of last Nov. 19, in the Fall Creek section of Bedford County during a school recess.

On the witness stand today the girl interrupted a question of District Attorney General J. Carlton Loser to point out Harris and say:

"That black devil over there attacked me."

Harris was saved from a mob at Shelbyville last December when he first was placed on trial. Four men fell fatally wounded before the bullets of national guardsmen as a mob stormed the courthouse. The building and several national guard trucks were burned by the mob after Harris had been spirited away, clad in the uniform of a national guardsman.

Brought here on a change of venue, Harris faced a jury of five farmers, an architect, two carpenters, a painter, a roof repairman, a merchant and a retired collector today.

Sand Bag Barricades

Outside the courthouse, 200 national guardsmen and scores of police and sheriff's deputies patrolled the streets. Six sand bag machine gun barricades were thrown up. All persons entering the building were searched for weapons.

In the courtroom, Criminal Judge Charles Gilbert maintained strict order, insisting upon silence among the spectators.

After questioning by General Loser, the girl said that Harris tried to choke her and "said he would kill me if I hollered."

The girl was nervous on the stand, and asked that her sister be permitted to sit beside her during her testimony. This request was granted.

Teacher Testifies

Her school teacher, Vassa Mai Scales, was called to testify as to the girl's condition after the alleged attack, along with Dr. S. S. Moody of Shelbyville.

Frequent clashes between attorneys enlivened the proceedings, and as the trial sped toward conclusion Jack Norman of defense counsel charged General Loser with "deliberately" attempting to prejudice the jury.

Harris himself was the only defense witness, and with conclusion of his testimony the defense rested.

He told the jury that he had been working during the morning the girl was attacked and that he spent the afternoon in a negro poolroom at Shelbyville.

Harris declared he did not start home until "dusky dark," and that he was picked up as he walked from town by Moody Snell, a dairyman and his employer, and was returned to Shelbyville, where shortly afterward he was placed under arrest.

SHELBYVILLE NEGRO MUST DIE FOR CRIME

Execution Date Deferred—Girl Points Out Attacker

JURY OUT EIGHT MINUTES

Defendant Given Change of Venue Following Riots at First Trial—Spectators Are Searched for Weapons

E. K. Harris Case Argued In Tennessee Supreme Court

NASHVILLE, Tenn., Dec. 19—The appeal of E. K. Harris, who escaped a lynching at Shelbyville, Tenn. on December 19, 1934 and was later convicted of criminal assault and sentenced to death, was argued before the Tennessee Supreme Court December 10 by Jack Norman, Esq.

Will Real Facts in the Harris Case Ever be Revealed?

Twice Saved From Tennessee Mob, Then Convicted In Record Time, Guilt of E. K. Harris Is Still Doubted.

By Staff Correspondent
(Name withheld)

NASHVILLE, Tenn., Feb. 28—What is the "lowdown" behind the hasty conviction of E. K. Harris, who twice cheated a mob, but was convicted in record time here last Monday and sentenced to die for the alleged rape of a white girl?

Is the illiterate 22-year-old man with a boy's mind actually guilty of the crime which resulted in the death of four whites in Shelbyville, where they tried to lynch him, or is there a story which could be told but won't be?

Harris is in the death cell at the Tennessee State penitentiary, awaiting the outcome of his attorney's motion for a new trial.

Is He Really Guilty?

Is Harris really guilty? Reports from Shelbyville are to the effect that Harris had been going with the girl for a long time, and that when the pair were discovered in their "love tryst" the age-old hokum made its appearance once aga

Other reports also state that couple had been keeping company, but that the young girl, angered because of a quarrel, "told" in a heat of anger, and then had to hold to her story.

It is further rumored that there are any number of witnesses in Shelbyville who could free Harris by testimony as to their knowledge of Ruby Gibson, but are afraid to come to the front and talk, for fear of endangering their lives and those of other people in the community.

Conflicting Story

The trial, which lasted nine hours, from the time jury selection started until the verdict was brought in, proved highly salacious.

In the courtroom, in addition to Harris, were two other Negroes. Ruby Lillian Gibson was afraid to sit on the witness stand alone and her sister sat near her and prompted her answers. When the girl hesitated when asked "What do you know rape to mean?" her sister cried out in court: "Tell him what it is."

During her time on the stand, in which she was forced to disclose details of her alleged relationship with the accused, she repeatedly used the term "that old black devil" in referring to Harris.

Conflicting testimony of the girl tended to show that, instead of going away from the schoolhouse at recess time, she had asked to be excused.

On cross-examination she was asked if it would hurt her to say "yes, sir," instead of saying "yes." Her answer was "yes."

Also during her cross-examination she had said at one time "he ran through the bushes like an old nigger will."

Later on, she said "he walked off."

Queried as to what she did after the alleged attack, she said: "I got up, put on my dress and panties and went to the school and told Miss Scales what that old black devil had done."

The defense attempted to bring out that it was unusual for a rape victim to sit down and calmly put on their dress and panties.

Danced Same Week

The girl testified that Dr. Moody had examined her the same afternoon, that she was sore for two weeks, but had gone to a dance that Friday night. This fact was brought out after she had first denied it.

Miss Scales, the teacher, admitted that the girl had told her of the alleged attack, but said she didn't ask the name of the man. She also admitted, under cross-examination, that the girl had never told her that she had taken her dress or panties off.

Doctor Testifies

Dr. Moody, next on the stand, testified that he found no evidence of an actual attack, although the girl did show she was bruised. He finally admitted that there was a possibility of intercourse, and that he could not have seen the signs, although he admitted examining the girl a short while after the attack.

Mrs. Samuel J. Osborne, who testified later, could not positively identify Harris, although she had known him for some time, and was within 60 feet of him at one time.

Harris, on the stand, admitted that police examined him closely, but could find nothing to connect him with the crime. He further stated that he had worked for a family named Snell that day. When Snell was on the stand, he and Attorney Norman clashed when Norman said:

"Why don't you just tell the court and jury that you are afraid to tell the truth and that he did work for you on that day?"

Melbin Batts Talks

The testimony of Melbin Batts, cell-mate of Harris, who said Harris told him he would "play crazy and fool the court and jury" was discounted when Attorney Norman brought out the fact that Batts was freed from a housebreaking and larceny charge to swear to his testimony. He said Batts was freed without a trial.

Texas.

Lynchings - 1935
Legal Punishment for Rape.

5855

TEXAS NEGRO DIES IN ELECTRIC CHAIR

HUNTSVILLE, Tex., June 7.—(AP)—Albert Carr, Houston negro, paid with his life in the state electric chair early today for criminally attacking a white woman.

Lynchings - 1935
Legal Punishment for Rape.

Virginia.

5056

Negro Gets Chair For Twin Killing

FINCASTLE, VA., Jan. 5.—(AP)—A mountain jury in this ancient Virginia county today told Philip Jones, a negro, that he must die in the electric chair for the murder of two little girls near Clifton Forge and an attempt to ravish one of them.

It took the jury 55 minutes to decide the case after Jones's counsel had completed his arguments for mercy on the grounds of insanity.

Judge Benjamin T. Haden fixed March 11 as the execution date.

Jones took the verdict, delivered by silver-haired jury Foreman Noffsinger, without blinking an eye. He was seated unable to stand, because of a shotgun wound in his leg which he received on the night of the crime, Nov. 18. State officers were placed around the negro at the order of Judge Haden who feared the negro might attempt to do himself bodily harm.

State troopers guarded all doors and gates. They had been sent here as a result of the mob violence threats which caused the change of venue from Covington, the Alleghany County seat. There was only a small crowd to witness the condemned negro's exit.

The verdict was the jury's answer to the defense plea for mercy. The jurymen had been told by defense counsel T. Warren Messick that "electrocution is what the mob would have you do." The lawyer asked mercy if the jurymen thought the negro guilty and commitment to an asylum if they believed him insane.

Public Barred as Accused Slayer of Girls Faces Trial

FINCASTLE, Va. — With only newspaper men admitted, the trial of Philip Jones, accused of murdering two small white girls of Clifton Forge, on November 8, after criminally attacking one of them, opened here, Wednesday, January the 2nd.

Jones has been held, at intervals, at both Richmond and Roanoke, where he was rushed immediately after his arrest. The cabin in which he lived was burned by members of a mob when news of the crime became known.

His trial originally scheduled to be held at Covington, was transferred here after citizens of Covington and Clifton Forge expressed fear of serious consequences in the event the trial should be held so near the scene of the crime.

Arthur Smith, Jr., cab driver; John Pryor, farm hand, and Jones's wife, Nannie, whom Jones at first accused of complicity in the slaying, but later absolved, have also been held, but no arrangements for their trial have been made.

NEGRO BEGINS DEFENSE

FINCASTLE, VA., Jan. 21 (AP)—Asserting through his court appointed counsel that he did not murder two little Clifton Forge girls and did not criminally assault one of them as charged in indictments against him, Philip Jones, a negro, today told the Fincastle Court that, to the contrary, he had received an ugly leg wound while trying to defend them from a white man.

NEW YORK DAILY NEWS

JAN 6 1935

Killer Escapes Two Lynchings But Gets Chair

Fincastle, Va., Jan. 5 (U.P.).—Saved twice from threatened lynching, Philip Jones, 25-year-old colored apple peddler, was found guilty today of attacking and murdering two young white girls. He was sentenced to the electric chair.

Crowds about the courthouse, including many persons who sought to seize Jones at Roanoke and at Clifton Forge, scene of the double murder, were quiet as the trial reached its last stages.

The slain girls, Alice B. Hill, 13, and her sister Ellen, 9, were found near Jones' farm on Nov. 19. Two State troopers flanked Jones as he silently heard his fate.

Ruling of Chief Justice Hughes in the Scottsboro Cases

Time 4-2-35

Special to THE NEW YORK TIMES.

WASHINGTON, April 1.—The text of the Supreme Court's decision in the case of Clarence Norris, holding that Negroes were unjustifiably omitted from jury service in the Scottsboro case, reads as follows: New York Times

SUPREME COURT OF THE UNITED STATES.

No. 534—October Term, 1934.

Clarence Norris, petitioner, and the State of Alabama, on writ of certiorari to the Supreme Court of the State of Alabama.

Mr. Chief Justice Hughes delivered the opinion of the court.

Petitioner, Clarence Norris, is one of nine Negro boys who were indicted in March, 1931, in Jackson County, Alabama, for the crime of rape. On being brought to trial in that county, eight were convicted.

The Supreme Court of Alabama reversed the conviction of one of these and affirmed that of seven, including Norris. This court reversed the judgments of conviction upon the ground that the defendants had been denied due process of law in that the trial court had failed in the light of the circumstances disclosed, and of the inability of the defendants at that time to obtain counsel, to make an effective appointment of counsel to aid them in preparing and presenting their defense. Powell versus Alabama, 287 U. S. 45.

After the remand a motion for change of venue was granted and the cases were transferred to Morgan County. Norris was brought to trial in November, 1933. At the outset a motion was made on his behalf to quash the indictment upon the ground of the exclusion of Negroes from juries in Jackson County, where the indictment was found.

Trial Judge Denied Motion.

A motion was also made to quash the trial venire in Morgan County upon the ground of the exclusion of Negroes from juries in that county. In relation to each county the charge was of long continued, systematic and arbitrary exclusion of qualified Negro citizens from service on juries, solely because of their race and color, in violation of the Constitution of the United States.

The State joined issue on this charge and after hearing the evidence, which we shall presently review, the trial judge denied both motions, and exception was taken. The trial then proceeded and resulted in the conviction of Norris, who was sentenced to death.

On appeal, the Supreme Court of the State considered and decided the Federal question which Norris had raised and affirmed the judgment. 156 So. 556. We granted a writ of certiorari. 293 U. S. 552.

(1). There is no controversy as to the constitutional principle involved.

The principle, long since declared, was not challenged, but was expressly recognized by the Supreme Court of the State. Summing up precisely the effect of earlier decisions, this court thus stated the principle in Carter *vs.* Texas, 177 U. S. 442, 447, in relation to exclusion from service on grand juries:

"Whenever by any action of a State, whether through its Legislature, through its courts, or through its executive or administrative officers, all persons of the African race are excluded, solely because of their race or color, from serving as grand jurors in the criminal prosecution of a person of the African race, the equal protection of the laws is denied to him, contrary to the Fourteenth Amendment of the Constitution of the United States. Strauder v. West Virginia, 100 U. S. 303; Neal v. Delaware, 103, U. S. 370, 397; Gibson v. Mississippi, 162 U. S., 565." This statement was repeated in the same terms in Rogers v. Alabama, 192 U. S. 226, 231, and again in Martin v. Texas, 200 U. S. 316, 319."

Applied to Petit Juries.

The principle is equally applicable to a similar exclusion of Negroes from service in petit juries. Strauder v. West Virginia, supra; Martin v. Texas, supra. And although the State statute defining the qualifications of jurors may be fair on its face, the constitutional provision affords protection against action of the State through its administrative officers in effecting the prohibited discrimination. Neal v. Delaware, supra; Carter v. Texas, supra. Compare Virginia v. Rives, 100, U. S. 313, 322, 325; in re: Wood, 140, U. S. 278, 285; Thomas v. Texas, 212, U. S. 278, 282, 283.

The question is of the application of this established principle to the facts disclosed by the record. That the question is one of fact does not relieve us of the duty to determine whether in truth a Federal right has been denied. When a Federal right has been specially set up and claimed in a State court, it is our province to inquire not merely whether it was denied in express terms but also whether it was denied in substance and effect.

If this requires an examination of evidence, that examination must be made. Otherwise, review of this court would fail of its purpose in safeguarding constitutional rights.

Thus, whenever a conclusion of law of a State court as to a Federal right and findings of fact are so intermingled that the latter controls the former, it is incumbent upon us to analyze the facts in order that the appropriate enforcement of the Federal right may be assured. Creswill v. Knights of Pythias, 225, U. S., 246, 261; Northern Pacific Railway Company v. North Dakota, 236, U. S. 285, 293; Ward v. Love County, 253, U. S. 17, 22; Davis, County, 253, U. S. 17, 22; Davis, Director General v. Weshsler, 263, U. S. 22, 24; Fiske v. Kansas, 274, U. S. 380, 385, 386; Ancient Egyptian Order v. Michaux, 279, U. S. 737, 745.

Reviews State Jury Law.

(2). The evidence on the motion to quash the indictment.

In 1930 the total population of Jackson County, where the indictment was found, was 36,881, of whom 2,688 were Negroes. The male population over 21 years of age numbered 8,801, and of these 866 were Negroes.

The qualifications of jurors were thus prescribed by the State statute (Alabama Code, 1923, Sec. 8603):

"The jury commission shall place on the jury roll and in the jury box the names of all male citizens of the county who are generally reputed to be honest and intelligent men and are esteemed in the community for their integrity, good character and sound judgment, but no person must be selected who is under 21 or over 65 years of age, or who is an habitual drunkard, or who being afflicted with a permanent disease or physical weakness is unfit to discharge the duties of a juror, or who cannot read English, or who has even been convicted of any offense involving moral turpitude. If a person cannot read English and has all the other qualifications prescribed herein and is a freeholder or householder, his name may be placed on the jury roll and in the jury box." (See Gen. Acts, Alabama, 1931, No. 47,659.)

Negroes Not Called on Juries.

Defendant adduced evidence to support the charge of unconstitutional discrimination in the actual administration of the statute in Jackson County. The testimony, as the State court said, tended to show that "in a long number of years no Negro had been called for jury service in that county." It appeared that no Negro had served on any grand or petit jury in that county within the memory of witnesses who had lived there all their lives. Testimony to that effect was given by men whose ages ran from 50 to 76 years. Their testimony was uncontradicted. It was supported by the testimony of officials.

The clerk of the jury commission and the clerk of the Circuit Court had never known of a Negro serving on a grand jury in Jackson County. The court reporter, who had not missed a session in that county in twenty-four years, and two jury commissioners, testified to the same effect. One of the latter, who was a member of the commission which made up the jury roll for the grand jury which found the indictment, testified that he had "never known of a single instance where any Negro sat on any grand or petit jury in the entire history of that county."

Negroes Qualified as Jurors.

That testimony in itself made out a prima facie case of the denial of the equal protection which the Constitution guarantees. (See Neal v. Delaware, supra.) The case thus made was supplemented by direct testimony that specified Negroes, thirty or more in number, were qualified for jury service. Among these were Negroes who were members of school boards, or trustees of colored schools and property owners and householders. It also appeared that Negroes from that county had been called for jury service in the Federal Court.

Several of those who were thus described as qualified were witnesses. While there was testimony which cast doubt upon the qualifications of some of the Negroes who had been named, and there was also general testimony by the editor of a local newspaper who gave his opinion as to the lack of "sound judgment" of the "good Negroes" in Jackson County, we think that the definite testimony as to the actual qualifications of individual Negroes, which was not met by any testimony equally direct, showed that there were Negroes in Jackson County qualified for jury service.

The question arose whether names of Negroes were in fact on the jury roll. The books containing the jury roll for Jackson County for the year 1930-31 were produced. They were produced from the custody of a member of the jury commission which, in 1931, had succeeded the commission which had made up the jury roll from which the grand jury in question had been drawn. On the pages of this roll appeared the names of six Negroes. They were entered, respectively, at the end of the precinct lists which were alphabetically arranged.

Entries on Rolls Disputed.

The genuiness of these entries was disputed. It appeared that after the jury roll in question had been made up, and after the new jury commission had taken office, one of the new commissioners directed the new clerk to draw lines after the names which had been placed on the roll by the preceding commission.

These lines on the pages under consideration, were underlines, and the clerk of the old commission testified that they were not put in by him. The entries made by the new clerk, for the new jury roll, were below these lines.

The names of the six Negroes were in each instance written immediately above the red lines. An expert of long experience testified that these names were superimposed upon the red lines, that is, that they were written after the lines were drawn. The expert was not cross-examined and no testimony was introduced to contradict him. (a.)

In denying the motion to quash, the trial judge expressed the view that he would not "be authorized to presume that somebody had committed a crime" or to presume that the jury board "had been unfaithful to their duties and allowed the books to be tampered with." His conclusion was that names of Negroes were on the jury roll.

Not Justified by Evidence.

We think that the evidence did not justify that opinion. The Supreme Court of the State did not sustain it. That court observed that the charge that the names of Negroes were fraudulently placed on the roll did not involve any member of the jury board, and that the charge "was, by implication at least, laid at the door of the clerk of the board."

The court, reaching its decision irrespective of that question, treated that phase of the matter as "wholly immaterial" and hence passed it by "without any expression of opinion thereon." The State court rested its decision upon the ground that even if it were assumed that there was no name of a Negro on the jury roll, it was not established that race or color caused the omission.

The court pointed out that the statute fixed a high standard of qualifications for jurors (Green versus State, 73, Ala. 26; State versus Curtis, 210 Ala. 1) and that the jury commission was vested with a wide discretion. The court adverted to the fact that more white citizens possessing age qualifications had been omitted from the jury roll than the entire Negro population of the county, and regarded the testimony as being to the effect that "the matter of race, color, politics, religion, or fraternal affiliations" had not been discussed by the commission and had not entered into their consideration, and that no one had been excluded because of race or color.

Method of Selection Shown.

The testimony showed the practice of the Jury Commission. One of the commissioners who made up the jury roll in question and the clerk of that commission, testified as to the manner of its preparation. The other two commissioners of that period did not testify. It was shown that the clerk, under the direction of the commissioners, made up a preliminary list which was based on the registration list of voters, the polling list and the tax list, and apparently also upon the telephone directory.

The clerk testified that he made up a list of all male citizens between the ages of 21 and 65 years without regard to their status or qualifications. The commissioner testified that the designation "col." was placed after the names of those who were colored.

In preparing the final jury roll, the preliminary list was checked off as to qualified jurors with the aid of men whom the commissioners called in for that purpose from the different precincts. And the commissioner testified that in the selections for the jury roll no one was "automatically or systematically" excluded, or excluded on account of race or color; that he "did not inquire as to color," that was not discussed.

But, in appraising the action of the commissioners, these statements cannot be divorced from other testimony, as we have seen, there was testimony, not overborne or discredited, that there were in fact Negroes in the county qualified for jury service. That testimony was direct and specific. After eliminating those persons as to whom there was some evidence of lack of qualifications, a considerable number of others remained. The fact that the testimony as to these persons, fully identified, was not challenged by evidence appropriately direct, cannot be brushed aside.

Overrules State Court.

There is no ground for an assumption that the names of these Negroes were not on the preliminary list. The inference to be drawn from the testimony is that they were on that preliminary list and were not placed on the jury roll. There was thus presented a test of the practice of the commissioners. Something more than mere general asseverations was required. Why were these names excluded from the jury roll? Was it because of the lack of statutory qualifications? Were the qualifications of Negroes actually and properly considered?

The testimony of the commissioner on this crucial question puts the case in a strong light. That testimony leads to the conclusion that these or other Negroes were not excluded on account of age, or lack of esteem in the community for integrity and judgment, or because of disease or want of any other qualification. The commissioner's answer to specific inquiry upon this point was that Negroes were "never discussed." We give in the margin quotations from his testimony. (b).

We are of the opinion that the evidence required a different result from that reached in the State Court. We think that the evidence that for a generation or longer no Negro had been called for service on any jury in Jackson County, that there were Negroes qualified for jury service, that according to the practice of the Jury Commission their names would normally appear on the preliminary list of male citizens of the requisite age but that no names of Negroes were placed on the jury roll, and the testimony with respect to the lack of appropriate consideration of the qualifications of Negroes, established the discrimination which the Constitution forbids. The motion to quash the indictment upon that ground should have been granted.

(3) The evidence on the motion to quash the trial venire.

The population of Morgan County, where the trial was had, was larger than that of Jackson County, and the proportion of Negroes was much greater. The total population of Morgan County in 1930 was 46,176, and of this number 8,811 were Negroes.

Within the memory of witnesses long resident there, no Negro had ever served on a jury in that county or had been called for such service. Some of these witnesses were over fifty years of age and had always lived in Morgan County. Their testimony was not contradicted. A clerk of the circuit court, who had resided in the county for thirty years and who had been in office for over four years, testified that during his official term approximately 2,500 persons had been called for jury service and that not one of them was a Negro; that he did not recall "ever seeing any single person of the colored race serve on any jury in Morgan County."

There was abundant evidence that there were a large number of Negroes in the county who were qualified for jury service. Men of intelligence, some of whom were college graduates, testified to long lists (said to contain nearly 200 names) of such qualified Negroes, including many business men, owners of real property and householders.

When defendant's counsel proposed to call many additional witnesses in order to adduce further proof of qualifications of Negroes for jury service, the trial judge limited the testimony, holding that the evidence was cumulative.

Exclusion Held Illegal.

We find no warrant for a conclusion that the names of any of the Negroes as to whom this testimony was given, or of any other Negroes, were placed on the jury rolls. No such names were identified. The evidence that for many years no Negro had been called for jury service itself tended to show the absence of the names of Negroes from the jury rolls and the State made no effort to prove their presence.

The trial judge limited the defendant's proof "to the present year, the present jury roll." The Sheriff of the county called as a witness for defendants, scanned the jury roll and after "looking over every single name on that jury roll, from A to Z," was unable to point out "any single Negro on it."

For this long-continued, unvarying and wholesale exclusion of Negroes from jury service we find no justification consistent with the constitutional mandate. We have carefully examined the testimony of the jury commissioners upon which the State court based its decision. One of these commissioners testified in person and the other two submitted brief affidavits.

By the State act (gen. acts, Ala., 1931, No. 47, p. 55), in force at the time the jury roll in question was made up, the clerk of the jury board was required to obtain the names of all male citizens of the county over twenty-one and under sixty-five years of age, and their occupation, place of residence and place of business. (Id., p. 58, Sec. 11.) The qualification of those who were to be placed on the jury roll were the same as those prescribed by the earlier statute which we have already quoted. (Id., p. 59, Sec. 14.)

State Evidence Failed.

The member of the jury board who testified orally said that a list was made up which included the names of all male citizens of suitable age; that black residents were not excluded from this general list; that in compiling the jury roll he did not consider race or color; that no one was excluded for that reason and that he had placed on the jury roll the names of persons possessing the qualifications under the statute. The affidavits of the other members of the board contained general statements to the same effect.

We think that this evidence failed to rebut the strong prima facie case which defendant has made. That showing as to the long-continued exclusion of Negroes from jury service and as to the many Negroes qualified for that service could not be met by mere generalities. If, in the presence of such testimony as defendant adduced, the mere general assertions by officials of their performance of duty were to be accepted as an adequate justification for the complete exclusion of Negroes from jury service, the constitutional provision—adopted with special reference to their protection—would be but a vain and illusory requirement.

Statement Too Sweeping.

The general attitude of the jury commissioner is shown by the following extract from his testimony:

"I do not know of any Negro in Morgan County over twenty-one and under sixty-five who is generally reputed to be honest and intelligent and who is esteemed in the community for his integrity, good character and sound judgment, who is not an habitual drunkard, who isn't afflicted with a permanent disease or physical weakness which would render him unfit to discharge the duties of a juror and who can read English and who has never been convicted of a crime involving moral turpitude."

In the light of the testimony given by defendant's witnesses, we find it impossible to accept such a sweeping characterization of the lack of qualifications of Negroes in Morgan County. It is so sweeping, and so contrary to the evidence as to the many qualified Negroes, that it destroys the intended effect of the commissioner's testimony.

In Neal versus Delaware, supra, decided over fifty years ago, this court observed that it was a "violent presumption," in which the State court had there indulged, that the uniform exclusion of Negroes from juries, during a period of many years, was solely because, in the judgment of the officers charged with the selection of grand and petit jurors, fairly exercised, "the black race in Delaware were utterly disqualified by want of intelligence, experience or moral integrity to sit on juries."

Such a presumption at the present time would be no less violent with respect to the exclusion of the Negroes of Morgan County. And, upon the proof contained in the record now before us, a conclusion that their continuous and total exclusion from juries was because there were none possessing the requisite qualifications, cannot be sustained.

We are concerned only with the Federal question which we have discussed, and in view of the denial of the Federal right suitably asserted, the judgment must be reversed and the cause remanded for further proceedings not inconsistent with this opinion.

It is so ordered.

Mr. Justice McReynolds did not hear the argument and took no part in the consideration and decision of this case.

NOTES.

(a) The books containing the jury roll in question were produced on the argument at this bar and were examined by the court.

(b) "Q.—Did you ever exclude from the jury rolls any Negroes because you found, first, he was a man under 21 years old or over 65, and he was excluded by reason of his age; secondly, because he was a person who wasn't esteemed in the community for being a decent and honorable citizen, for good sound common sense and judgment, did you ever see or hear of them not going to take that Negro because he wasn't esteemed in the community for good sense and judgmen? A.—No, sir.

"Q.—Did you ever have occasion to say, I can't take that Negro because he is a fellow that has a disease which may affect or does affect his mentality, did you ever say that to yourself, with reference to any particular Negro? A.—No, sir, Negroes was never discussed.

"Q.—Did you ever say to yourself as a jury commissioner in compiling those lists, I am not going to take that Negro because he was convicted before of a crime involving moral turpitude; have you ever excluded a Negro on that ground; did you ever find any Negro that came within that category, under your personal knowledge, in Jackson County? A.—I couldn't recall any; no, sir, I don't know.

"Q.—Have you ever known of any Negro in Jackson County who was excluded by reason of the fact that he could not read English, and that Negro at the same time wasn't a freeholder or householder; did you ever say, I can't take that Negro because he is prohibited under the rules from serving by reason of that provision? A.—No, sir.

"Q.—Or anybody in your presence? A.—It never was discussed.

"Q.—You had been a jury commissioner how long? A.—I was on it under Bibb Graves's administration, 1928, 1929, 1930.

"Q.—Three years? A.—Yes, sir.

"Q.—And you never had occasion to exclude any Negro in Jackson County by reason of the disqualifying provisions I have just called to your attention? A.—Not to my personal knowledge, no, sir.

Scottsboro Reversal Points Road to Herndon Victory

Protests Can Force Release Of Negro Hero

Herndon Bail Fund Is Tribute to Labor's Solidarity

By Anna Damon

(Acting National Secretary, International Labor Defense)

The tremendous victory of the I. L. D. in the Scottsboro case proves what mass pressure can do in an appeal to the United States Supreme Court.

We have a task now to complete this victory, to prevent new indictments against these innocent boys, to win their immediate, unconditional and safe release.

The same Supreme Court which was forced to grant a second reversal of the lynch-verdits against the Scottsboro boys, now has before it the case of Angelo Herndon. Our victory in the Scottsboro case points the road for victory in the Herndon case.

The day when the U. S. Supreme Court is to hear the sentence against Angelo Herndon appealed, is drawing very close. On or about April 1, Whitney North Seymour, attorney for the International Labor Defense, will bring before that court the arguments of the workers, against sending this young Negro organizer to serve a term of 18 to 20 years on the Georgia chain gang —in reality, to his death.

After 26 months in the terrible dungeon of Fulton Tower prison in Atlanta, Angelo Herndon stepped forth last August, for the time being a free man. Penny by penny, the workers had raised $15,000 to get Herndon out of prison, on bail. The story of how Herndon was taken from jail is a stirring story of working-class devotion. Today, when the Herndon case is again drawing to a climax, it is worth while to recall that story.

For more than two years the Georgia lynchers refused to set bail for Herndon. While the boy's health was slowly being drained away by the filth, the discomfort, the starvation, and the extremes of heat and cold in his cell in Fulton Tower prison, the Georgia officials were deaf to all the demands of the International Labor Defense, voicing the desires of the workers, that bail be set for Herndon, so that he might have at least a few months of freedom. But at last the voice of the indignant workers became so loud that even the Georgia lynchers had to listen. They set the sum of $15,000 for bail — certain that it would never be furnished.

The I. L. D. sent out a call—and the workers responded. In 23 short days, they raised, penny by penny, dollar by dollar, not the $15,000 the Georgia rulers demanded, but the enormous sum of $18,723.85! Those of us who were in the headquarters of the I. L. D. at this time, who received the workers coming with contributions, who read the letters that accompanied the hundreds of loans and donations arriving in the mails, saw passing before our very eyes a drama of working-class sacrifice, devotion and heroism.

Two hundred and fifty-five individuals gave from $1 to $5; 55 gave as much as $100 or more. But every penny, every dollar given or loaned meant a sacrifice.

In those days the American workers knew Angelo Herndon only through what they heard and through what they read. But now, almost eight months later, hundreds of thousands from coast to coast have seen Angelo Herndon, have heard him speak, have pressed his hand. They know him for the courageous youthful leader that he is. And to these thousands, the thought that Herndon must go back to the chain gang, to torture and death is intolerable.

There is much at stake in the decision which the Supreme Court will render, after it has heard the appeal of the I. L. D. in the Herndon case. There is at stake the right of the workers to organize, to strike, to read workers' literature, to demand bread and shelter, and to belong to the organizations of the working-class. There is at stake the elementary rights of the Negro people.

The working-class that, out of its hunger and its poverty brought forward the sum of $15,000 to free Angelo Herndon, will not let Herndon go to the chain-gang. The struggle must now, more than ever, take the form of demonstrations that will be heard in the very chambers of the Supreme Court. What that court will decide depends not so much upon the proof of Herndon's innocence — if innocence and constitutional rights were the chief basis for decisions, Herndon would never have spent a day in prison. What the U. S. Supreme Court decides in the case of Angelo Herndon, depends first of all upon the sentiment they feel among the people, the extent to which the determination of the masses that Herndon shall go free, can make itself known to that court.

To this end, greater demonstrations, a greater flood of protests.

It has taken thousands of dollars to free Herndon temporarily, and the cost of the campaign and legal expenses in connection with the fight to win his complete freedom are mounting daily. Money for the defense fund of the International Labor Defense, which is defending him, should be rushed to Room 610, 80 East 11th Street, New York City.



Wm. Patterson Hails Reversal On Scottsboro

Cable from I.L.D. Head Urges Fight for Other Class-War Prisoners

NEW YORK.—"Congratulations on this history-making victory," William L. Patterson, National Secretary of the International Labor Defense, cabled the I. L. D. today from Moscow, after receiving news of the reversal by the U. S. Supreme Court of the death sentencee against two of the Scottsboro defendants, Haywood Patterson and Clarence Norris. Patterson, whose health broke down chiefly as the result of his intense activities for Scottsboro freedom, is resting in a sanatorium in the Soviet Union.

"Congratulations on this history-making victory. It is a complete vindication of international working class solidarity and actions, and of the policy of the International Labor Defense. It is a vindication of our fight on Scottsboro as a broad struggle for democratic rights for all American toilers, and in Negro liberation struggles in particular.

"Consolidate these historic movements against reaction. Intensify the struggle for the fredom of Mooney, Billings, Herndon, McNamara, on the basis of this victory. Prepare the masses to meet the danger of lynching. Fight the illusions of the fairness of the Supreme Court, which remains the court of last illusions.

"This victory revives the heroic revolutionary traditions of the Negro people. It raises the struggle for national liberation to a higher political level.

"Build the I. L. D. in struggle."

Greetings from Red Aid

From the Executive Committee of the International Red Aid, parent organization of the International Labor Defense in all countries, came the following cable on the Scottsboro victory:

"Hearty congratulations to the International Labor Defense and to the American toilers. The Scottsboro decision is a victory for the world campaign of the International Red Aid and for the solidarity of the black and white workers."

* * *

From the Canadian Labor Defense League, came the following telegram:

"The National Executive Committee of the Canadian Labor Defense League greets the mighty victory of the International Labor Defense in the Scottsboro cases. It pledges its steady support in the struggle for Negro rights and workers' freedom."

600 Daily Workers Sold at West Virginia Parade of Coal Miners

BECKLEY, W. Va., April 5.—More than 600 copies of the Daily Worker were sold here April 1, when 4,000 members of the United Mine Workers of America paraded to celebrate Mitchell Day, anniversary of the institution of the eight-hour day for miners.

Daily Worker salesmen declared they could have sold hundreds more, if they had had them on hand.

Among the banners carried in the parade was one calling for the freedom of Tom Mooney.

Carter Is Cheered By Latest Victory In Scottsboro Fight

By LESTER CARTER
(Defense Witness)

I am glad to know of the great victory which has been won in the Scottsboro case. It has been a long, hard struggle, and I am glad to say I never let up for one minute. I know it was mass pressure that helped us win this victory, because I toured all the country with Mrs. Patterson and Richard B. Moore, and we spoke in more than 80 cities and organized the campaign.

The U. S. High Court had to give these boys a new trial after all the evidence that was given them and all the protest they got from all over the U. S. The I. L. D. is going to fight this case to a finish, which means complete freedom for these boys, and I hope all those people who have supported the fight until now will continue to do all they can and get the others to do the same.

Chicago Unions Back Metal Workers' Strike At Die Casting Plant

(Daily Worker Midwest Bureau)

CHICAGO, Ill., April 5.—Assisted by other workers' organizations, strikers of the Paragon Die Casting Company entered the third week of their struggle. A picket line of more than 100 marched before the plant today. Police intimidation failed to break the fine spirit among the strikers.

The Metal Workers Industrial Union and Mechanics Educational Society are helping the strikers to collect relief funds. Unions and sympathetic organizations were asked to help supply pickets, who should report daily, at 7 a.m., at 2701 North Crawford Avenue.

British Press Features News Of Scottsboro

Engdahl-Wright Tour Recalled in Story of U.S. Frame-Up

LONDON, April 2.—The decision of the U. S. Supreme Court in the Scottsboro case received prominent display yesterday in newspapers here and throughout England.

The London News Chronicle featured it as the biggest news of the day, and also commented editorially on the decision.

The London Mirror recalled the trip to England by the Scottsboro Mother, Mrs. Ada Wright, who, with the late J. Louis Engdahl, toured many European countries under the auspices of the International Red Aid to mobilize mass protests against the lynch verdicts. Engdahl and Mrs. Wright were hounded throughout the entire tour by the U. S. State Department. At the instigation of the State Department, they were arrested in several countries, held in jail overnight on one occasion and were deported from Belgium. They were permitted to remain in England only ten days.

Engdahl, former national secretary of the International Labor Defense, died in Moscow, at the end of the tour, as a result of his persecution by police in the capitalist countries he visited with Mrs. Wright.

I. Sack, Philadelphia, writes: "The Daily Worker is undoubtedly the most powerful instrument of the workers in their strike struggles. . . . Enclosed you will find a check for $6 for renewal."

Officials Fear Facts on Negro Life in Harlem

'Red Scare' Fails to Conceal Source of Poverty, Misery

By I. Amter

District Organizer, Communist Party, N. Y.

"The Grand Jury and the District Attorney are trying to get information against people who advocate the overthrow of the republican form of government by force and violence. We are going after them and we expect to get them."—District Attorney Dodge, N. Y. Times, March 29, 1935.

The above statement makes it clear that District Attorney Dodge and the LaGuardia administration are not anxious to learn what caused the so-called "riot" in Harlem on March 19. On the contrary, LaGuardia and Dodge know that a real exposure of conditions in Harlem will not only show up the Fusion-Wall Street Administration, but also the whole Tammany gang control of New York City.

Any one at all conversant with conditions in Harlem — even the worst enemy of the Communist Party in Harlem — frankly admits today that the Communists were not to blame for the riot in Harlem, but that basic to the **elemental outburst of hatred and resentment** displayed on March 19 were the **hunger, misery, high rents, denial of rights, police brutality, etc.,** to which the nearly 300,000 Negroes of Upper Harlem and the 150,000 Latin-Americans of Lower Harlem are subjected.

Does District Attorney Dodge dare to deny that relief in Harlem is lower than in other parts of the city? Of course not. Is it not a well-known fact that more than a year ago instructions were issued by the Welfare Department of New York that "those nationalities that are accustomed to a lower standard of living shall get a lower standard of relief"—specifying **Negroes, Latin Americans and Italians?** Is it not a well-established fact that the Harlem Relief Buros are given less funds to distribute in relief and rent than the "better sections" of the city? Is it not a fact that **tuberculosis** is far more widespread in Harlem than in other sections? Is it not a fact that **rent** for Negroes in Harlem is far higher than for whites? And above all, can any one dispute that **unemployment is more widespread among the Negroes of Harlem**—as among the Negroes throughout the city and country—than among the whites?

LaGuardia and Dodge are trying to dodge these facts. They are trying to find a Communist "riot" as having caused this explosion of anger in Harlem. In other words they are trying to find a goat for the brutality and hunger system that the capitalist class of New York has established against the Negroes.

We Communists have nothing to conceal. Where the workers are in struggle, there the Communists will be found organizing and leading the workers. For years Communists have pointed out the fearful conditions in Harlem. We were called "demagogues," "exaggerating conditions" for the purpose of bringing forward the Party. For years Communists in the Unemployment Councils have led the unemployed in struggle for relief, for clothes, to prevent evictions, etc. We have forced the authorities to grant more relief, while at the same time police clubs and jail sentences have rained on the head of Communists and militant workers, both Negro and white.

For years we have fought against the butchery of Negroes in the Harlem hospitals, and the discrimination against Negroes in all the institutions in New York. For three years and more Communists have pointed out to the Negroes and white workers of Harlem that **Scottsboro is not only in the South,** because the conditions in the north are leading to more frame-ups, more murders of Negroes.

Now we have Harlem—and the Communists "are to blame!"

District Attorney Dodge thinks that he can cover up the criminal conditions which the Negroes of Harlem and of this country are subjected to by raising the howl of "overthrow of the republican form of government by force and violence." **Who is using force and violence in Harlem and throughout the country?** Who murdered 16 workers during the textile strike? Who smashes the heads of workers on picket lines in New York City and throughout the country? Who organizes gangs of vigilantes and American Liberty Leagues, etc., against the workers? Who, but mayors like LaGuardia, district attorneys like Dodge all over the country!

The Communists **cannot be ousted** from Harlem, Messrs. Dodge and LaGuardia. Neither Negro Communists nor white Communists. Wherever there is a suffering worker, there the Communists will be. Wherever workers are attacked and assaulted, as were the workers of Harlem, both Negro and white, on March 19, there the Communists will be. Wherever efforts are not made to change these conditions, more Communists will be developed, both Negro and white. Neither LaGuardia, Dodge, the fascist Hearst, the Rev. Wm. R. McCann nor the whole capitalist class will be able to drive the Communists, white and Negro, out of Harlem.

On the contrary, the Negroes of Harlem today know that there is **only one Party that really fights against all the degradation they have to accept in Harlem as throughout the country, and that is the Communist Party.**

And while we are about it, let us ask LaGuardia and Dodge and the Wall Street bankers whom they represent a few questions. What about the conditions among the Negroes in **Brownsville,** in **Williamsburg,** in **Crown Heights,** in **Queens? Are they not living in "houses" unfit even for a dog to live in? Are these "houses" not tumble-down shacks without a single accommodation? Is relief for the Negroes in these sections the same as relief for whites—as miserable as the latter is,** as reported by LaGuardia's own Unemployment Relief Commission? **Is unemployment not just as rife among the Negro masses in the other sections of the city as in Harlem?** Perhaps the Communists are "to blame" for this, too, Messrs. LaGuardia and Dodge.

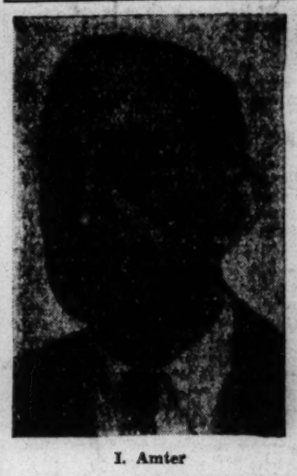
And how about the Negroes in Chicago, Cleveland, Pittsburgh, Detroit, St. Louis, and throughout the South? They, too, probably have no grievances—and if they have, the Communists are "to blame"—they want to "overthrow the republican form of government by force and violence."

We tell you, as we tell the Negro and white masses of this country, that there will be no end to hunger, discrimination, terror, denial of all rights, etc., until the workers of this country, Negro and white, put an end to this "republican form of government" and establish a revolutionary Workers' Government in the U. S.

And who will use force and violence then as they are using it today against the Negro and white workers? It will be the LaGuardias, Dodges, Hearsts, Coughlins, Huey Longs, MacFaddens, etc., the outspoken champions of fascism in the U. S. today. The workers will have to face your violence then as we face it today. But the workers will be assured, as they are today, that they will have a Communist Party that can and does organize them for this struggle.

We can assure you, Messrs. Dodge and LaGuardia, that you will not find goats in the Communists. The Harlem "riot" will lead to the exposure of all of you as nothing before has. We Communists pledge to the masses of Harlem and the workers throughout the country that this will be so. And in this exposure we will organize the workers in a struggle that will put an end to your hunger and police terror, and at last liberate the masses of this country.

ASSAILS DODGE



I. Amter

'Epic' Leader Fights United Front Actions

Upton Sinclair Opposes Joint Struggle for the Sacramento Defendants, Repeal of Vicious Criminal Syndicalist Law on the Coast

By Harold J. Ashe

(Harold J. Ashe, the author of this article, was state secretary of the Socialist Party, at the time Sinclair joined the Democratic Party and announced his candidacy for Governor. While Sinclair was forming a "united front" with the party of reaction, Ashe was fighting within the Socialist Party for a united front with the Communist Party, and finally in complete disgust with the Socialist Party joined the Communist Party. For that reason, Ashe's analysis of the Sinclair statement on the united front is particularly significant.—Editor's note.)

LOS ANGELES.—Bitterly assailing united fronts of the working class, Upton Sinclair, Epic leader, in a thousand word article in Epic News, has warned his followers against the "tactics" of the Communist Party.

Sinclair, whose contact with his own followers daily is becoming more remote, lamely admits that he learned through "a friend of mine," of a united front of Epics, Utopians, Communists, trade union groups, etc.

This friend told Sinclair that "it was fine to see some of the young Epics there and some of the young Utopians. The Communists are planning an organization in which they can all cooperate."

Silent on United Front Aims

The united front, which Sinclair does not call by name and which he carefully does not describe as to its purposes, is the Joint Action Conference for Protection of Labor's Civil Rights. Its program includes fighting for release of the 15 Sacramento prisoners, repeal of the Criminal Syndicalism Law, reinstatement of the locked-out Los Angeles railway strikers and several other fundamental issues involving concretely the rights of California labor.

"The basic principle upon which the Epic movement stands is the right and power of the people to solve our present economic problems by democratic consent," explains Sinclair in his article. "The basic principle upon which the Communist movement is founded is a conviction that democracy is a delusion and a snare for the workers, and that the only way our economic problems can be solved is by the overthrow of democratic government and the setting up of a dictatorship of the proletariat."

Sinclair insist that "between these two points of view there can be no compromise, and consequently there can be no cooperation between Epics and Communists."

Sinclair, by his own logic, no doubt would raise the question of political differences even in a sinking life-boat, and debate the question of whether an Epic and Communist might bail out the water together or not. And, while the argument was raging, the boat would sink.

ITEM: Sinclair, the leader, is not in the sinking boat. Sinclair is on the shore, shouting through a megaphone to his drowning Epicite.

Mr. Sinclair must be reminded that, despite his protestations of poverty, that this "poverty" is only relative. He must be reminded that he is not on county relief or S. E. R. A.; he is in no danger of going to a transient labor camp; he is not on trial at Sacramento, or remotely likely to be; he is not a worker and therefore not economically concerned with the necessity for unionization; nor is he on strike and up against Fascist terror and police brutality; he is not in danger of disfranchisement because he is a "pauper."

On "Democratic Consent"

These things, which Mr. Sinclair is aloof from, which leave him untouched, are profoundly affecting workers and the middle-class. An Epic unemployed worker feels an S. E. R. A. cut as desperately as does a Communist or Utopian or Mug-Wump.

Sinclair, himself, on Nov. 7 bitterly hinted that the election had been stolen from him by the Merriam gang, yet he talks about "democratic consent." If the election was stolen from him—and there is reason to so believe — then the "democratic consent" of the voters went for naught, and was only one more piece of evidence providing to the workers that for them, at least, capitalist democracy is indeed "a delusion and snare."

Mr. Sinclair's "young friend," who is properly enthusiastic about our united front for labor civil rights, can himself set Mr. Sinclair right on one point, namely: that Communsts in this united front are the ones most eager to broaden the united front and are doing all in their power to keep it from becoming a narrow, hide-bound group. Mr. Sinclair's editorial, to the contrary, if it has an effect upon Epic followers, will tend to narrow the United Front.

Thanks to Mr. Sinclair's definition of the essential characteristics of the Epic movement, namely "democratic consent," it is now possible to point out to Epic members and sympathizers that if they depend solely upon this formula, they must wait patiently until the Fall of 1936, almost two more years ere they may again battle for their rights against the master class.

Unity for Immediate Needs

The Communist Party, on the other hand, believes in fighting for immediate demands for the workers here and NOW—not in waiting until the apparatus of "democratic consent" is again made "available."

Regardless of the politicians in office and the labels they may happen to wear, workers can force concessions from them NOW. Workers can force them to stop their attacks upon the working class. But workers cannot do this, so long as "leaders," such as Mr. Sinclair, raise the question of whether the workers accept the principle of "democratic consent," or the principle of the "dictatorship of the proletariat." Certainly, the Communist Party, which Mr. Sinclair would have you believe is very sectarian and hidebound, does not ask workers to accept the dictatorship of the proletariat as a requirement for participation in united front struggles. It remains for Mr. Sinclair to inject such an issue.

Strongly as does the Communist Party feel upon the question of the dictatorship of thhe proletariat, it does not raise this issue in the immediate struggles of the workers as expressed in united fronts. Being rooted in the working class, having as its leaders members of the working class who are not merely close to, but a part of the victims of capitalist oppression, the Communist Party insists that the burning issues, Mr. Sinclair, are (1) food, clothing and shelter and economic security; (2) right of workers to organize, strike and picket; (3) War and Fascism.

These, Mr. Sinclair, are the issues! These are the issues that workers in their daily struggles are confronted with. These are the issues that impel and compel workers to unite, each with the other, regardless of their programmatic, political, religious and other differences.

Unity "From Above"

Two other points raised by Mr. Sinclair must be cleared up. He says further that "They (the Third International) explain that by this policy (United Front From Below) they will not have anything to do with the leaders of Socialist or Democratic movements, but merely try to win the rank and file."

The Communist Party of the U. S. A. has gone to the Socialist Party of America almost every time its national executive committee has met for the past two years, trying to effect a united front with the latter. Without exception they have been rebuffed by the same kind of specious arguments advanced by Mr. Sinclair.

In Germany, too, the Social Democrats haughtily refused to unite with the Communists against Hitler. The results are so painfully apparent, that Socialists do not like to dwell upon it. Yet, today, Socialist leaders are repeating the mistakes of the Social Democratic leaders of Germany.

Moreover, Sinclair's eagerness to denounce the united front reveals quite clearly that he wishes to "condition" his followers to the point where, upon the basis of his unfair statement, they will reject a united front whenever and wherever it may be presented to them for democratic action. In the meantime, it is significant that this question, as with many other most questions, has not even been permitted to go to your membership, but is allowed to die in the bureaucratic, narrow, unrepresentative End Poverty League Board of Directors. This last is expecially significant in view of Sinclair's enlightening declaration that Epic subscribes to the principle of "democratic consent." Inner-organizational practice of the principle of "democratic consent," evidently cannot be permitted the rank and file.

In closing, I wish to propose as recommended reading for Mr. Upton Sinclair, his own newspaper, namely: The Epic News, March 4, 1935, issue, and the article on Imperial Valley where "democratic consent" and democratic institutions are playing havoc with workers' rights. This article appeared in the same issue and on the same page as Sinclair's tirade against United Front. It, by simple reporting of fact, should make Sinclair blush with shame.

Change Urged In Marine Bill

WASHINGTON, April 5.—Opposition to the discrimination against seamen on small ships, embodied in the Sirovich Bill to increase liabilities of big ship owners in case of accident, was voiced Wednesday by William L. Standard, seamen's attorney, when the bill was discussed before the House Merchant Marine Committee, here.

The Sirovich Bill is designed to increase the liability of steamship companies in sea disasters such as the burning of the Morro Castle, on which 135 lives were lost.

The bill, however, makes provisions for liability on the basis of the tonnage of vessels, at the rate of $100 per ton. This gives seamen who work on tugs, lighters, barges and canal boats very little protection, Mr. Standard pointed out.

Standard proposed that the bill be amended to make owners of vessels of 500 tons or less carry insurance amounting to $10,000 for each member of the crew. As the bill reads now, he said, seamen on small crafts will be discriminated against.

"We have been able to increase our bundle and obtain subs," writes Betty Moore, East Liverpool, Ohio. "But in order to have success in the drive, every Party member must be made Daily Worker conscious."

Professor Williams Honored by Soviet Masses

By Vern Smith

(Special to the Daily Worker)

MOSCOW, April 5 (By Cable).—"I have passed through three revolutions—and not simply passed through but actively participated in them." That was the answer of 72-year old Professor Vassily Williams to a young English scientist who asked how the old academician had managed to preserve the qualities of fervent energy and efficiency.

Today the entire Soviet press notes the 50th anniversary of Professor Williams' scientific work as a member of the Academy of Science. Williams has written over 130 scientific works which created a new epoch in agriculture. They made his name as a world scientist. During half a century of scientific labor, Williams taught a whole generation of scientists. Thousands of his students are now working on collective farm fields.

Aided Early Struggles

Professor Williams is the son of an American engineer and a Russian peasant woman, and as far back as the eighties of the last century, when he wrote his first book, he was a friend of revolutionary youth.

The Moscow Governor-General, Dubasoff, had good cause to complain in his report to the Czar on the revolutionary events of 1905 about the disorder in the Agricultural Academy, directed by Williams. In 1906 the "disorder" reached such a point that the governor-general himself came to search the students' quarters. Williams warned the students of the search, and no "compromising" materials were found.

Outwitted Police

At the beginning of 1907 a secret Bolshevik meeting was held in the Academy. The police made a raid. The students were in danger of severe punishment. Before the police had time to enter the hall where the meeting was proceeding, Director Williams unexpectedly entered. He stepped on the platform and began to lecture: "Gentlemen, we ended our last lecture on the significance of soil structure and the role of the plow. . . ."

This improvised lecture by the professor lasted two hours. The police were forced to apologize that they had "come to the wrong place."

"My free creative scientific work for socialism began from October, 1917," said Williams once. "Since then I began to grow young." That this statement is not mere words is shown by the fact that 35 works were written during 33 years of the pre-revolutionary scientific work of Williams, but 97 works were composed during the 17 years after the October Revolution. From the first days of October Williams entered the ranks of its active fighters. The doors of the Agricultural Academy were held wide open before the proletarian youth. At Williams' initiative the workers and faculty in the Academy were thoroughly organized.

"What if the walls of the lecture-halls burst? What if lines form at the doors of laboratories? Soak up knowledge, carry it to the people," Williams urged the youth.

Millions of collective farmers know the name of Williams in revolutionary science. His modest home near Moscow is a place of pilgrimage for collective farmers, agricultural specialists and young scientists from all parts of the country. With good reason he is called the "Senior Agricultural Specialist of the Soviet Union."

Joined C. P. Soviet Union

Six years ago Williams joined the Communist Party of the Soviet Union. He bears with honor the high title of Bolshevik. His breast is decorated with the order of the Red Banner of Labor. Since 1922 Professor Williams has been a member of the Moscow Soviet and since 1928 an irreplacable member of the Central Executive Committee of the Soviet Union.

Today in the columned hall of the Moscow House of Trade Unions the government will present the Academician with the honorable and well-earned Order of Lenin.

Masses of greetings from the collective farms, scientific organizations, educational institutions and scientists in the Soviet Union and abroad have arrived for Williams. Greetings were received from the biggest soil specialists and scientists in the United States, France, Germany, Czechoslovakia, Hungary, Switzerland, Holland, Sweden and Australia.

Classified

CHICAGO, ILL.

ROOM WANTED PRIVATE HOME

HYDE PARK. Telephone District, unfurnished, with basement radio workshop space, young couple, off time kitchen privilege only, use of our phone. Must be bargain. Hyde Park 3380.

Scottsboro Boys Going Blind, but Still Optimistic

Four of Seven in Birmingham Jail Are Wearing Glasses.

PATTERSON, NORRIS AT KILBY PRISON

Jailer Calls Youths Best Prisoners, Others Riot.

(Continued from preceding page)

greatly in aptness and appearance since last seen by this writer three years ago. At that time they were sullen, dull-witted and morose. Their clothing was the shabbiest of overalls and jumpers.

Still Optimistic

Today the boys are prompt in their answers to questions, and are keenly interested in what is going on in the world. They are optimistic and feel certain that they will get out soon.

The boys who are wearing glasses are: Andy Wright, Roy Wright, Ollie Montgomery and Charlie Williams. The other boys are: Eugene Williams, Willie Robinson and Ozzie Powell. The glasses, they say, were provided by a white woman in New York who heard of their plight.

The boys were spick and span in white shirts, which they were able to purchase with money saved from contributions of occasional visitors. The cigarette problem is still acute as they find difficulty in keeping supplied.

Want Leibowitz

When asked how they felt about the I.L.D. controversy with Leibowitz, they declared that they were inclined to stick to Leibowitz "to the end."

"He fought hard to save us, and I think he can," Williams said. "They don't like Communists down here so we are through with them."

Best Prisoners

According to Capt. J. D. Pinson, jailer, they are the best boys in the jail. At the present there are about thirty murderers, both women and men, incarcerated in the jail either awaiting trial or appeals.

"I wish all I had were as good as they are," said the captain.

Riot Staged

Last week prisoners staged a riot in the cells and stopped up the plumbing with bed-sheets, caused the water to overflow and drench the courts on the floors below, interfering with court. "These boys don't take part in no nonsense like that," said the captain.

Two Hundred Visitors

So crowded is the jail with lawbreakers that on visiting day, Thursday, approximately two hundred visitors called on friends incarcerated therein.

Visitors are forced to line up outside and are taken up in batches of twenty-five. Ofays, however, are permitted to visit without this formality.

Twin Killers

Among the visitors in Thursday's group was one youth who went up to call on his twin brother. The brother is in formurder and under sentence of twenty-five years. The caller is on bond for killing two other men since his brother's trial. They are said to have been prosecuting witnesses.

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Roman Catholic Church, Washington, with the Rev. Fr. Alonzo Olds officiating.

The bride, a graduate of Miner Normal School, taught in Gary, Ind., for two years.

Mr. Johnson is an alumnus of St. John's College, where he received his A.B. in 1931 and his law degree with honors two years later. He is associated with the law firm of Metcalfe and Branch, in New York.

The couple were at home to friends at their new residence, 9 Rivera Place, Sunday.

Mrs. Sims Claims African Bishop Has Deserted Her

(Continued from preceding page)

She is now living with a widowed mother in Greenwood, S.C.

Editor's Note—As all AME bishops are now on half pay, Mrs. Sims's $100 a month check represents one-half her husband's salary.

Mrs. Sims quotes from a letter purporting to come from Mrs. M. S. Hughes, president of the Woman's Home and Foreign Missionary Society in which Mrs. Hughes says she gave the bishop an order for $1,000 with no other purpose than to pay his wife's traveling expenses to his field of labor since the church does not allow such expenses for a bishop's wife.

Wife in Africa Mentioned

Despite the fact that she is still in the United States, she quotes an African newspaper, Umteteli Wa Bantu, Johannesburg, Africa. February 25, 1933, as follows:

"The reception to the Rt. Rev. and Mrs. H. D. Sims, M.A., B.Sc., Ph.D., D.D., LL.D, which was to have been given at the Bantu Men's Social Center on March 4, has been postponed to March 18."

And from the same paper, dated April 1, 1933:

"Dr. and Mrs. Sims, of the A.M.E. Church, accompanied by the Rev. and Mrs. Tansi, of Sophiatown, were accorded a hearty reception by the residents and others in the Communal Hall, Western Native Township, last Saturday."

Not Notified of Any Divorce

If the bishop has divorced her and has remarried, she has never been notified of his intentions, she says, and in addition he is violating the law of his church by having two living wives.

Mrs. Sims adds that she filed these charges together with others still more serious with the bishops' council last year; that the bishops ordered her husband home to answer them, but that he has failed to return. She has learned, she says, that he will not come until 1936.

Comes to Washington



MISS LOUISE BEAVERS, who will make a personal appearance in Washington, D.C., next week.—Co-op.

Crawford Okeys Houston Request to Take the Lid Off

NAACP Takes First Move to Answer Charge of Muddling Va. Case.

DR. HOUSTON IN TRIP TO RICHMOND

Prisoner Permits Lawyer to Reveal "Confidences"

(Continued from preceding page)

and received a life sentence for that murder. He is now confined in the Virginia State Penitentiary at Richmond.

Houston Visits Crawford

Dr. Houston and George B. Murphy made a trip to Richmond Saturday to obtain Crawford's consent for the release of certain information, which he said would fully explain his handling of the case.

Houston was not expected at the penitentiary, and experienced some difficulty getting in until the arrival of Major R. M. Youel, superintendent of the prison, a short while later. Major Youel knew Dr. Houston and gave instruction that he be permitted to see Crawford.

Within a short time Crawford, dressed in brown trousers, khaki-colored shirt, and a brown lumber jacket, ambled into the visitors' section.

Dr. Houston told Crawford that he had been receiving a lot of criticism because people did not understand the real reasons back of his handling of the case, but he could not make a public statement because it would mean disclosing certain confidential information. He asked Crawford if he would authorize him to tell the facts about the investigation and trial of the case.

Consent Obtained

Crawford replied that he had been some criticisms about the case in the paper and had already written Dr. Houston about it. Dr. Houston answered that he had received the letter, but needed an authorization to make a public statement. Crawford asserted Dr. Houston could say anything he pleased because no one could do anything more to him as the cases were over, and that Dr. Houston was the only one who had done anything for him in Virginia.

Following the conversation Dr. Houston handed Crawford a copy of the New Masses, containing Miss Gruening's article. Crawford read it. When finished he said he was ready to write a statement. Crawford then wrote out an authorization for Dr. Houston to make public the facts back of his case.

Is Prison Barber

Crawford, his head shaved, appeared to be in good spirits. Asked what his work was in the prison he said laughingly:

"Well, you see my head, that's my job. I'm a barber here."

Following the interview, which

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Hampton Group to Sing at White House, March 8

HAMPTON INSTITUTE, Va. Mrs. Franklin D. Roosevelt and her guests will hear thirty-five trade school singers in the East Room of the White House on March 8, in a 30-minute after-

Supreme Court Is Interested in the Scottsboro Jury

(Continued from preceding page)

constitutional rights and in all probability preventing a review by this court."

He explained that a red line had been drawn on each page by the new jury commission to show where the work of the old commission had ended and the work of the new commission had begun. He stated that an expert witness had testified that the names of the colored men, arranged alphabetically and according to precincts, had been superimposed upon the red lines indicating that they were inserted after the red lines had been put there.

Judges Question

Chief Justice Charles E. Hughes and Justices Van Devanter, Owen J. Roberts, Pierce Butler and Harlan F. Stone questioned him, one after another, to ascertain how the clerk of the old jury commission had got possession of the book after he went out of office and what explanation he had made with respect to the alleged spurious names.

Mr. Leibowitz replied that he himself would like to find out how the old clerk had got access to the book and that no explanation had been given when the old clerk testified regarding the jury rolls and the alleged forged names were brought to his attention.

Rights Violated

Mr. Leibowitz contended that the rights of the petitioners had been violated by the systematic exclusion of colored persons from jury service solely because of race and color.

He made no complaint with respect to the Alabama statute prescribing the qualifications of jurors, but contended that "the administration of the statute is the gravamen of the complaint we lay before you."

Always Lily-White Juries

He said, "we were able to show that no colored person has ever served within the memory of man on grand or petit juries in Jackson County."

"Do you mean by that," asked Justice Van Devanter, "that they were never called, or, although called, they were excused?"

Custom for 60 Years

Mr. Leibowitz replied that it is a matter of custom in Jackson County that no colored person can sit on juries. That custom, he said, has prevailed for at least 60 years.

He asserted it was proved there are colored persons in Jackson County qualified to serve. He said it was testified there were those in the county who had served on Federal juries.

"We showed not only the absence of service on juries by colored persons," he declared, "but we actually produced living specimens in the court who we contended were legally qualified and whose qualifications were not challenged by the state."

Pollak Colors Case

Taking up the argument where Mr. Leibowitz had left off, Walter H. Pollak, of New York, who presented the first appeal in the Supreme Court which resulted in a reversal of the conviction of seven youths for alleged attacks on two white women, described the situation in Morgan County, Alabama, where the second and third trials were held after a change of venue had been granted.

"As to Morgan County," said Mr. Pollak, "no claim is made by the state that the names of colored persons appeared on the jury rolls, although the proportion of colored people to whites is even considerably larger than in Jackson County."

Neal Case

Mr. Pollak pointed out that the Scottsboro case had arisen fifty years after the case of Neal against Delaware in which the court found that there was a presumption of qualified persons.

"Colored people obviously have progressed immeasurably in the interval," declared Mr. Pollak, "and we have a case where there is no problem of relying upon the presumption of qualified colored people because we have proof of the existence of them."

Argument Resumed Monday

When argument was resumed after the court had handed down its decision in the gold clause cases on Monday, Mr. Pollak took up the question of the striking of the motion for a new trial and the bill of exceptions in the case of Haywood Patterson.

But Mr. Pollak contended that the striking of the bill of exceptions did not affect the constitutional question because the issue of exclusion of colored persons from jury duty was raised by separate motions in writing.

Knight's Reply

Mr. Knight declared that the issue was solely whether or not colored persons were systematically excluded from jury service. He said he was not concerned with whether the names of the six colored men had been placed on the jury list illegally or not. He added that the state of Alabama was not concerned with whether or not the name of a single colored person appeared on the book

which Mr. Leibowitz had produced in court.

"I am not telling the court those names were forged in there," he declared. "I am not telling you they were not."

Mr. Knight was then subjected to a series of questions respecting the meaning of testimony that race or color was not discussed by the jury commissioners in making up the jury rolls.

Discretion?

"No colored man was ever called or served on the jury," commented Justice Van Devanter. "What answer do you make to that?"

Mr. Knight said he was inclined to think that the commissioners had acted within their discretionary powers.

Judge's Rebuke

"I do not understand they had any discretion to exclude colored people because they were colored," replied Justice Van Devanter.

Justice James C. McReynolds, who dissented when the Supreme Court reversed the convictions, did not sit during the argument of the case.

By stipulation Mr. Leibowitz argued the appeal of Haywood Patterson and Mr. Pollak the appeal of Clarence Norris, both of whom are under death sentence in Kilby Prison, Montgomery, Ala.

Patterson and Norris were found guilty in December, 1933, of attacking Victoria Price, a white mill worker. Appeals from their convictions were taken to the Supreme Court of Alabama. That court affirmed their convictions. From the decision of the Alabama Supreme Court the cases are now before the United States Supreme Court for review for the second time.

Is the AFRO

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TUSKEGEE INSTITUTE ARCHIVES

Montgomery, Ala., Advertiser
April 6, 1935

...is guilt or innocence. Negroes charged with crime have always preferred white men on the juries. There is nothing to be alarmed about. The whole thing is like making a mountain out of a molehill.

"In my practice when negroes were on

(Turn to Page 2, Col. 7)

sleep because of the constant p...

Prison officials and the court judges have consented to the operation for Cannon.

The accused man evaded most questions asked him, but said that he was married many years ago to a woman in Cleveland, whose name he did not give.

I. L. D. Lawyer Reaches City; Graves Calls For Negro Jurors

Late yesterday afternoon, some five or six hours after Gov. Graves had issued a statement announcing that the recent holding of the U. S. Supreme Court in reversing judgments of conviction in two of the Scottsboro cases that where there is systematic exclusion of negroes from juries it is discrimination against race in violation of the Federal constitution, means the names of negroes must be put in the jury boxes of every county in Alabama, O. K. Fraenkel, of New York, I. L. D. attorney for the defense in these cases, arrived in Montgomery and reports were current that the purpose of his visit was to file, on the basis of the same ruling, habeas corpus proceedings for the release of all Scottsboro case defendants.

It later developed, however, that though such proceedings have been actually drawn, Mr. Fraenkel left them in New York and it is his opinion no immediate action toward filing them will be taken. It was learned also in this connection, that the Alabama Supreme Court has not yet received formal official certificated notice of the U. S. Supreme Court's decision. Until such notice is legally served, it is understood, the courts of Alabama retain jurisdiction in all of the cases.

The purpose of Mr. Fraenkel's visit, he was quoted as saying, was solely "to see the boys," the term "boys" presumably being used to apply to all of the seven Scottsboro case defendants, including Heywood Patterson and Clarence Norris whose convictions and death sentences were recently reversed by the nation's highest court of law. He was to see Norris and Patterson at Kilby Prison before leaving for Birmingham to interview the other five negroes who are confined in the Jefferson County jail.

"E Pluribus Unum"

After being associated as defense counsel for the negroes, with Fraenkel and other I. L. D. attorneys, Samuel Liebowitz, also of New York, disagreed with them and terminated the association, declaring he was representing personally, all of the seven negroes with the exception of Patterson. Fraenkel, on the other hand, it is understood, claims he is representing all of them as counsel, including Patterson, and he is now here to confer with his clients, "beating Liebowitz to the punch," so to speak, following the high court's decision. Liebowitz sent Norris a telegram of felicitation on the court's ruling, but has not since been to see him.

Fraenkel was at the Capitol for a short while, where he called to pay his respects to Atty. Gen. Albert A. Carmichael and Asst. Atty. Gen. T. S. Lawson, who assisted Lieut.-Gov. Thomas E. Knight, Jr., while he was Attorney General, to prosecute the Scottsboro cases. The Lieutenant Governor whose services have been retained by Atty. Gen. Carmichael by appointment, as special prosecutor for the State in the cases, has already announced he will ask a Jackson County Grand Jury to return new indictments in all of them.

In connection with his announcement that the decision of the U. S. Supreme Court means the names of negroes must be placed in all jury boxes in the State, Gov. Graves announced also that he had written all trial judges in Alabama enclosing a copy of the high court's opinion and advising them he does not assume or intimate that the contents of their jury boxes fail to conform to all legal requirements, suggested that if any nonconformity exists, steps be taken to remedy such a condition. A copy of his letter to the judges was forwarded to all solicitors.

Governor's Statement

In his public announcement the Governor said:

"Holdings of the United States Supreme Court are the supreme law of the land. Whether we like the decision or not, it is the patriotic duty of every citizen and the sworn duty of every public officer to accept and uphold them in letter and spirit.

"I have received the Supreme Court's decision in the Scottsboro case, holding in effect that when there is systematic exclusion of negroes from juries, it is discrimination against race in violation of the United States Constitution.

"This decision means that we must put the names of negroes in jury boxes in every county in the State.

"Alabama is going to observe the supreme law of America.

"The Governor is the chief law enforcement officer of the State and the conservator of all laws. All laws, of course, include the supreme laws of the land.

"It is unusual for the Governor to undertake to suggest to the judicial department things which, under our State

(Turn To Page 2, Col. 3)

Blindfold, Bible Combine To Let Jury See Show

BIRMINGHAM, ALA., April 4.—(AP)—A blindfold and a Bible combined today to allow members of a Jefferson County jury to see a motion picture, and to keep clear the conscience of one of its members, the Rev. Arthur O. Garner, who does not "believe in such entertainment."

Eleven jurors wanted to see the movie, but Mr. Garner was not easily moved from his convictions, and the law provides that the members of the jury must remain together.

After arguments pro and con, a happy solution presented itself. The Rev. Garner attended the movie, his back to the screen, and a blindfold over his eyes.

But in return for this compromise with his conscience, the Rev. Garner was allowed to give a Bible reading and a 30-minute sermon to the other jurors.

Mack M. Johnson, bailiff, who attends the jury and ministers to its wants while it is "kept prisoner" in a downtown hotel, would not comment on either the show or the sermon.

The jury is hearing evidence in a criminal case and its members are not allowed to talk with outsiders.

The Rev. Garner is listed on the jury roll as a "foreman." Johnson quoted him as saying he was a minister in the Seventh Day Adventist Church.

11-Year-Old Girl Drowned In Creek Near Geneva

Gas Prices Down C... Quotations Range...

Gasoline prices in this city yesterday anged from 20 to 25 cents a gallon, the ariation being one of the widest reorted here in years. Some of the com-

Lynching:
Legal Punishment for Rape
(Scottsboro Case)

„Die Szene wird zum Tribunal."

Von der verdienstvollsten und künstlerisch hochstehendsten Theater-Organisation in den Vereinigten Staaten, der New Yorker Theater Guild, wird zur Zeit unter dem Titel "They shall not die" in einer großartigen, tief erschütternden und die stärksten Empfindungen aufwühlenden Aufführung ein Stück gegeben, das den Fall der neun jungen Neger von Scottsboro in all ihren gräßlichen Einzelheiten gegeben, das den Fall der neun jungen Neger verschiedenen Gerichtshöfen des Staates Alabama wegen der angeblichen Vergewaltigung zweier weißer Prostituierten zum Tode verurteilt, obgleich keine zweifelsfreien Schuldbeweise da sind.

Für europäisches Rechtsempfinden ist dieser Vorgang unverständlich. Man stelle sich etwa vor, daß in einem Theater in der badischen Landeshauptstadt Karlsruhe ein Stück aufgeführt werden würde, in welchem die Rechtspflege Bayerns in der ärgsten Weise angeprangert wird, wobei ein spezieller Fall ganz unmißverständlich und mit nur geringfügig veränderten Namen dargestellt ist. Was würde geschehen? — Es würden keine vierundzwanzig Stunden vergehen und der Staat Bayern würde sich rühren. Entweder wären die Tatsachen falsch dargestellt, — dann würde man sofort die weiteren Aufführungen des Stückes zu verhindern wissen und Verfasser wie Veranstalter zur Verantwortung ziehen. Oder die Tatsachen wären richtig dargestellt, — dann würde man ebenso unverzüglich gegen die schuldigen Beamten vorgehen.

Hierzulande hört man nichts dergleichen. Offenbar besteht keine Möglichkeit, die Darstellung der Tatsachen zu widerlegen, sonst würde das sicher mit großem Lärm geschehen. Aber auch von irgendwelchem Vorgehen zur Gutmachung des Unrechts etwas, was man nicht glauben würde, wenn man nicht gerade jenes Stück gesehen hätte: der zuständige Richter will aus einem winzigen Formalgrund (einem Zweifel über den Ablauf der Berufungsfrist, an dem er möglicherweise selbst schuld ist) die eingelegte Berufung nicht anerkennen und kämpft für die Vollstreckung des Urteils, — obgleich über die Anfechtbarkeit des Urteils auch bei ihm kaum Zweifel bestehen können.

Es hätte keiner stärkeren Bestätigung, wenn eine solche überhaupt noch nötig gewesen wäre, für die Richtigkeit der brennenden Anklage bedurft, die die Aufführung des Stückes bedeutet. Und wieder einmal wird so die Szene zum Tribunal. Angeklagt ist der Rassenhaß, der hier eine wahre Orgie feiert.

Die amerikanische Oeffentlichkeit in allen ihren Instanzen nimmt von dem Vorgang nur sehr beiläufig Notiz. Obgleich sie so beredte Worte zu finden weiß, wenn sie sich über Betätigungen des gleichen Uebels auf der anderen Seite des Ozeans zu ereifern berechtigte Gelegenheit findet...

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but it's a damn good 'un. But anyway, in spite of that, I felt like we ought to of give that fellow ten days and $50 just to give him somethin'. If it hadn't been for Scottsboro he'd a-got somethin' too."

"Yes, that's right," said the other. "Ain't no white man goin' up for killin' a nigger as long as them seven niggers is still breathin' in Kilby prison over there in Montgomery."

Religion in the New Japan

By T. T. Brumbaugh

THE economic, social and political phases of the thought-battle of the past few years in Japan have rather effectively obscured from view the perhaps more fundamental struggle over religious ideas which has been going on. Religious determination is as potent in national life as any other variety and a comprehension of the religious and philosophical factors involved will help greatly in understanding the Japanese situation as a whole.

The struggle has been, until recently, chiefly between the passive, negative and defeatist attitude and influence of Buddhism on the one hand and, on the other, the original positive, vigorous, joyous spirit of primitive Japan more closely identified with the Shinto faith and the unique position held by the 2,600 year old imperial dynasty of Japan.

Buddhism Brings Pessimism

Scholars are agreed that the Japanese spirit, which today is so characteristically fatalistic, self-abnegating, pessimistic and defeatist as to welcome the thought of death and even of suicide when opposition or a reversal of fortune is met, in the early centuries of Japan's history was buoyant, joyous and aggressive. They say the change came about with the advent of foreign culture following the sixth century of our era, and specifically with the coming of Buddhism from Korea and China. Buddhism taught restraint and resignation. Buddhism compromised and coalesced with all it touched, even allowing the old Shintoist forms and names to remain unchanged in the popular mind. But Buddhism gave its peculiar negative and fatalistic interpretation to all with which it amalgamated, and a thousand years of Buddhist influence in the land, though disguised as Double-aspect Shinto (Ryo-bu Shinto) so changed the temperament of the Japanese people as to make them tolerant even of the usurpation of imperial prerogatives by feudal lords, and eventually by the Tōkugawa shogunate whose power was that of an absolute sovereign, while the emperor and his family languished in virtual captivity in Kyoto.

It is true that the discipline which Buddhism brought to the Japanese spirit made for refinement in individual character and in the culture and craftsmanship of Japan. "But at what a cost!" said the group of scholars and patriots who in the eighteenth century set up a cry for purging the land of foreign accretions, Buddhist and Confucian. The Japanese nature, they said, was pure of itself and needed none of the moral codes of the "depraved" Chinese and other Asiatics. The hue and cry of these purists was against incursions of all kinds of Asiatic ideas and the institutions which had corrupted and perverted the originally simple loyalty of the Japanese to their families and to the imperial dynasty as the head of the greater family of Japan.

The Purge of 1868

It is questionable whether this purging movement would have amounted to much had it not been for the appearance of another type of foreign influence at Japan's doors seeking admission. America's commodore diplomat, and the equally belligerent diplomacy of the other western nations, strengthened the cause of those who desired to shake off the dead hand of Asia's past, and the renaissance of Shintoist Japanism which culminated in the political restoration of 1868 saw a purging of the nation's life of much which the patriots believed to be erroneous "foreign" ideas and customs imported from China, Korea and India. Not until much later did these patriots begin to realize that, in fact, Japan had in that great emancipation merely succeeded in supplanting one system of foreign influences with another.

So fascinated, indeed, was she with the new tools and toys of western civilization which were pressed through her treaty-ports in those early days and in ever increasing quantities since, that not until the end of the old century and the beginning of the new did anyone pause to question whether that bargain was in reality favorable to Japan. The number of questioners has been steadily increasing, however, in recent decades and four years ago reached a place where the super-patriots thought they could again successfully challenge the nation to repudiate foreign influence in Japanese life.

As before, the movement is essentially a religious and spiritual one: "In the name of the ancient gods *(Kan-nagara)* and the glorious imperial way *(Kō-dō)*, down with western materialism!" What do these western nations and people care for Japan's destiny? Do they not exclude Japanese people and Japanese products from their borders, while at the same time denying Japan's steadily increasing population any other natural outlet?

"Down with internationalism!" Is it not merely a scheme on the part of those nations which have to defend their ill-gotten gain from other peoples which have not?

"Down with the capitalists!" Are they not in league with the materialists and the internationalists for their

At the preliminary hearing before a county judge Alec was bound over to the grand jury and his bond set at $1,000. Two members of his family and two friends signed his bond and he was again a free man. Alec could have made his own bond, but these relatives and friends insisted on doing it for him, though they protested that it was a very high bond for nothing more than killing a nigger.

Would the grand jury indict, or would it not? Alec did not know. Some of his friends thought it would not. White men can't afford to indict a white man for killing a nigger in a county where the niggers outnumber the whites four to one. There had been case after case where the grand jury had not indicted. Alec need not worry. The grand jury would turn him loose.

Legal Advice

But other friends advised Alec to get a lawyer. In the old days, they told him, he would never even have been arrested. In more recent days, if arrested, the preliminary hearing would have set him free. But things were different now. A few years ago a white man got three years for killing a nigger. In the next county two white men got ten years for the same offense, a thing that was once little more than a pastime for young bloods who needed experience. Public sentiment no longer approved of unprovoked and promiscuous killing of niggers. People had gotten soft and sentimental on the subject. The new solicitor was a young man with strange ideas. Alec had better get a lawyer.

The lawyer was not reassuring. For the first time Alec began to wonder if he were really in trouble. He couldn't believe it, nor could his friends really believe it, but none the less the lawyer scared him.

"You ain't got no case," said the lawyer. "It was cold-blooded murder. What defense have you got? You shot him in the back of the head and he didn't even have a pocket-knife on him. You may not know it, but it's done got to the place in this county where a jury'll convict for killin' a nigger like that.

"I remember the time when it wouldn't. Twenty years ago when I was county solicitor I prosecuted the first white man ever tried in this county for killin' a nigger. I made enemies of the man and his whole family connection, and I lost the case. The jury turned him loose. I prosecuted the first case that ever got a conviction. The jury gave the man a $25 fine. But, Lord, it ain't that way now. You ain't in no danger of the electric chair. You ain't facin' nothin' like that. Ain't no jury in this county goin' to send a white man to the chair for killin' a nigger. It ain't got to that point yet. But you're liable to get anything up to ten years. In fact, I don't see how a jury can turn you loose. Good God, you shot that nigger in the back of his head. You ain't got no case, except that he was a nigger. The only chance you got is for me to pack that jury with members of the American Legion, and to plead insanity for you.

"I don't like this kind of case. Win or lose, it gets me in bad with people. And I ain't got no right to win it. You wouldn't have a God's-chance if it had been a white man you killed. But I'll take it on one condition. You lay down $200 in cash on this desk and I'll do the best I can for you. But I ain't goin' to touch it, I ain't goin' to turn a hand, until you lay down the cash."

A Hero Haled to Court

Alec laid down the cash. The grand jury indicted and the case came to trial at the fall term of court in November. There were plenty of legionnaires on the jury, and the smart old lawyer played his cards with the hand of a master. He told the jury how Alec had defended his country in the world war, and had been wounded. His health was hopelessly broken and in recognition of this the government had given him a monthly pension. His nerves were shattered and he was often in pain. He drank whisky, yes; but he had to drink to quiet his nerves and to still the pain. Tortured with pain one day, he drank too much, and in a state of total irresponsibility he, a white man, a white man let the jury remember, went out and killed a nigger. Let the jury consider the circumstances and conditions and set free this poor broken wreck, this man who was rather to be pitied than censured for what had happened, this white man who had offered his life in defense of his country and who at best had but a few more years to live.

The solicitor stated the facts of the case, called it cold-blooded murder and asked for the death penalty.

The judge charged the jury as to its duty and its possible findings and those twelve worthy men filed into the jury room.

Thirty minutes later they reported. The foreman stood forward to read the verdict.

"We the jury find the defendant not guilty," he read.

Alec rose up by the table in the bar where he sat. His face beamed with happiness. He had been vindicated. He spoke up in court and asked the judge for permission to shake hands with the members of the jury. The judge replied rather harshly that that was no concern of his, but to step outside if he wished to do it.

And That's How It Was

On the street that night a juryman explained to another citizen just how it was.

"That fellow ought to of had somethin'," he said. "By rights he ought to of got ten years. But I knowed there wasn't no chance of givin' him that much. I tried to get 'em to give him three years, but when I seen they wouldn't do it I said we ought to give him ten days and $50 just to be givin' him somethin'. He ought to of got somethin'. He shot the nigger in the back of the head, you know. Any man who will kill a nigger like that ought to git somethin', and they was others on the jury felt the same way. But some of 'em begun to talkin' about the Scottsboro case. They said we couldn't convict no white man for killin' a nigger in Alabama after that Scottsboro case. I reckon they're right, too. White people got to stick together somehow or other, or we'll have to git out and let the niggers have the state. It ain't a very pretty argument,

tional sanctions. Such policies will require changes in, as well as loyalty to, the constitutional tradition; but it is precisely in this combination of conservatism and capacity for innovation that the British political genius expresses itself.

Maturity and Immaturity

The difference betwen British radicalism and American radicalism is the difference betwen responsible maturity and irresponsible youth. The defects of youth can be cured by age and experience. It is therefore to be hoped that the abstract and romantic character of our radical thought does not derive from other sources. There is just a possibility that it may be related to the more mechanical and less organic character of our civilization. It may also derive from the fact that we have never confronted serious political problems in this nation until the very hour in which we are confronted with the possibility of the complete disintegration of our economic order. Our political traditions are consequently not very solid and we are thus at the mercy of every imported abstraction. Radical politics in America is determined by Russian and German thought, every conflict between the left and right representing a controversy between a discredited German social democratic system and a Russian religion which has far more relevance to Asia than to the western world.

One might regard all this with equanimity and be consoled in the hope that experience will correct our flaws in the long run. But unfortunately there is no long run to be hoped for. While radicalism fails to offer a genuine alterative to the ambiguities of middle class politics the latter are rushing us at incredible speed from the futilities of Rooseveltian "liberalism" to the worse confusion of a political program concocted by a radio priest and a Louisiana "kingfish." Perhaps our only hope lies in western agrarianism, which is in one sense the only authentic and indigenous radical movement of America. But that hope is slender too. Western agrarianism, with the exception of the LaFollettes, has not gone much beyond anti-finance radicalism and inflationism, and the LaFollettes are curiously lacking in militancy against the Long peril.

Scottsboro Shadow

By Renwick C. Kennedy

ALEXANDER PRUITT was forty years old and had never killed a nigger though there were more niggers in the county than rabbits in the big swamp on the river where he hunted. This solemn thought impressed him deeply one October morning as he took his tenth drink from a gallon jug of Pensacola Rye. The longer he thought about it the more unjust it seemed. Here was he, a white man, forty years of age, who had killed hundreds of rabbits in the swamp, and yet he had never shot a nigger though the woods were full of them.

As Alexander got drunker and drunker his reasoning became clearer and clearer. He knew a dozen men who had killed niggers. All of them were fine men, free, respected, and looked-up-to in the community because they had killed one or more niggers. The finest one of the lot, Alec reflected, had killed five niggers. But he, Alexander Pruitt, had never killed even one. He had negelected it. He had been careless. But he would change that. He would now do his duty. He would go out and kill himself a nigger. He had been in the army and he thought it probable that he had killed a few Germans, but here at home with niggers all around him he had failed. He would fail no longer.

At 2:00 p.m. Alec brushed tears from his eyes and took a long swig at his Pensacola Rye. He stumbled across the living room to the old secretary and took his .38 revolver from the top drawer. Ten minutes later he was down in the cotton patch behind the house where Long Son Gilmore and Henry Jeter, two Negro men, were picking cotton. Both men were Alexander's tenants and his friends, and had made good crops for him that year. Ordinarily Alec was reasonably just and kind to them. This afternoon his justice and kindness were paralyzed with the most potent whisky available in south Alabama.

The Negroes continued to pick cotton as they watched him stumble and fall along the cotton row.

"Cap'n's sho' drunk," said Long Son.

"He sho'-God is," said Henry. "He'll be cussin' us, drunk as he is."

"Niggers," said Alec solemnly, "you ain't done nothin' since ten o'clock. Git to work. Git this damn cotton out."

The men said nothing. They were so used to the master's drunken abuse they didn't mind it very much. On their knees between the cotton rows they bent lower to their task and their fingers moved a little faster as they tore the locks from the bolls and stuffed them into the great sacks dragging from their shoulders.

Alec stood behind them, cursing. He stepped closer to Long Son, pulled out the .38, and shot him in the back of his head. The bullet smashed Son's brain and came out of his left eye. As Henry later said, Son never knew what hit him. Henry threw his bag down and ran. Alec fired the remaining five cartridges at him, but his drunken aim was no good, and Henry escaped to the village to tell the story.

An hour later a deputy sheriff came from the county seat, and that night Alec slept off his drunk in the county jail. The next morning he said he did not remember anything that had happened since ten o'clock of the previous day, and that he was astonished to find himself in jail.

Lynchings-1935

Legal Punishment of Lynchers.

Florida

4962

KKK Planned Tampa Murder in City Hall

By JACK JAMESON

(Note: This week sees the opening of the trial of the Tampa (Florida) police and vigilantes for the murder-flogging of Joseph Shoemaker, Socialist and labor leader. The trial is not one of a single murder. It is rather, as the author of these articles points out, a case of the "people versus the Ku Klux Klan" the people against the growing trends toward fascism in America—trends which have reached their most brutal form in the South. That this trial is actually taking place, is due only to the united protests of labor and liberal circles throughout the country. These articles give the inside story of the part played by the Klan in this case.)

TAMPA, Fla., March 22.—Robert Lee Chancey, mayor of Tampa, Florida, is a member of the Ku Klux Klan. The seven police-hoggers, including the chief, and the three vigilantes whom Kleagle Fred Bass, of Orlando, sent here to help with the flogging, are all Ku Kluxers. Facing trial in Criminal Court next week in the murder of Joseph A. Shoemaker and the kidnapping of his associates, last November 30, they will be defended by attorneys who are known Klansmen.

The murder of Shoemaker and the flogging of his associates was secretly planned at a meeting held in Tampa City Hall attended by the Mayor and other city and police officials whose names are known, and by Kleagle Bass of the Orlando Klan. Bass also arranged the kidnapping and murder of Frank Norman, Lakeland Citrus organizer and International Labor Defense leader, April 11, 1934.

The East Coast and Gulf shipping interests, headed by the Clyde Steamship Lines, pressed and supported the commission of the crimes of last November 30 as a terroristic attempt to thwart organization and strike action of Negro dock-workers in the Tampa, Jacksonville, and Miami ports.

Witnessed Beating

Frank Henderson, organizer of the International Longshoremen's Association, was arrested and held for questioning in Tampa police headquarters that night, and witnessed the questioning and beating [illegible] by these thugs and Eugene F. Poulnot. Threat of similar treatment was used by the police to drive him out of town. In spite of all intimidation, however, three locals of the I. L. A. have been formed in the above-mentioned city and have received charters from the International.

Only tremendous pressure exerted on a national scale by Communists, Socialists, and trade-unionists forced indictments in the case and a promise that the criminals would be brought to trial.

What Tampa is asking today is: Will that pressure be developed far enough to force an immediate trial and a prosecution of a character that will bring out all the facts in court?

There is ample ground for such questioning here. A Klan dominated city administration, police department and Justice of the Peace, such as are to be found in Tampa, are reason enough. If more be needed, there is evidence to prove that the mayor, attorneys and defendants are all members of the same Klan, and few are certain one way or another about the judge.

Let us first look into the "Knights of the Ku Klux Klan of the Invisible Empire." It is a secret organization. I have seen its members march hooded through the streets of many Florida cities. No one outside the Klan knows when or where it meets. Its membership roll is hidden, and the members won't tell. It shows its face to the public only through a blind mail address.

In the United States Post Office Building in Tampa there is on file an approved application for Mail Box No. 1975. That Post Office box number appears on leaflets distributed after the flogging by the K. K. K., as the place to address application cards for membership.

The Pledge

On the membership application form above the signature, is a line reading: "I want to help save our country and am ready to ride with you." The pledge is in answer to the call of the Klan to join the Midnight Ride of the Ku Klux Klan to "save America from Communism."

One of the two required signatures on the official application for the postoffice box from the K. K. K. required by postal regulations, is E. L. Womack. Womack is prominent among counsel for the defense. Womack is an official of the Ku Klux Klan.

I have not seen the K. K. K. application card for membership signed by Mayor Robert E. Lee Chancey. You will, therefore, say that I cannot prove that the mayor is a Klansman. But I can prove that Mrs. Robert E. Lee Chancey, wife of the Mayor, is a member of the "American Daughters of the Invisible Empire." She belongs to the Betsy Ross Group, and is chairman of the Sick Committee of the Order of "Kamelia." Note the spelling of the name. It begins with the letter "K." You guessed it. The "Order of Kamelia" is the Ladies' Auxiliary of the Klan. With the female organization, as well as with the male, names of all offices begin with a "K."

Any member of the Ladies' Auxiliary will tell you, if she knows you, and you are one to be trusted, that in order to belong one must be a member of a family whose head is a member of the Klan. Mrs. Robert E. Lee Chancey, wife of Tampa's Mayor, is a member of the Ladies' Auxiliary of the Klan. Her husband, therefore, is a Klansman.

Police Klansmen

In an organization, the head of which is a Ku Kluxer, you naturally stand a better chance of holding down a job if you are one, too. There are those who say that every policeman and fireman in the city is a member of the Klan. One must be, they claim, in order to be on the city pay roll. I cannot say that and prove it, but I do know, and it is common knowledge in Tampa that the police floggers who come to trial soon, and their Klan accomplices from Orlando, are members of the Ku Klux Klan.

Chancey became Mayor of Tampa after an election that was even more corrupt than if it had been conducted by Tammany Hall of New York or the notorious Vare machine of Philadelphia.

The all-white municipal primary election last September was a farce the sheerest travesty; you would call it comedy, were it not so tragic. The Hillsborough County faction was arrayed against the Tampa municipal group for supremacy. Victory at the primaries is tantamount to election. Florida is Democratic, a one-party state. There was but one issue involved: Which group of politicians was to serve big business and as its remuneration collect protection money from which group of gamblers, racketeers and pimps for the privilege of operating illegally.

The Elections

Police chief R. G. Tittenworth, now under indictment, swore in 1,124 special policemen, many from near-by counties, in addition to his regular force of 105 men. County Sheriff Spencer deputized 600 men of his own from Hillsborough county and Governor Dave Sholtz sent in 300 National Guardsmen to try to keep peace between the armed factions. That's the picture of Tampa's last election.

Imported plug-uglies from Orlando, all Klansmen headed by Kleagle Fred Bass, were captains of groups of heavily-armed huskies stationed by the Chancey forces in front of each of the 29 polling places. The county deputies, put-numbered, appealed for aid and guardsmen of the artillery regiment hastened in trucks from polling place to polling place to stop fights.

When it was all over, the Klan election board announced that Mayor Chancey had been nominated. The vote stood: Chancey, 9,325, as against 5,064 for his opponent, ex-Mayor D. B. McKay, publisher of the Tampa Times who was supported by the County administration.

Everybody "in the know" knows that Chancey was elected by the "Whitaker crowd." That appellation isn't mine. All in Tampa know that gang and call it by that name. Were you here you would hear it on every hand.

Whitaker Crowd

The "Whitaker Crowd" gets its name from two well-known corrupt politicians, both lawyers, the brothers Tom and Pat Whitaker. Pat heads the gang. Pat is Klansman Chancey's brother-in-law. Pat put Klansman Chancey at the head of the city administration—and he has to defend it in time of need. Now is that time for all good Klansmen to come to the aid of the discredited Chancey administration. So Pat Whitaker heads the coterie of counsel for the defense of the Klansmen. Pat is the biggest Klansman of them all, Tampa's public enemy Number One.

No one can take away from Tom Whitaker, Pat's brother, the credit for having organized the Ku Klux Klan in Hillsborough County. Tom is Pat's first assistant with the defense.

When County Solicitor Hardee, of the de eated McKay side, got several convictions against Klansmen who acted as precinct officials in the election and were accused of stuffing ballot boxes, Pat Whitaker came to their defense. Known as one who never lets down a Klansman, Pat appealed to the State Supreme Court and all were freed on some legal technicality. Pat is known to be able to get anything he wants from the Supreme Court. He is one of the men who "make governors in Florida."

Plans Upset

This year Pat Whitaker wanted to make himself Governor. The stage was set and the wheels well oiled—until the mass protest against the Shoemaker murder upset the apple cart. Then a campaign was started to postpone the trial until after the primaries next June, to allow Whitaker to throw his hat into the Gubernatorial ring. Protests to Governor Sholtz from working-class organizations and individuals from all over the country have prevented Whitaker from realizing his dream—so far.

Make no mistake. Ostensibly directed against Communism, the K.K.K. in reality acts as a secret and private police for the financial oligarchy—the capitalist class. The Klan doesn't understand any "isms" and therefore doesn't draw a distinction between, Communism, Socialism, or trade-unionism for that matter.

The similarity between the Communists, Socialists, Modern Democrats, and A. F. of L. unions of Negro stevedores is far greater, to the Klan, than the differences between these groups of the working-class, which are now beginning to work together in Tampa for a Farmer-Labor Party. The Shoemaker murder, this expose by the Daily Worker will show, was really an attack by the bosses against the unity of all laboring men, and it will take a united front of all progressive and labor groups to successfully fight the Klan.

Ku Klux Klan Charged With Fatal Flogging Of Tampa Labor Organizer

TAMPA, FLA., March 24.—(AP)—The Ku Klux Klan was charged with responsibility for the fatal flogging of Joseph Shoemaker, labor organizer, in circulars signed "communist party" and distributed here today during selection of a jury in the case.

"This is the first time in Florida history that the KKK has been brought to trial," the circulars read. "The KKK has a long record of assault and murder of workers in Tampa and all over Florida.

"The pressure and portent of the people of this city and the local and national organizations of workers has brought results. This shows how effective mass pressure is."

While selection of the six-man jury proceeded slowly, another statement signed by the Rev. Walter Metcalf, chairman of the committee for the defense of civil liberties in Tampa. It said the committee "hopes these trials will be the beginning of the end of the brazen disregard for the processes of law and order that has plagued Tampa.

"Many have expressed fear these floggings will be whitewashed and the guilty parties never brought to justice. We hope these facts are unfounded."

Three defendants called to trial today are C. A. Brown, John P. Bridges and C. W. Carlisle, city policemen suspended after Shoemaker and two others were abducted at the door of police headquarters, flogged, tarred and feathered.

Brown, Bridges and Carlisle are to be tried first on charges of kidnaping E. F. Poulnot, one of the victims. Additional charges facing them and eight other defendants include the kidnaping of S. D. Rogers, the third victim; assault to murder Poulnot and Rogers and second degree murder in the death of Shoemaker.

The State has the right to separate the cases of the 11 defendants and try them separately on various charges or try them at the same time and on all charges simultaneously. There was no explanation why the three charges of kidnaping were called ahead of the more serious accusations.

A venire of 108 was drawn for the trial, but only 95 were summoned today and 30 were excused. From the remaining number court attaches will endeavor to draw a jury. Six-man juries usually sit in Florida on all but capital cases.

Shoemaker and his companions were kidnaped and flogged last Nov. 30. On that night, police, without a warrant, raided the home of A. M. Herald and arrested several persons. Policeman Brown, who directed the raid, said it was made on a report that Communistic activities were being discussed at the meeting.

Following questioning at police headquarters those arrested were released. As they left the building, Shoemaker, Rogers and Poulnot were seized and carried away. Shoemaker died nine days later.

Police Chief R. G. Tittsworth, removed following the affair, and his office clerk are under indictment as accessories after the fact.

FLORIDA FLOGGING LAID TO KU KLUX BY REDS

Three Defendants in Fatal Beating Called to Trial in Tampa.

TAMPA, Fla., March 24.—(AP)—The Ku Klux Klan was charged with responsibility for the fatal flogging of Joseph Shoemaker, labor organizer, in circulars signed "communist party" and distributed here today during selection of a jury in the case.

"This is the first time in Florida history that the KKK has been brought to trial," the circular read. "The KKK has a long record of assault and murder of workers in Tampa and all over Florida.

"The pressure and portent of the people of this city and the local and national organizations of workers has brought results. This shows how effective mass pressure is."

There was no immediate comment from Presiding Judge Robert T. Dewell or attorneys.

Three defendants called to trial today are C. A. Brown, John P. Bridges and C. W. Carlisle, city policemen suspended after Shoemaker and two others were abducted at the door of police headquarters, flogged, tarred and feathered.

EVANS DENIES KLAN TOOK PART IN FLOGGING

Dr. Hiram W. Evans, imperial wizard of the Knights of the Ku Klux Klan, said last night the klan "had nothing on earth" to do with the fatal flogging of Joseph Shoemaker, labor organizer, at Tampa.

TAMPA JURY SELECTION IS STARTED

Defense Seeks to Bar Jurors for Union Membership

(Special to the Daily Worker)

TAMPA, Fla., March 26.—Selection of a six-man jury to hear the Poulnot kidnapping case—promising to be a long and tedious process, began in Criminal Court today after Judge Robert T. Dewell refused to grant a change of venue, asked by the defense, though reserving the right to grant such a motion later.

Late this afternoon, only three jurors had been tentatively seated after questioning as to qualifications by Rex Farrior, prosecuting, and Pat Whitaker for the defense.

The three former policemen on trial, John P. Bridges, C. A. "Smitty" Brown, and C. W. Carlisle, natttily dressed in light brown, white flannels, and light gray, respectively, took great interest in the process of jury selection. They are on trial now for the kidnapping of Eugene F. Poulnot, Socialist 2nd leader of the unemployed, last Nov. 30, in what developes into the Shoemaker murder case.

Five Disqualified

Five prospective jurors have been disqualified for expression of fixed opinion, and two for having testified in an earlier phase of the case that it was possible to obtain a fair trial for the defendants in the Shoemaker-Poulnot-Rogers case in Tampa.

The line of questioning taken by Whitaker in the examination of the jurors gave some indication of the type of political character he intends to give to the defense.

"Do you believe in the principles of Communism?" he asked one of the talesmen. Of another he asked whether he had heard the speech on the Shoemaker case made here in Tampa by Norman Thomas, whom he described as a "nationally-known Communist and propagandist."

Queried on Union

No objection was made by the state to this characterization, or to other oratorical questions obviously made for the benefit of the prospective jurymen—now reduced to fifty-five—in the court room. Of one juryman who was tentatively seated, and who works in a cigar-box factory, Whitaker significantly asked whether he was a union member. Of another he asked whether he had read in the papers that Norman Thomas demanded that President Green remove the A. F. of L. convention from Tampa unless convictions were obtained "regardless of guilt or innocence."

No questions were asked by the State to determine whether any prospective juryman might be a member of the Ku Klux Klan or other political organization which might be interested in the flogging itself, or in protecting the floggers. On the other hand, Whitaker asked all jurymen such questions as whether they belonged to any organization which had passed resolutions condemning the flogging.

Tampa Police Split in Trial Of Floggers

Rising Mass Hatred Against Klan Is Reflected in Court

BARTOW, Fla., April 30.—Florida's flogging trial has split the Tampa police department wide open. Warned by rising mass-hatred against Ku Klux terrorists, important police officials are publicly lined up against Joseph Shoemaker's murderers.

Today a ex-chief detective, yesterday a police lieutenant, testified against seven former colleagues, now before the Bartow bar in the fatal kidnap ride case.

Today former chief detective Bush testified that Chief of Police Tittsworth, one of the defendants, asked him last December not to report evidence Bush had obtained against Sergeant "Smitty" Brown and C. W. Carlisle, two other defendants.

Heard Cries

Giving evidence against his fellow-officers, Bush said he heard loud "hollering" from the pavement, while he was upstairs at police headquarters. Hurrying down he saw Brown and Carlisle slamming an automobile door, and walking away from the curb with smiles, as the car left.

That was the time, other witnesses testified, that Shoemaker, Rogers and Poulnot were being abducted. They had just been officially "released" after being investigated on a charge of "Communistic" activities.

"Tittsworth blew up, when I asked him to get a warrant for the arrest of Brown and Carlisle," the detective testified. "Said he wouldn't do it. He told me not to tell. That was the end of the investigation he asked me to make."

Bush reported another whitewashing attempt.

"Why did you not tell about Brown and Carlisle when you testified before the Aldermanic Investigation Committee?" asked defense counsel Whitaker. "Because the police committee was trying to cover the whole thing up for the department," answered Bush.

Names Erased

Other witnesses including police Lieutenant Eddings, had previously testified to the department's efforts to hide the identity of McCaskill, planted as police spy among the modern Democrats.

Booked correctly under his own name after his arrest with Shoemaker and the rest, McCaskill's name later disappeared from police records. Records produced in court, showed that the name "Sauls" had been written in over a crude erasure.

Prodding another state witness too hard chief defense counsel Pat Whitaker got a shock.

Asking the witness, John Riegel, a war veteran, why he also had not testified fully before the Aldermanic Committee, Riegel repeated his answer of the day before.

"I was scared."

"Of whom?" scoffed Whitaker.

"Of t hat underworld bunch. You know who they are."

Lynchings - 1935
Legal Punishment of Lynchers.

Florida.

4963

FORMER CHIEF OF KKK AMONG EIGHT HELD

Special Grand Jury Acts on Slaying of Joseph Shoemaker

TAMPA, Fla., Dec. 24 — Six policemen and two Klansmen were indicted by a special grand jury today for the murder of Joseph Shoemaker, Socialist and an organizer of the Workers Alliance.

The men in the indictments returned by the jury, were charged with second degre murder, assault with intent to murder and kidnaping in connection with Shoemaker's death following the flogging of three labor organizers.

Indicted were police Sergeant C. E. Brown; Patrolmen John P Bridges, Sam E. Crosby and F. W Switzer; Special officers C. W. Carlisle and R. L. Chappel; and A. F Gillian and Ed Spivey.

Gillian and Spivey are two Klansmen of Orlando, Fla. Gillian was formerly a state officer of the Klan.

The arrests of the men and their indictment in rapid order after several weeks in which the authorities had refused to act at all, are testimony to the effectiveness of the protest movement that has directed its fire against the terror here. Guided by the Committee for the Defense of Civil Liberties, located at 112 East Nineteenth Street in New York City, the movement has included protests by William Green, president of the A. F. of L., Norman Thomas and scores of other individuals and organizations throughout the country.

Schoemaker, E. F. Poulnot and Sam G. Rogers were taken into the woods and flogged on Nov. 30 after they had been held by police for "investigation for Communistic activities." Shoemaker died shortly after.

Although local authorities claimed that the three labor leaders were kidnapped by a mob after they had been released by the police, a recent story in the Daily Worker disclosed that they had been taken into the woods in police cars.

EIGHT MEN INDICTED IN FLOGGING MURDER

Grand Jury Returns Three Charges of Kidnaping, Two of Assault

TAMPA, Fla., Dec. 24.—(AP)—Eight men, including six suspended Tampa policemen, were indicted today by the Hillsborough county grand jury for second-degree murder in the flogging death of Joseph Shoemaker, former state committeeman of the socialist party in Connecticut.

The grand jury also indicted them on three different charges of kidnaping, and on two charges of assault with intent to murder E. F. Poulnot and S. D. Rogers, flogged with Shoemaker after being seized outside Tampa police headquarters on November 30 as they were released after questioning about alleged communistic activity.

Named in the indictments were Policemen C. A. Brown Jr., John P. Bridges, F. W. Switzer, Sam E. Crosby, C. W. Carlisle, and R. L. Chappell and Arlie Gilliam and Edward Spivey, of Orlando, who were employed as special policemen in the municipal primary election here last September. They have made no public statements since their arrest.

Although Sheriff McLeod said the Orlando men were "members of the Ku Klux Klan," there was no reference to the Klan in the indictments, which the grand jury presented without any accompanying report.

Charges the Klan was responsible for the flogging were made by Norman Thomas, former socialist candidate for president, and by David Lasser, national president of the Workers' Alliance, but they were promptly denied by Dr. Hiram W Evans, the Ku Klux Klan's imperial wizard at Atlanta. Thomas also charged there would be a "whitewash" of the flogging case, but officers shot back denial of that.

The six policemen were involved in the arrest of Shoemaker, Rogers and Poulnot in a raid conducted without a warrant on a private home, where they were holding a meeting of the "modern democrats," an independent political organization which offered candidates against Mayor Chancey and others in the last election.

Since the indictments carry charges on which the penalty is less than death by electrocution, the defendants face trial in county criminal court instead of the circuit court. Rex Farrior, state attorney, and R. M. Huntley, assistant state attorney, who prepared evidence before the grand jury, said they would offer any possible assistance to County Solicitor C. Jay Hardee in prosecuting the cases.

FIVE POLICEMEN HELD IN FLOGGING DEATH

Tampa Warrants Charge First Degree Murder of Labor Organizer

TAMPA, Fla., Dec. 18 (AP).—Five Tampa policemen were arrested tonight on affidavits signed by J. R. McLeod, Sheriff, and W. D. Bush, Detective Chief, in connection with the flogging to death of Joseph Shoemaker, a labor organizer.

In the affidavits, the Sheriff and Detective Chief charged that the policeman "unlawfully and from a premeditated design to effect the death of" Shoemaker, "did commit an assault upon" him and "in furtherance of assault did burn, beat and wound the said Joseph Shoemaker, thereby inflicting divers mortal wounds from which the said Joseph Shoemaker did languish and on the 9th day of December, 1935, did die."

R. M. Huntley, Assistant State Attorney, said the warrant charged the men with "first degree murder," which, upon conviction by jury, is punishable by death in the electric chair or life imprisonment.

Those arrested, at the conclusion of a day in which they were questioned behind locked doors, were:

Police Sergeant C. A. Brown, Patrolman John P. Bridges and Sam Crosby, and Special Officers C. W. Carlisle and R. L. Chappell.

The officers previously were suspended by Mayor Chancey, who also relieved Police Chief R. G. Tittsworth from duty, at the latter's request, as the grand jury investigated the death.

The men arrested were members of a police raiding party which seized Shoemaker and five others in a private home, without a warrant, for questioning about alleged communistic activities.

Released after a brief time, Shoemaker, E. F. Poulnot and S. D. Rogers were abducted by a band of men outside police headquarters and carried away to be flogged, tarred and feathered.

SIX TAMPA POLICEMEN FREED ON $9,500 BOND

TAMPA, Fla., Dec. 23. (UP)—Six Tampa policemen, charged with murder and kidnaping in the fatal flogging of a labor organizer, won freedom tonight under bond of $9,500 each.

They were released from the county jail after an effort of authorities to detain them under kidnaping charges was nullified by friends who supplied funds to meet the bail demands.

In each case, bond was set at $7,500 on first degree murder charges and $2,000 on the kidnaping charges filed late today.

2 Orlando Men Held In Flogging

TAMPA, FLA., Dec. 22.—(AP)—Arrest of two Orlando men in the flogging death of Joseph Shoemaker was announced here tonight by Sheriff J. R. McLeod. He named them as Arlie F. Gillam, glove caretaker, and Ed Spivey, typewriter repairman, and said they were employed as special city policemen in the municipal primary here last Sept. 3.

The men were taken into custody at Orlando Saturday night and returned here today.

McLeod said the men are members of the Ku Klux Klan, and he declared Gillam "told me he was a former State officer in the klan."

Norman Thomas, former Socialist party candidate for president, and David Lasser, national president of Workers Alliance, charged the klan was responsible for the flogging of Shoemaker and the two other organizers of unemployed workers. The charge was denied by Dr. Hiram W. Evans, of Atlanta, the klan's imperial wizard.

Arrest of these two men brought to eight the number of persons charged with the crime in advance of tomorrow's special session of the county Grand Jury to investigate the case. Six suspended city policemen were arrested last Wednesday and are held without bond on charges they beat Shoemaker in a "premeditated design" to kill him.

Bail application by the policemen is to be heard by Circuit Judge Harry N. Sandler at 9 a.m. tomorrow, after being postponed from Saturday as the State succeeded in delaying any presentment of its evidence until the Grand Jury reconvened.

Shoemaker was seized outside police headquarters here the night of Nov. 30 with E. F. Poulnot and S. D. Rogers and hauled away to be flogged, tarred and feathered. They had just been released after questioning about alleged communistic activities. The city policemen held in the case were named as the officers who arrested the three men and carried them to police headquarters.

FLOGGING PROBE TURNS TO POLITICS, GAMBLING

Investigation of Vice Conditions Ordered To Prevent Outbreaks

TAMPA, Fla., Dec. 16.—(AP)—The Hillsborough county grand jury today dug into politics and gambling in Tampa apparently to determine whether there was a connection with the flogging murder of Joseph Shoemaker.

The jury, beginning a special session to investigate the murder, was charged by Circuit Judges L. L. G. Parks and Harry N. Sandler, to probe conditions in general as a means toward preventing recurrence of outbreaks of violence.

Immeditely, the grand jury called as witness members of the Junior Chamber of Commerce election investigating committee. Chairman John W. McKay and five members appeared with a bulky record of evidence obtained in a recent investigation.

Informed quarters said wide open gambling operations in the county were halted abruptly soon after the judge's broad charge. The judges described gambling election law violations and unlicensed liquor dealings as "a cankerous conditions," and called upon the jury to find the cure. The Junior Chamber of Commerce recently estimated 1,000 persons were employed in the gambling business, with a money turnover of $1,000,000 a month.

The Junior Chamber claimed responsibility for disrespect for the law and order originated in gambling establishments, and Judge Parks told the jury "that's where the court places it, too."

Lynchings - 1935

Mississippi.

4964

Legal Punishment of Lynchers.

Albany-Decatur, Ala. Daily
September 19, 1935

LYNCHING PROBE IS WITHOUT CLUE

Little Progress Now Being Made In the Investigation

OXFORD, Miss., Sept. 19—(AP)—The lynching of a negro defendant in a murder trial here Tuesday night while a jury was debating his fate, apparently had been referred to the files today.

Circuit Judge Taylor McElroy, in whose court the negro, Ellwood Higginbotham, was on trial, said no progress had been made on the investigation of the lynching, in which a group of between 100 and 150 men participated, storming the jail and wresting the cringing negro, screaming and fighting, from his cell.

Judge McElroy said Sheriff S. T. Lyles had told him that none of the members of the mob was recognized, either by the sheriff, his deputies, or the jailer from whom they obtained keys to the prison by force.

"Sheriff Lyles told me the men were masked and could not be identified, so I don't suppose there is anything that can be done right now," Judge McElroy said.

He indicated that the matter might be referred to the county grand jury when it meets several months hence.

Sheriff Lyles could not be reached for a statement today. His office reported that he was "not in" and did not know when he would be in.

GREENSBORO, N. C.
NEWS

SEP 20 1935

ANOTHER LYNCHING.

Justice traveling on its "leaden feet" failed to keep pace with Judge Lynch in Mississippi for Elwood Higginbotham, a negro. In his jail cell this week waiting for a jury of his peers to return a verdict, deciding whether he was guilty of murdering a white man three months before, he was seized by a mob, carried two miles out of Oxford, Miss., and hanged to a tree.

The crime of the mob had its customary accompaniments: There was the usual remonstrating jailer, who had to be overpowered and searched for the keys; delay in getting to the frightened negro until the right key could be found for the lock to his cell. A mob of between 100 and 150 persons, which had set aside the sheriff and three of his deputies in getting to the jail where the negro on trial was being held, was followed by a great crowd of townspeople to the place of execution. With this multitude of witnesses looking on, the officers having admitted attempting to stem the senseless and angry tide, it was still announced shortly after the event that nobody participating in the violence could be identified.

And this sentence was found in the report:

Later in the night Sheriff S. T. Lyles and three deputies went to the scene and cut down the body.

If it were not for faithful local officers, wonder who would retrieve the bodies left by lynching mobs. It appears that without this official service undertakers would be left unassisted and the bodies would lack a formal "cutting down."

It may be beside the point to inquire whether the negro was guilty or not. The Associated Press report said that it was because of the long deliberations of the jury that the mob became "peeved" and did its ugly work. At least this lengthy counsel would seem to show that there was some doubt about it. Or if it was just plain stubbornness on the part of the jury in failing to convict why didn't the mob hang the jury instead?

It is futile to lecture a lynching mob, especially at long range. But it does seem in point to suggest that maybe the anti-lynching legislation proposed for Congress to enact which our senators and representatives from this part of the country have so consistently opposed, has more to it than they at first supposed.

Bronx, N.Y. Home News

SEP 20 1935

Investigation of Lynching During Trial at Standstill

Oxford, Miss.—The lynching of Ellwood Higginbotham, 28, colored, on Tuesday night while a jury was debating his fate at the close of his trial for the murder of Glen Roberts, a white farmer, was apparently a closed incident here last night.

Circuit Judge Taylor McElroy, in whose court Higginbotham was on trial when he was taken out by a mob of between 100 and 150 men and lynched, said no progress had been made in the investigation into the lynching.

Sheriff S. T. Lyles reported to Judge McElroy, the latter said, that none of the mob was recognized by the deputies guarding the prisoner.

"Sheriff Lyles told me the men were masked, so I don't suppose there is anything else that can be done right now," McElroy said.

Lynchings – 1935
Legal Punishment of Lynchers.

Mississippi

5045

Bronx, N.Y. Home News

MAR 13 1935

Officials Cannot Act to Prosecute Lynchers

Scoffing at the possibility of Federal action under the Lindbergh Law, officials of Slayden, Miss., today asserted they will not take action against the lynchers of Ab Young, a colored highway worker, because they have no clues to the identity of 50 men who hanged him to a roadside tree. Young, accused of killing Hardy McKie, 45, was kidnaped by the mob at Rossville, Tenn., and carried across the State line.

EVIDENCE LACKING IN NEGRO'S DEATH

Mississippi Authorities Say Matter Closed

3-14-35

HOLLY SPRINGS, Miss., March 13. — (UP) — Lacking evidence of whether Ab Young, negro killer, was lynched or "committed suicide," authorities said tonight they considered the matter closed.

A mob of 50 men captured the prisoner at Rossville, Tenn., yesterday and tok him to a schoolhouse three miles from Slayden, Miss., holding him prisoner while their leaders debated whether to hang or burn him, or turn him over to local officers.

They decided to hang him. Prosecutor E. C. Wright and two deputy sheriffs rushed to Slayden to plead with the citizens against a lynching, but were unable to locate where the negro was held. Young, 30 years old, wanted for shooting Hardy Mackie during a drunken spree last Saturday night, was hanged to a tree in the schoolyard. He was stood on a truck and roped. The truck was driven from under him and he dangled from an oak tree, strangling to death.

Wright said the officers were unable to learn where the mob was holding the prisoner when they reached Slayden, and could not identify any of the lynchers.

He said he would not summon the grand jury to investigate the case "because we have no proof of whether it was suicide or lynching."

The sheriff, Mrs. Lillian L. Jones, had no comment. Gov. Sennett Conner in Jackson said "all I know about it is what I read in the newspapers.' Regarding a message from a New Yorker protesting the deed, the governor said: "I get those kind of letters every time there is a lynching in this state."

NEW YORK DAILY NEWS

MAR 14 1935

DIXIE LYNCHING WHITEWASHED AT SPEEDY INQUEST

Slayden, Miss., March 13 (AP).—A verdict that Ab Young, 29, colored, came to his death "by hanging" at the hands of "parties unknown," was reported today after an inquest into the lynching.

The body of the tenant farmer was found swinging from the limb of a tall oak tree in a school yard two miles east of here late yesterday.

He had been sought in the fatal shooting Saturday of Harry Mackie, 45-year-old State highway employe. The colored man was seized earlier in the afternoon at Rossville, Tenn., and brought here by automobile.

The inquest, held at Holly Springs, was presided over by Coroner W. E. Earney. Four witnesses testified. The dead man was identified as the slayer of Mackie.

NEW YORK SUN

MAR 13 1935

U. S. Is Urged to Act In Mississippi Lynching

Federal action against the mob which lynched a Negro at Slayden, Miss., yesterday was urged in telegrams sent today to President Roosevelt and Attorney-General Cummings by the National Association for the Advancement of Colored People. The association said that the lynching was the second in five months in which a mob had transported a prisoner across a State line. It contends that this action brings the case within the provisions of the Lindbergh law, and that the Federal Government is empowered to intervene.

NEW YORK SUN

MAR 13 1935

No Clew to Identity Of Negro's Lynchers

SLAYDEN, Miss., March 13 (U. P.).—Authorities can take no action against the lynchers of Ab Young, Negro, because they have no clews whatsoever to the identity of fifty whites who hanged him to a roadside tree.

Young was accused of killing Hardy McKie, 45, a highway worker, Saturday. He was captured by the mob at Rossville, Tenn., near here, and conveyed across the State line. He stood on a truck while a rope was thrown over a tree branch and noosed around his neck. The truck was then driven from beneath him.

Ask Roosevelt, Cummings To Go After Mississippi Lynchers

3-14-35

NEW YORK, Mar. [illegible] (ANP) —Walter White, executive secretary of the National Association for the Advancement of Colored People, has wired President Roosevelt and Attorney-General Homer Cummings, demanding that the lynchers of Ab Young at Slayden, Miss., be prosecuted under the Lindberg Kidnaping law.

Young, a tenant farmer, was seized at Rossville, Tenn., and returned to Mississippi, where he was hanged to a tree outside a colored school house about three miles from the town. More than fifty men were in the mob which spread the word early Tuesday that Young was to be murdered at sundown.

After tieing a rope around Young's neck and placing the rope around the limb of the tree, the lynchers forced Young to sing religious songs and pray before one of the lynchers drove from under Young the automobile on top of which the victim had been shoved.

Young was seized by the mob after he had a fight with a white man in which the latter lost his life.

Lynchings-1935
& Legal Punishment of Lynchers.

North Carolina

4965

GREENSBORO, N. C.
RECORD

MAR 14 1935

Three Held For Lynching Threat

RALEIGH, March 14.—(AP)—Three young white men were under bond here today by allegedly attempting by threat of lynching to force a confession from Ed Austin, 25, a negro.

The three were Chris Wehbie, 23; George Davis, 23, and Rex Eastman, 18. Police Sergt. W. J. Horton said the trio had attempted to force a confession from the negro that he had stolen three suits of clothes from one of the men.

RALEIGH, N. C.
NEWS OBSERVER

MAR 15 1935

DRAW FINES FOR THREAT TO LYNCH

Three Young White Men Appeal in Case Involving Negro's 'Confession'

Three young white men, who carried a Negro into a woods near here and threatened him with death unless he confessed to stealing clothes from one of them, yesterday were fined $25 and costs in City Court when convicted of an assault with deadly weapons. The weapons were a shotgun and a piece of rope.

The trio, Chris Wehbie, Rex Eatman and George Davis, were arrested Wednesday morning as they rode back into the city with their prisoner, Ed Austin, Lincoln Park Negro.

Davis, when booked, gave his address as 1707 Dare Street. He does not live at this address and police yesterday said they have no record of where he resides.

Austin declared on the stand that the rope was placed about his neck and that one of the boys threatened to shoot him. He confessed to the theft, he said, although asserting he is not guilty.

Wehbie, Eatman and Davis gave notice of appeal from the judgment, but their attorney indicated this may be withdrawn and the fine paid before the case is sent to Superior Court.

The young men denied that they looped the rope around Austin's neck and threatened to hang him. They admitted, however, that they took him to the woods to obtain a "confession." All are free under $50 bond each.

Lee Gooch, charged with drunken driving, was fined $50 and costs.

H. E. Robbins, linotype operator convicted of abandonment and non-support, was given a six-month suspended term and ordered to pay $15 each week to the Wake Welfare Department, to be used for the support of his wife and a minor child. He appealed and gave $300 bond pending trial in Superior Court.

CHARLOTTE, N. C.
NEWS

AUG 1 1935

Hearing Fails To Link Anyone With Lynching

Testimony Of Witnesses Fails To Unearth Identity Of Those Who Lynched Axe-Killer.

By W. JOYNES MacFARLAN
Associated Press Staff Writer

Louisburg, Aug. 1.—(AP)—No evidence to link any one with the lynching Tuesday of Roosevelt Ward, negro axe-slayer of a Franklin county farmer, was adduced at the forenoon session of a judicial inquiry opened here today.

From officers who arrested Ward, Superior Court Judge W. C. Harris received details of the rampage the negro went on when he chopped off C. G. Stokes' head, but none of the witnesses connected any one wth the lynchng.

Solcitor William Y. Bickett, of Raleigh, did most of the questioning of witnesses, assisted by Attorney General A. A. F. Seawell.

Believes Negro Doped

Dr. H. G. Perry, of Louisburg, who saw the negro an hour or so before he was taken from Sheriff J. H. Moore and two deputies by 25 armed men and hanged to an oak tree, testified he believed Ward was under the influence of a narcotic when he ran amuck.

Some 30 witnesses were summoned for the hearing which opened with the court room of Franklin county's 82-year-old court-house, intended to seat 250, jammed wth upwards of 400 spectators who crowded in despite the stifling heat.

C. O. Wrenn, deputy sheriff of Hayesville township, was the first witness called.

Describes Arrest

He described how he and Deputies A. A. Fuller and Elmer Deal went to the home of Otho Kearney to arrest Ward for assault on Ayscue and learned there of the murder of Stokes and an assault on Rowena Kearney, Ward's sister, by the negro.

Wrenn said he last saw Ward alive when Sheriff John H. Moore and two deputies were putting him into a car to take him from the county because of the high feeling in the Hayesville section.

Wrenn said he drove from Louisburg to Kearney's home then and found about 75 people there, including J. H. Goodson, Coroner R. A. Bobbitt and Ira Weldon. It was there, he said, that he first heard the mob had seized Ward.

He went on home to lunch, he continued, and when he returned was told Ward had been hanged.

Asked by Bickett from which direction most of the cars came which visited Stokes' home. Wrenn replied they came from the Vance county direction, towards Epsom.

A. A. Fuller, resdent of Hayesville township who was deputized to assist in the arrest of Ward, drew a laugh from the crowd when he said he was churning when Wrenn came to get him.

Fuller also related the arrest of Ward and said the negro was sitting in a chair at Otho Kearney's home with Stokes' head in a cloth at his feet when the officers found him. Stokes was killed 75 yards away.

"I've killed one man. Turn me loose and I'll clean the world," Fuller quoted the negro as saying as they were bringing him to Louisburg.

Remembers No One

Fuller said he did not remember any one he saw at Stokes' home or the lynching scene except Clyde Evans, Obey Weldon and one or two others.

Neal followed Fuller to the stand and testified he came to town to bring Ward and went back to the filling station he operates. He said some one in a car told him Ward had been lynched and under questioning by Bickett said it was some one "I never saw on that road before." He added he did not recollect what kind of car his informant was in.

He said a group from Henderson was at his filling station when he returned, but that he did not recall the names of any except Roger Duke, a mail carrier.

L. O. Frazier, justice of the peace of Hayesville township, told of Ayscue swearing out the warrant charging Ward with assault and related that after he heard Stokes had been killed he got his gun and went to Kearney's house where he saw J. H. Goodson and Hugh Burnett.

Calls Names

"I might call every man's name in the community," Frazier replied to a question as to whom he recognized at Stokes' home around 11 A. M. Tuesday, an hour or more before the lynching.

He then named D. T. Dickey, George Ayscue, Warner Ayscue, Henry Jones, Horace Stokes, and "some of the Weldons."

Cars were coming and going all the time, he said, and he saw many people leave the home, but did not see Horace Stokes leave.

Attorney General Seawell took over the questioning when Spurgeon Ayscue, who had been sent for, took the stand. Ayscue related the attack upon him by Ward and said he heard of the killing of Stokes, a cousin of his father, about 10 A. M., while at Weldon's mill. Others at the mill, he said, were Andrew Faulkner, another man named Faulkner, Tom Collins and Ira Weldon. He went to Stokes' home, he continued, but left there about noon and went to Henderson to have the wound in his head treated and first heard of the lynching in Henderson.

Tells of Battle

Dr. H. G. Perry, Louisburg physician to whom the negro was brought after his arrest for treatment of younds inflicted when he resisted the officers, described the battle the negro put up which virtually wrecked his office.

He expresed the belief that Ward was under the influence of a narcotic.

Sheriff J. E. Hamlet, of Vance county, told of being summoned to Epsom early Tuesday, or returning to Henderson after Ward was arrested and of coming back to the lynch scene, which he reached 15 or 20 minutes after Ward was hanged.

He said he could not recollect the names of any persons around the lynching scene.

WINSTON SALEM, N.C.
SENTINEL

AUG 1 1935

Lynching Described at Investigation

Louisburg (AP).—Judge W. C. Harris, of Raleigh, opened a judicial investigation into the lynching Tuesday of Roosevelt Ward, 25-year-old Negro, at 10:40 a.m. today.

The court room of Franklin county's eighty-two-year-old courthouse, seating 250, was jammed with some 400 spectators.

The official record of the lynching which first listed as Goven Ward the name of the victim who had slain Charles G. Stokes, prominent farmer, with an axe a short time before he was lynched was changed to Roosevelt Ward upon the word of relatives that this was his true name.

Solicitor William Y. Bickett, directing the questioning of witnesses, was assisted by Attorney-General A. A. F. Seawell and Charles Green, Franklin county attorney.

The names of some thirty witnesses were called and when Spurgeon Ayscue, who was assaulted by Ward early Tuesday, did not answer he was sent for.

C. O. Wrenn, deputy sheriff of Hayesville township, was the first witness called.

He described how he and Deputies A. A. Fuller and Elmer Deal went to the home of Otho Kearney to arrest Ward for assault on Ayscue and learned there of the murder of Stokes and an assault on Rowena Kearney, Ward's sister, by the Negro.

Wrenn said he last saw Ward alive when Sheriff John H. Moore and two deputies were putting him into a car to take him from the county because of the high feeling in the Hayesville section.

Wrenn said he drove from Louisburg to Kearney's home then and found about seventy-five people there, including J. H. Goodson, Coroner R. A. Bobbitt and Ira Weldon. It was there, he said, that he first heard the mob had seized Ward.

He went on home to lunch, he continued, and when he returned was told Ward had been hanged.

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Fuller also related the arrest of Ward and said the Negro was sitting in a chair at Otho Kearney's home with Stokes' head in a cloth at his feet when the officers found him. Stokes was killed seventy-five yards away.

"I've killed one man. Turn me loose and I'll clean the world," Fuller quoted the Negro as saying as they were bringing him to Louisburg.

Fuller said he did not remember any one he saw at Stokes' home or the lynching scene except Clyde Evans, Oeby Weldon and one or two others.

WILMINGTON, N. C.
NEWS

SEP 4 1935

BICKETT IN NEED OF MOB EVIDENCE

Says He Must Have More Information Than Names Of Purported Lynchers

RALEIGH, Sept. 4.—(AP)—Solicitor William Y. Bickett of the seventh judicial district said today he did not expect any further hearings to be held in an effort to identify members of a mob which lynched Govan Ward, negro slayer, in Franklin county in July "unless there is sufficient evidence to sustain a grand jury indictment."

The solicitor had not received data sent Governor Ehringhaus by the National Association for the Advancement of Colored People which purported to name nine members of the mob which lynched Ward.

"I certainly must have information and evidence other than the mere mention of the names of nine men suspected of participating in the lynching," Solicitor Bickett said.

Solicitor Bickett said he has been making a careful investigation of the case since a judicial inquiry was held at Louisburg before Judge W. C. Harris but that he had been unable to unearth any tangible evidence with which to justify another hearing.

"I do not know what information has been given the governor, but I do not expect to make public the names of nine Franklin men mentioned by the association unless I find there is evidence to carry the matter before the grand jury," Bickett said.

The solicitor said he planned to confer late today with Governor Ehringhaus and Attorney General A. A. F. Seawell on the matter.

FAYETTEVILLE, N. C.
OBSERVER

SEP 5 1935

GOVERNOR HAS LIST OF NAMES

Of Persons Alleged to Have Been in Lynching Mob

RALEIGH, Sept. 3 (AP)—Governor Ehringhaus today received a letter from the National Association for the advancement of colored people allegedly naming nine persons who were members of a Franklin county mob which lynched Govan Ward, negro, on July 30 near Louisburg, but he did not reveal the names.

"I am not in position to release the names," Governor Ehringhaus said, "but during the day I will turn the communication over to the proper authorities."

He explained he referred to Solicitor William Y. Bickett of the seventh judicial district and Attorney General A. A. F. Seawell who jointly conducted an inquiry before Judge W. C. Harris in Louisburg two days after the lynching.

"The letter contains a very general report but it calls names definitely," the Governor said. "I will leave it up to the solicitor and attorney general whether it be made public at this time."

The association announced in New York last night that it had sent the Governor the report, saying the information was gathered for it by a southern white investigator.

Ward was lynched for the murder of Charles G. Stokes, a white farmer, after he had run amuck and attacked three persons.

WINSTON SALEM, N. C.
SENTINEL

SEP 5 1935

LYNCHING EVIDENCE TERMED INSUFFICIENT

Raleigh (UP).—Solictor William Y. Bickett said today he will not call for further court action in the lynching of Govan Ward, Negro murderer, in Franklin county last July, uuless he received evidence sufficient to sustain grand-jury indictments.

Informed by Gov. J. C. B. Ehringhaus of a letter from the National Association for the Advancement of Colored People, assertedly giving names of nine members of the lynch mob, Bickett said:

"I certainly must have information and evidence other than the mere mention of the names of nine men suspected of participation in the lynching."

He added that he has been investigating the case for several weeks, but has been unable to find evidence sufficient to justfy a new court hearing.

CHARLOTTE, N. C.
OBSERVER

SEP 5 1935

Awaits Further Evidence To Revive Lynching Case

RALEIGH, Sept. 4.—(AP)—Solicitor William Y. Bickett of the seventh judicial district said today he did not expect any further hearings to be held in an effort to identify members of a mob which lynched Govan Ward, negro slayer, in Franklin county in July "unless there is sufficient evidence to sustain a grand jury indictment."

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"I do not know what information has been given the Governor, but I do not expect to make public the names of nine Franklin men mentioned by the association unless I find there is evidence to carry the matter before the grand jury," Bickett said.

Lynchings - 1935
Legal Punishment of Lynchers.

South Carolina.

4966

GREENVILLE, S. C.
NEWS
OCT 31 1935

"LYNCHING" QUESTION AGAIN

That interesting question of when a group-homicide is a "lynching" is raised again by the Anderson *Record* in a comment on the verdict of a Greenville county jury which held that George Green, slain by a band of hooded men, was not "lynched" and that the county was therefore not liable to the constitutional penalty of a $2,000 payment to his widow.

The *Record* characterizes this verdict as a "strange conclusion," and asks: if this mob of hooded men did not kill the negro Green 'to punish him for some alleged crime,' what was the provocation? Certainly," it continues, "the Greenville county jury does not admit that there are hooded bands of mobsters in Greenville county going about killing people without some such provocation, even though they are acting outside the law."

As information to our contemporary, we believe the defense counsel (for the county) in this case contended that the cause or reasons which led to this killing were other than for an alleged criminal act on the part of the negro, and the jury accepted that conclusion. Without undertaking to pass on the merits of that judgment, it can be said that killings, not only by individuals but by groups as well, frequently come about as a result of motives other than that of punishing an alleged crime.

However, it is very well to bear in mind that the distinction between a "lynching" and an ordinary murder legally speaking, has to do only with the liability of the county to pay a sum of money to dependents of the deceased. Both are crimes of equal gravity before the law and there is the same obligation upon the authorities in both cases to apprehend and punish the criminals. If that is done uniformly and successfully, the most important and effective step toward deterring crime of either class will be taken.

Greenville, S. C. Piedmont
October 23, 1935

Jury Debates Question Of Whether Negro Was Lynched

The question of whether or not the admitted mob-murder of George Green, Taylors negro, was a "lynching," was still being debated by a common pleas jury early this afternoon after a deliberation that began at 11 o'clock this morning.

A $5,000 suit instituted by Mary Green, as administratrix for the dead man, hangs on the decision of the jury.

Under state law the county of Greenville is liable for the lynching of any citizen, lynching being defined as the mob-murder of a person accused or suspected of having committed a crime.

County Attorney H. K. Townes held that the murder of Green was not a lynching, that he had been neither accused nor suspected of crime, but was killed by a band of robed men acting at behest of the negro's landlord, who desired to have him move from his property.

Counsel for plaintiff alleged that the negro was suspected of violating the liquor laws prior to the mobbing.

A verdict of $3,000 for the plaintiff was returned by a jury late yesterday in the case of Homer Banther, administrator, vs. M. J. Lane, et al. Of the damages awarded as result of the death of Mrs. Banther, struck by a car on the Easley road, $2,000 was against Mr. Lane and $1,000 against J. L. Short and Joe Short.

In the case of R. L. Walker vs. Woods & Collins, et al., begun this morning, Judge T. S. Sease approved the motion of James H. Price, of counsel for the defendant, for a non-suit.

Lynchings-1935

Legal Punishment of Lynchers.

South Carolina

5052

County Balks On Lynching Fine

Black Dispatch

LAURENS, S. C., Jan. 3.—(ANP)—County officials looked the other way last Thursday when W. R. Richey, Sr., white attorney for the estate of Norris Dendy, filed a claim against the county for $2,000 in connection with the lynching of Dendy at Clinton on July 4 last year. 5-35

The state law provides that the county pay the heirs of the victim a minimum of $2,000. Mr. Richey told the county authorities that his clients were willing to settle for the minimum, but if the county refused to recognize the obligation, he would take the matter into the courts.

The county board refused to consider the issue officially, holding that it would be necessary to consult the county attorney. Later, when this official was questioned, he stated that he would advise the board to turn the proposition down.

Columbia. S. C. State

May 17, 1935

LYNCH VERDICT IN HIGHEST COURT

Supreme Judicial Body Hears Appeal From Greenville County.

The state supreme court yesterday heard arguments upon an appeal by Greenville county from a circuit court verdict for Mary Green, widow of George Green, who was alleged to have been lynched November 16, 1933.

The verdict of $2,000, court records said, was awarded in an action asking $5,000. The suit was brought, it was pointed out, under provisions of a statute permitting suits against counties in which lynchings are alleged to have occurred.

The court also heard appeals from Pickens and Kershaw counties.

Lynchings-1935
Legal Punishment of Lynchers.

Tennessee

4967

WHITES ACQUITTED IN DEATH OF NEGRO

Insult To Woman Blamed; Five Face New Charges

ASHLAND CITY, Tenn., Nov. 18 —(AP)—Five white men were acquitted of murder charges in connection with the killing of a Negro Monday and immediately the law manacled them with new accusations.

Hardly had the jury of farmers finished reporting when Circuit Judge Wirt Courtney issued bench warrants alleging conspiracy to inflict corporal punishment. Without moment's freedom the five filed back to jail. They are four brothers, Luther, Jesse, Jimmy and Clyde Dotson, and a cousin, Allie Brown.

On trial they had admitted killing Baxter Bell, 45-year-old Negro, and pleaded self-defense. Two weeks ago Bell was seized from Dickson County officers at White Bluff by five men. Half an hour later in the edge of Cheatham County he was found dead of a bullet-punctured lung.

Luther Doston, with the other four giving corroborative testimony, told the court the intention had been to whip Bell. The Negro was accused of having insulted and slapped Mrs. Luther Dotson. However, Dotson testified, the Negro grabbed for a rock when informed he would be whipped and Luther Dotson shot him.

She said she repulsed him and quoted Bell as saying, "What's the matter?" Mrs. Dotson testified that she warned the Negro not to say that to her again and that he struck her in the face. She said that then she ran to get an officer as Bell began scuffling with a bystander who came up.

A plea of self-defense was entered by the five defendants earlier in the day.

Lynchers' Plea Is Self-Defense

ASHLAND CITY, TENN. Nov. 15.—(AP)—A plea of self-defense was thrust today into the fast-moving murder trial of five white men charged with taking the law into their own hands when a negro insulted the wife of one of them.

Accused of lynching the negro, Baxter Bell, the five contended they had no intention of killing him when they forcibly took him from two officers at White Bluff 11 days ago. The negro was found dead, shot once through the lungs, little more than 30 minutes after he was seized.

Luther Dotson headed the string of defense witnesses as the second day of the trial got underway in a courtroom crowded with both negroes and white persons. Dotson testified that he and four companions rode the negro out of White Bluff in an automobile, intending to whip him.

About five miles away they stopped. "We are going to whip you," Dotson said he told Bell. It was Dotson's wife who was insulted.

"You ain't going to whip me," he testified Bell answered.

The negro stooped to pick up a rock, Dotson said, and he, in self-defense, fired. About 25 minutes after they left White Bluff the men returned and surrendered to officers.

Luther Dotson was followed to the stand by his three brothers, Jesse, Clyde and Jimmy and his cousin, Allie Brown. They gave virtually the same testimony.

"We all made it up to take the negro and whip him," Jesse Dotson said, "but we didn't aim to kill him."

Knoxville, Tenn., Journal
November 24, 1935

FIVE WHITE MEN accused of lynching a Negro were acquitted of murder charges at Ashland City, Tenn., but the court immediately ordered them held on warrants alleging conspiracy to inflict corporal punishment.

Circuit Judge Wirt Courtney sharply criticized the jury's verdict freeing the men.

WOMAN RELATES LYNCHING CAUSE

Husband and Four Others on Trial as Slayers of Negro Claim Self-Defense

ASHLAND CITY, Tenn., Nov. 15. (AP)—Testifying for the defense in the murder trial of her husband and four others, Mrs. Luther Dotson, 26, this afternoon gave a dramatic account of the circumstances leading up to the lynching of Baxter Bell, 45-year-old Negro, who allegedly insulted and struck her.

Mrs. Dotson testified that she was standing on the porch of a store near White Bluff when the Negro approached her.

"He grabbed me by the shoulder and said he would give me five dollars to go with him," she told the circuit court jury.

FIVE TENNESSEE MOB MEMBERS RE-ARRESTED

CHARLOTTE, Tenn., Dec. 5—(ANP)—Five confessed lynchers are to go to trial for the second time here this week, when Clyde, Luther, James and Lesse Dotson and their cousin, Allie Brown, will be tried for the murder of Walter Bell, who was lynched near here November 4.

The five white men were arrested when Luther Dotson entered the sheriff's office and returned the officer's gun after the lynching. At the first trial the quintet was acquitted, but rearrested on the judge's order after he had reprimanded the jury that returned the verdict of "not guilty" despite the confession and the evidence.

Each one admitted to being a member of the mob that lynched Bell, but Dotson, who is alleged to have killed Bell, claimed that he killed him in self defense. According to the story of the lynchers, they took Bell from the officers to administer a beating, but when they reached the place where the whipping was supposed to have been given, Bell picked up a rock and, fearing that he might be killed, Luther Dotson shot and killed him and his body was thrown into a nearby stream.

Mrs. Dotson, who caused the lynching, testified that Bell, a pauper, had insulted her by offering her $500 to "go with him" and when she turned down his offer he slapped her. She reported the incident to her husband and the arrest and subsequent lynching followed.

'I am astounded at your verdict," presiding Judge Courtney told the jurors. "By your action you will make Cheatham county the dumping ground for lawlessness in the future."

Immediately after the verdict was rendered Judge Courtney issued bench warrants charging the five white men with conspiracy to inflict corporal punishment on the slain negro.

The five had testified that the negro was killed in self-defense that they had not intended to kill him when they took him from two officers and carried him into the woods several miles distant. They said they only meant to whip him but when he started to pick up a rock he was shot and killed.

The negro had been arrested on a legal charge of assault and battery after he was said to have slapped the wife of one of the lynchers when she resented an insulting remark from him.

The five defendants were returned to jail after the new warrants were issued.

Charlotte, N. C. Observer
November 24, 1935

Lynchers Acquitted.

AS MIGHT HAVE BEEN expected, a jury of Cheatham county, Tennessee, farmers Monday acquitted the five men on trial at Ashland City on charges of murder in connection with the lynching of a negro near there two weeks previously.

GOES TO JURY

Farmers Deliberate Charge Against Tennesseans.

ASHLAND CITY, Tenn., Nov. 16 (AP)—A jury of farmers today received the case of four brothers and a cousin, charged with lynching Baxter Bell, 45-year-old Negro, whom the wife of one of the defendants had accused of making improper advances and then striking her.

Luther Dotson, husband of the woman who said Bell had insulted her, testified that he and his companions—Jesse, Clyde and Jimmy Dotson and Allie Brown—had intended only to whip the Negro when they wrested him from officers in an adjoining county.

But he said he shot in self-defense when Bell resisted and stooped to pick up a rock. Three of his companions gave similar testimony. Clyde Dotson did not take the stand.

The killing of Bell and the trial of the five white men occurred within a period of less than two weeks. Half an hour after the Negro was seized on the streets of White Bluff November 4, the defendants returned there and surrendered, telling where Bell's body could be found in this county. The Negro had been shot once through the chest.

Deputy Sheriff Clyde Petty and City Marshal Louis Donley, the White Bluff officers from whom the Negro was seized, testified that Bell's body showed marks on the face that indicated he had been struck by a blunt instrument before being shot.

Mrs. Dotson told the jury that she was drinking a bottle of beer at the rural store of Ed Daniels, a Negro, when Bell accosted her. After she had repulsed his advances, she said Bell struck her in the eye, and that he also struck Ellis Parker, a white man who came to her assistance.

KNOXVILLE, TENN.
JOURNAL

NOV 17 1935

LYNCHING CASE

KNOXVILLE, TENN.
NEWS SENTINEL

NOV 18 1935

5 FREED IN STATE LYNCHING; REBUKED AND JAILED AGAIN

Middle Tennessee Jury Astounds Judge; Fears Results.

SPIRITED AWAY

Jurist Says Verdict Opens Way For Lawlessness.

By Associated Press

ASHLAND CITY, Tenn. Nov. 18 — Five white men on trial on charges of murder in connection with the killing of a Negro near here 14 days ago were acquitted today by a jury of Cheatham County farmers.

Immediately after the verdict was announced, Circuit Judge Wirt Courtney, who presided over the trial, issued warrants charging conspiracy to inflict corporal punishment, against the five—Luther, Jesse, Jimmy and Clyde Dotson, brothers, and their cousin, Allie Brown.

"I am astounded at your verdict," Judge Courtney told the jurors.

"By your action you will make Cheatham County the dumping ground for lawlessness in the future."

The jury had been out since late Saturday. The foreman had reported inability to reach a verdict Saturday night. Judge Courtney then sent the 12 back to deliberate over the week-end and report at the opening of court today.

Two Weeks After Lynching

The acquittal came two weeks almost to the hour after the slaying of the Negro, Baxter Bell, 45, near Kingston Springs on Nov. 4. Five white men had seized him from two officers at White Bluff where he had been arrested on a charge of insulting and slapping Mrs. Luther Dotson on the evening of Nov. 3.

Mrs. Dotson testified that while she was in a store near her home Bell offered her $5 for a date and when she refused him he struck her. She said he also struck a white man, the only other white person in the store at the time.

5 Plead Self-Defense

Admitting the shooting, the five men pleaded self-defense. Luther Dotson testified that after Bell had been driven by automobile to near Kingston Springs he was told he was going to be whipped. The five testified their intention was to whip the Negro, not lynch him.

Dotson said Bell stooped to pick up a rock and he shot Bell once. The Negro died of a single bullet wound in his lung.

After the five men, acquitted of murder, were placed in jail to face still other charges, Sheriff J. W. Keith said there was "too much trouble here" to hold them in Ashland City. He planned to take them either to Nashville or to Charlotte in Dickson County.

Charlotte, N. C. Observer
December 1, 1935

SAVE STATES' RIGHTS BY EXERCISING THEM.

The acquittal of the five white men in Tennessee charged with murder in connection with the lynching of a negro, who was not even accused of the "usual crime," was another in a long series of invitations to Congress to enact a Federal anti-lynching law.

The five men admitted at the trial that they overpowered two officers and took their prisoner from them by force, hauled him away to a thicket, several miles distant and shot him to death. Their defense was that they had not intended to lynch him but that one of them shot the negro to death in self defense when he started to pick up a rock. Also they pleaded as an extenuating circumstance that the negro had made an insulting remark to the wife of one of the five men and when she resented it he slapped her. He was arrested and charged with assault and battery.

After hearing all the evidence, including the testimony of the officers, the jury "deliberated" for two nights and a day and brought in a verdict of not guilty. The judge expressed himself as "astounded," but he had no reason to be, if he had been keeping posted on the record of such cases. As a rule the evidence and the law do not count with juries in lynching cases any more than they count with a mob bent on committing a lynching.

For some months now North Carolina has maintained a standing invitation to Congress to enact an anti-lynching law by its failure to punish or even to arrest any member of the mob of 20 or 25 men who in mid-day light took a negro prisoner from the sheriff and his deputies in Franklin county and lynched him. At a brief formal hearing before Judge W. C. HARRIS, sitting as a committing magistrate, immediately after the lynching, the sheriff and the deputies swore they were unable to identify a single member of the mob or get the number of any one of the group of automobiles used by the lynching party. And that seems to have ended the State's interest in the case.

Of course the absurdity of the testimony of the sheriff and his deputies in a rural county like Franklin, with a population of barely 30,000—where everybody knows the sheriff and the sheriff knows everybody in the county—made no difference.

These two recent cases of lynching—one in North Carolina and one in Tennessee—widely different in their aspects—illustrate the manner in which States generally deal with lynchers, in South Carolina, Georgia, Mississippi, Louisiana and elsewhere.

And yet, when Congress convenes again and an anti-lynching bill is introduced to provide for more certain punishment of lynchers, the Senators and Representatives from all of these States will be expected to make a determined fight in opposition, with orations in defense of States' rights, maintaining that a Federal law is unnecessary because the several States "are amply able to deal with lynchers and are doing so."

Certainly the matter of dealing with lynchers should be one for the States and not for the Federal government, and should be left to the States—if they will deal with this crime of combined murder and anarchy.

But, sooner or later, if the States will not deal with it—if they will not punish or arrest lynchers, or if State court juries persist in acquitting lynchers regardless of the evidence and the law—then the arguments against a Federal anti-lynching law will become generally recognized as absurd and ridiculous and the matter of dealing with lynchers will be taken over by the Federal government.

The Nation as a whole has some rights as well as the individual States in the matter of the disgrace of continued and frequent instances of lynch law and sooner or later will insist that the Federal government take action to deal with lynchers if the States will not.

Frequent lynchings with virtual immunity for the mob are more dangerous to the constitutional rights of the people of the States than a Federal anti-lynchings law would be.

In the interest of States' rights the States should prove that they can deal effectively with lynchers.

Lynchings - 1935
Legal Punishment of Lynchers.

Tennessee.

4968

5 MEN ARE INDICTED IN TENN. LYNCHING

ASHLAND CITY, Tenn., Nov. 8.—(AP)—Five white men held in connection with the lynching of Baxter Bell, 45, a negro, last Monday were indicted on first degree murder charges today by the Cheatham county grand jury.

11-9-35

Circuit Judge Wirt Courtney announced shortly afterward that trial of the five would start Thursday morning.

Those indicted are Luther Dotson Clyde Dotson, Jimmy Dotson an Jesse Dotson, all brothers, and Alli Brown, a cousin.

Chattanooga, Tenn. Times
November 6, 1935

SLAYERS OF NEGRO IN NASHVILLE JAIL

Five Held After Lynching at White Bluff — Victim Said to Have Insulted Woman.

NASHVILLE, Nov. 5 (AP).—Owing to crowded jail conditions in Cheatham county, five men charged with murder in connection with the lynching of a Negro yesterday near White Bluff, Tenn., were brought to the county jail here today.

Brought here by Deputy Sheriff Robert H. Williams, the group will remain here until Friday, when their preliminary before Magistrate W. B. Adkinson at Ashland City has been scheduled.

They were arrested yesterday after Baxter Bell, 45, Negro, had been found shot to death in a thicket near White Bluff, just across the Cheatham county line.

Charged by Mrs. Luther Dotson that he had insulted her, the Negro was taken from officers in the business section of White Bluff only a short time before he was shot once through the chest.

Deputy Williams removed the men to Ashland City yesterday and swore out a warrant charging them with murder. He said their names were listed as Luther Dotson, husband of the allegedly insulted woman; his three brothers, Jimmie Dotson, Clyde Dotson and Jesse Dotson, and Allie Brown, their cousin.

Their preliminary hearing was set originally for today, but Magistrate Adkisson postponed it shortly before the men were transferred to Nashville

Clarkesville, Tenn., Chronicle
November 5, 1935

Trial Today For Suspects In Lynching

White Bluff, Tenn., Nov. 5—(AP)—A preliminary hearing was scheduled at Ashland City today for five men charged with murder in connection with the lynching of Baxter Bell, forty-five-year-old Negro in the country four miles from here.

The hearing was set before Magistrate W. B. Adkinson.

Deputy Sheriff Robert H. Williams of Cheatham County said last night that he had sworn out a warrant charging the group with murder, listing their names as Luther Dotson, Slyde Dotson, Jimmie Dotson, Jesse Dotson, all brothers, and Allie Brown, their cousin.

The Negro was found shot to death in a thicket just across the Cheatham County line yesterday after he had allegedly insulted a white woman the night before at a bus stop near Kingston Springs. Deputy Sheriff Clyde Petty arrested the Negro on charges brought by Mrs. Luther Dotson.

Yesterday Petty and City Marshall Louis Donnelly were delivering the Negro to Cheatham County authorities when five armed men surrounded the car in the White Bluff business section and took the Negro.

Donnelly said they were armed with three pistols and two shotguns. He said they came back a short while later and surrendered to officers who locked them up.

Later in the day Deputy Williams moved the men to Cheatham County Jail at Ashland City.

Marshall Donnelly quoted Mrs Dotson as saying that as she alighted from a bus at Kingston Springs the Negro approached her and said he would "give me $5 for a date to walk down the road."

Donnelly said she told him she "cursed the Negro" and that then he slapped her.

Jury Holds Fate Of 5 In Lynching

ASHLAND CITY, TENN., Nov. 16.—(AP)—Unable to reach a decision tonight, a jury of farmers sitting in the lynch trial of five white men charged with murdering a negro was instructed by the court to report again at 9 a.m. Monday.

"This jury can reach a decision as well as any other," said Judge Wirt Courtney as he refused to dismiss it. The case went to the jury late this afternoon.

Four brothers and a cousin are on trial charged with lynching Baxter Bell, 45-year-old negro, whom the wife of one of the defendants had accused of making improper advances and then striking her.

Luther Dotson, husband of the woman who said Bell had insulted her, testified that he and his companions—Jesse, Clyde and Jimmy Dotson and Allie Brown—had intended only to whip the negro when they wrested him from officers in an adjoining county.

But he said he shot in self-defense when Bell resisted and stopped to pick up a rock. Three of his companions gave similar testimony. Clyde Dotson did not take the stand.

The killing of Bell and the trial of the five white men occurred within a period of less than two weeks. Half an hour after the negro was seized on the streets of White Bluff Nov. 4, the defendants returned there and surrendered, telling where Bell's body could be found in this county.

Nashville, Tenn.
Morning Tennessean

NOV 6 1935

5 HELD IN LYNCHING ARE BROUGHT HERE

Cheatham County Temporary Jail Full; Hearing Set for Friday in Ashland City

Charged with murder in the lynching of a negro near White Bluff Monday, five men, four brothers and a cousin, were brought to the Davidson county jail late yesterday to await their preliminary hearing.

The Cheatham county jail burned last March. Since then a garage building has been used to house county prisoners. It is crowded.

The five men are scheduled to appear Friday for preliminary hearing before Magistrate W. B. Adkisson at Ashland City. They were brought here by Deputy Sheriff Robert H. Williams.

They were arrested Monday after Baxter Bell, 45, negro, had been found shot to death in a thicket just across the Cheatham county line from White Bluff, which is in Dickson county.

Charged by Mrs. Luther Dotson that he had insulted her, Bell was taken from officers in the White Bluff business section only a short time before he was shot once through the chest.

Deputy Williams removed the men to Ashland City Monday and swore out a warrant charging them with murder. They are Luther Dotson, husband of the allegedly insulted woman, his three brothers, Jimmie, Clyde and Jesse Dotson, and their cousin, Allie Brown.

The insult charged by Mrs. Dotson is alleged to have occurred in a negro beer parlor four miles from White Bluff Sunday night.

MEMPHIS, TENN.
PRESS SCIMITAR

NOV 4 1935

5 SURRENDER AFTER NEGRO IS LYNCHED

Declare Victim Had Insulted Wife of One

By Associated Press

WHITE BLUFF, Tenn., Nov. 4.—A 35-year-old negro, Baxter Bell, was killed early today by a group of white men who riddled his body with bullets for an alleged insult to a white woman as she alighted from a bus last night.

The killing occurred on a road to Kingston Springs some distance from White Bluff. The negro's body was thrown from the raodside into a thicket.

A short time later five white men, appeared at the jail here and, Deputy Clyde Petty reported, surrendered. They told the officer the white woman whom they claimed had been insulted was the wife of one of their number.

Petty and another officer were taking the negro to Charlotte in an automobile to place him in Kickson County jail when the white men stopped them. They disarmed the two officers and took away the negro.

NASHVILLE, TENN.
BANNER

NOV 10 1935

Negroes May Ask Investigation of Cheatham Lynching

Negro ministers of Nashville will meet at the Colored Y. M. C. A. Monday morning at 10 o'clock to discuss problems affecting Negroes here. The call for the meeting was issued by the Interdenominational Church Ministers' Alliance. Among questions to be discussed are the problem of getting "honest expression at the polls" for Negroes, and the recent lynching in Cheatham County.

Dr. W. S. Ellington will speak on "The Negro's Contribution to Clean Government." Dr. J. D. Ridley's subject will be "How I Built My Sunday School." Dr. S. H. Simpson will talk on "My Church's Relief Program." A committee made up of Dr. S. S. Morris, Dr. W. J. Faulkner, Dr. A. Myron Cochran, Dr. Ridley, and Dr. Spencer Jackson will report on the question as to whether Governor McAlister shall be asked to investigate the Cheatham County lynching in which a Negro was shot to death.

Chairman J. T. Patton has asked that reports on Community Chest solicitation be given at this meeting for every Negro church in the city.

DYERSBURG, TENN.
STATE GAZETTE

NOV 6 1935

Five May Be Moved To Nashville Jail

ASHLAND CITY, Tenn.,—Due to crowded conditions at the Ashland city jail, five men held in connection with the lynching of Baxter Bell, forty-five-year-old negro, near White Bluff yesterday, were expected to be removed to the Davidson county jail at Nashville Wednesday afternoon.

Exact time for trial of the five has not been set, although it may take place this afternoon, Magistrate W. B. Adkinson said.

NASHVILLE, TENN.
BANNER

NOV 7 1935

Grand Jury May Take Up Negro Lynching Case

Ashland City, Tenn., Nov. 7—(Special)—The Cheatham County Grand Jury has been called to meet Friday and probably will take up the case of five men charged with murder in connection with the lynching of Baxter Bell, Negro, it was reported today.

Magistrate W. B. Adkisson said today no definite time had been set for the preliminary trial and the case might go directly to the Grand Jury for consideration.

The men were taken to Nashville because of the crowded jail facilities here. Those held are Luther Dotson, Clyde Dotson, Jimmie Dotson, Jesse Dotson, all brothers, and Allie Brown, their cousin.

The Negro was taken from two White Bluff officers and shot to death Monday after he was alleged to have insulted a white woman.

KNOXVILLE, TENN
JOURNAL

NOV 9 1935

Grand Jury Indicts Five for Lynching

ASHLAND CITY, Nov. 8 (AP)—Five white men held in connection with the lynching of Baxter Bell, 45, a Negro, last Monday, were indicted on first degree murder charges today by the Cheatham county grand jury.

Circuit Judge Wirt Courtney announced shortly afterward that trial of the five would start Thursday morning.

Those indicted are Luther Dotson, Clyde Dotson, Jimmy Dotson and Jesse Dotson, all brothers, and Allie Brown, a cousin.

Bell was shot to death near Kingston Springs in Cheatham county close to the Dickson county line after five armed men had seized him from two Dickson county officers at White Bluff.

Five on Trial in Lynching

ASHLAND CITY, Tenn., Nov. 14 (AP).—Five white men were placed on trial in Circuit Court today on murder charges in connection with the lynching ten days ago of a Negro railroad laborer, Baxter Bell. The five are Luther, Jimmy, Clyde and Jessie Dotson, brothers, and Allie Brown, their cousin. A jury of twelve farmers was chosen in an hour.

Bell was killed November 4 by a single shot through the chest. A short time before five white men had seized him from two officers at White Bluff.

SELF-DEFENSE PLEA ENTERED BY LYNCHER

New York Times
Tennesseean Who Shot Negro Says Victim Picked Up Rock
11-15-35

ASHLAND CITY, Tenn., Nov. 15 (AP).—Luther Dotson, one of five white men accused of lynching a Negro, testified today that he shot the Negro in self-defense.

The Negro, Baxter Bell, was killed November 4 after a quintet seized him from officers at White Bluff, where he was under arrest charged with having insulted and slapped Mrs. Luther Dotson.

Dotson said that the five had no intention of killing Bell, but intended merely to whip him. He said he told Bell, "We are going to whip you," and Bell answered, "You ain't going to whip me."

The Negro, testified the defendant, stooped to pick up a rock and Dotson shot him because he feared for his life.

Five on Trial in Lynching.

ASHLAND CITY, Tenn., Nov. 14 (AP).—Five white men were placed on trial in Circuit Court today on murder charges in connection with the lynching ten days ago of a Negro railroad laborer, Baxter Bell. The five are Luther, Jimmy, Clyde and Jesse Dotson, brothers, and Allie Brown, their cousin. A jury of twelve farmers was chosen in an hour.

Bell was killed Nov. 4 by a single shot through the chest. Deputy Sheriffs reported that Bell was accused of having insulted and struck Luther Dotson's wife.

As the trial started, Sheriff J. W. Keith said that sentiment among the crowd gathered at the court house was not favorable to the defendants.

Five Acquitted In Slaying Of Negro

ASHLAND CITY, TENN., Nov. 18.—(AP)—Five white men were acquitted of murder charges in connection with the killing of a negro today and immediately the law manacled them with new accusations.

Hardly had the jury of farmers finished reporting when Circuit Judge Wirt Courtney issued bench warrants alleging conspiracy to inflict corporal punishment. Without a moment's freedom the five filed back to jail. They are four brothers, Luther, Jesse, Jimmy and Clyde Dotson, and a cousin, Allie Brown.

On trial they had admitted killing Baxter Bell, 45-year-old negro, and pleaded self-defense. Two weeks almost to the hour before the verdict was given Bell was seized from Dickson County officers at White Bluff by five men. Half an hour later in the edge of Cheatham County he was found dead of a bullet-punctured lung.

Luther Dotson, with the other four giving corroborative testimony, told the court the intention had been to whip Bell. The negro was accused of having insulted and slapped Mrs. Luther Dotson. However, Dotson testified, the negro grabbed for a rock when informed he would be whipped and Luther Dotson shot him because of "fear" for his own life.

New York World Telegram

NOV 18 1935

5 WHITE MEN FREED BY JURY IN LYNCHING

Judge Orders Suspects Rearrested on Charges of Conspiracy and Is "Astounded" at Verdict.

By the Associated Press.

ASHLAND CITY, Tenn., Nov. 18.—Five white men on trial on charges of murder in the lynching of a Negro accused of having slapped a woman relative of theirs were acquitted today by a jury.

Circuit Judge Wirt Courtney immediately issued warrants charging conspiracy to inflict corporal punishment against the five—Luther, Jesse, Jimmy and Clyde Dotson, brothers, and their cousin, Allie Brown.

"I am astounded at your verdict," Judge Courtney told the jurors. "By your action you will make Cheatham County the dumping ground for lawlessness in the future."

5 MEN ACQUITTED OF KILLING NEGRO

NEW YORK SUN

Tennessee Judge Assails Jury Verdict in Lynching.

NOV 18 1935

ASHLAND CITY, Tenn., Nov. 18 (A. P.).—Five white men on trial on charges of murder in connection with the killing of a Negro were acquitted today by a jury of Cheatham county farmers.

Immediately after the verdict was announced, Circuit Judge Wirt Courtney issued warrants charging conspiracy to inflict corporal punishment against the five—Luther, Jesse, Jimmy and Clyde Dotson, brothers, and their cousin, Allie Brown.

"I am astounded at your verdict," Judge Courtney told the jurors. "By your action you will make Cheatham county the dumping ground for lawlessness in the future."

The defendants were accused of shooting Baxter Bell, forty-five-year-old Negro after he was taken from peace officers at White Bluff, Tenn.

The night before the lynching on November 4 Mrs. Luther Dotson swore out a warrant for the Negro's arrest, charging him with insulting her and slapping her face.

Bronx, N.Y. Home News

NOV 17 1935

Lynch Jury Fails to Reach Verdict

The jury trying five white men for murder in connection with the killing of Baxter Bell, colored, at Ashland City, Tenn., was ordered held over until tomorrow by Circuit Judge Wirt Courtney when it reported at 7 p. m. last night that it was unable to reach a verdict. The defendants, Luther, James, Jesse and Clyde Dotson, and their cousin, Allie Brown, are charged with first degree murder for forcibly taking the colored man from officers on Nov. 4 and shooting him to death for an alleged insult to Luther Dotson's wife.

St. Petersburg, Fla., Times
November 19, 1935

Alleged Lynchers Freed; Held Again

ASHLAND CITY, Tenn., Nov. 18.—(AP)—Five white men accused of lynching a negro were acquitted of murder today but the court at once ordered their arrest on new charges and sent them back to jail.

Hardly had the jury of farmers finished reporting when Circuit Judge Wirt Courtney, sharply criticizing the verdict issued bench warrants alleging conspiracy to inflict corporal punishment.

Without a moment's freedom the five filed back to jail.

They are four brothers, Luther, Jesse, Jimmy and Clyde Dotson, and a cousin, Allie Brown. The state charged they lynched Baxter Bell, 45-year old negro, over an insult to Mrs. Luther Dotson.

On trial they had admitted the killing but pleaded self-defense.

As the jury announced its verdict today, Judge Courtney commented, "I am astounded at your verdict. By your action you will make Cheatham county the dumping ground for lawlessness in the future."

Judge Courtney said the conspiracy charge carries of a penalty of two to 10 years. The five were held without bond to await grand jury action in February. Sheriff J. W. Keith planned to take them to Nashville because of excitement here.

Clarksville, Tenn., Chronicle
November 19, 1935

EDITORIAL

Lynching Encouraged

The acquittal by a Cheatham County jury of five white men charged with the lynching of a Negro man appears to us to have been a miscarriage of justice. The quintet, or at least one of their number, admitted killing the Negro, but claimed self-defense.

We are not upholding the Negro in the offense with which he had been charged. To insult and then slap a white woman is a foolhardy thing to do. But for a group of men to take him out and shoot him is an act that can hardly be described by any other word than murder.

Judge Wirt Courtney was justified in expressing amazement at the verdict. "By your action," the court said, "you will make Cheatham County the dumping ground for lawlessness in the future." Without casting reflections upon the good people of our neighboring county, we cannot challenge the sweeping statement by the court. The lynching was a disgrace to Cheatham County and to the State of Tennessee and the verdict of acquittal showed to the world that all of Cheatham County resented mob rule. No doubt the verdict met with popular disapproval by the majority of Cheatham County residents. It was a triumph of violence over law and order.

Lynchings - 1935
Legal Punishment of Lynchers.

Texas.

4969

WACO, TEX.
TIMES HERALD
NOV 18 1935

LAW BLAMED FOR MOBBING

COLUMBUS, Nov. 18.—(AP)—Directors of the Columbus Chamber of Commerce, in a scathing denunciation of certain Texas criminal laws, today laid the blame for the mob lynchings of two negroes here last week, squarely upon the Texas legislature.

Cause of the Lynching

A statement signed by Herman Braden, president, and H. L. B. Skinner, secretary, said responsibility for the lynching of the negro youths, who had confessed to officers they criminally attacked and drowned Miss Geraldine Kollmann, Columbus high school honor graduate, "lies primarily with the thirty-fifth legislature of the state of Texas, which enacted the juvenile law of the state in its present form."

The statement also blamed "all subsequent legislatures who have failed to recognize and remedy the most serious defects of the law."

"It is unquestionably the consensus of informed public opinion in this state that the juvenile age limit of 17 years should have no application to serious and brutal felonies such as premeditated murder and rape," read the statement.

Excuses Lynching

"It is too much to expect of the sober elements in any Texas community to always succeed in preventing the administration of adequate punishment for such crimes without the sanction of law, and we here now call upon the governor and legislature of Texas for the correction of the laws of the state so that such adequate punishment may be administered by due course of law."

The two negro youths, who gave ages of 15 and 16 years, were seized from Sheriff Frank Hoegemeyer by a mob of 700, including women, and hanged to a live oak tree."

Mrs. Jessie Daniel Ames of Atlanta, Ga., speaking before the Texas Federation of Women's Clubs at Austin last week, urged Gov. James V. Allred to probe the lynchings.

The statement issued said, "The people of Columbus have read, with natural resentment . . . of a speech before a convention of women's clubs at Austin; also of the lady's having called upon the governor of Texas in great indignation demanding some action on his part.

Distress and Sorrow

"The people of this old community have been in a state of distress and sorrow over the outrage and murder of one of its fine young girls, only recently graduated with honor from Columbus high school. Our people have heard of no outbursts of righteous indignation from any uplift society or any society for the prevention of this or that by reason of that brutal outrage, or of the fact that the laws of the state of Texas would not permit the adequate punishment of the brutes who committed the offense, because the law of the state, as written, classified them as infants although in stature and understanding they had as fully attained manhood's estate as nature would ever permit them to attain it.

"The people of this community are not advocates of mob violence. Repeatedly in the past concerted efforts of the best elements of the community have brought about the handling of dangerous situations that aroused public indignation to a point calculated to result in such occurrence, in such manner as to avoid a lynching outbreak."

The statement asserted the double lynching was a culmination of a series of happenings over a period of years which "have aroused public feeling to an extent that makes the explosion of last Tuesday night understandable."

CORSICANA, TEX.
SUN
NOV 18 1935

Legislature Is Blamed Lynching Of Two Negroes

COLUMBUS, Nov. 18.—(AP)—Directors of the Columbus chamber of commerce, in a scathing denunciation of certain Texas criminal laws, today laid the blame for the mob lynchings of two negroes here last week, squarely upon the Texas legislature.

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The two negro youths, who gave ages of 15 and 16 years, were seized from Sheriff Frank Hoegemeyer by a mob of 700, including women, and hanged to a live oak tree.

Mrs. Jessie Daniel Ames of Atlanta, Ga., speaking before the Texas Federation of Womens clubs at Austin last week, urged Governor James V. Allred to probe the lynchings.

Refer to Women's Talk.

The statement issued said "the people of Columbus have read, with natural resentment, x x x of a speech before a convention of women's clubs in Austin; also of the lady's having called upon the Governor of Texas in great indignation demanding some action on his part.

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PARIS, TEX.
PARIS MORNING NEWS
NOV 18 1935

Lynch Blame Is Placed On Legislature

Columbus, Texas, C. of C. Hits Juvenile Age Limit Law

DEMAND FOR CHANGE SENT TO GOVERNOR

Limit Should Not Apply to Brutal, Serious Crimes, Declared

COLUMBUS, Texas, (AP)—Directors of the Columbus Chamber of Commerce, in a scathing denunciation of certain Texas criminal laws, Monday laid the blame for the mob lynchings of two negroes here last week, squarely upon the Texas legislature.

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Lynchings-1935
Legal Punishment of Lynchers.

Texas.

4970

4970

HARLINGEN, TEX.
VALLEY MORNING STAR

NOV 16 1935

LYNCH PROBE TO BE MADE

Allred Orders Quick Investigation

AUSTIN, Tex.—(AP) — Governor James V. Allred Friday requested the safety department, of which the Texas Rangers are a division to investigate the recent lynching of two negro youths near Columbus.

"Acting upon the request of the sheriff of Colorado county, I have requested L. G. Phares, director of the public safety commission, to make an investigation into the lynchings at Columbus," Governor Allred said.

"Chief Phares has ordered Ranger E. M. Davenport to proceed to Columbus at once and assist in this investigation."

The negroes were taken from the custody of officers returning them from Houston to Columbus for trial in connection with the slaying of a white girl and hanged to trees.

CUERO, TEX.
RECORD

NOV 14 1935

Probe of Lynching Will Be Delayed

COLUMBUS, Tex., Nov. 14.—(INS)—Grand jury action if any, into the lynching of two negro youths will not come before February at the regular meeting of that body, it was indicated today.

The negroes, Benny Mitchell and Ernest Collins, both under 17, were hanged to a live oak tree near here in connection with the brutal slaying of Geraldine Kollmann several weeks ago.

Sheriff Frank Hoegenmeyer, from whom the negroes were taken while being escorted here from Houston, said a court of inquiry into the lynching will be held in a few days

PALESTINE, TEX.
HERALD

NOV 14 1935

JUSTICE OF PEACE PLANS PROBE INTO NEGRO LYNCHINGS

Columbus Justice Says He Will Hold Inquiry Into Lynchings of Two In Day or Two.

Columbus, Texas, Nov. 14. (AP)—Justice of the Peace E. C. Thrower said today he expected to hold a court of inquiry "within two or three days" into the mob lynchings of two negro youths near here Tuesday night.

Sheriff Frank Hoegemeyer, who with Deputy Berry Townsend was waylaid on a country road by the mob and relieved of the custody of the negroes, said he will have several witnesses before the court.

He declined to amplify his statement.

The negroes, Benny Mitchell and Ernest Collins, were hanged to a live oak tree by a mob of 700 persons, including women. They were to stand trial in juvenile court for the criminal attack and subsequent drowning of Miss Geraldine Kollmann, valedictorian of the Columbus High school 1934 graduating class.

County Attorney O. P. Moore yesterday said he would prosecute any lynching charge but asserted the hangings were "an expression of the will of the people."

AUSTIN, TEX.
STATESMAN

NOV 14 1935

LYNCH INQUIRY URGED UPON ALLRED

In view of County Atty. O. P. Moore's interpretation of mob violence as the "will of the people," Gov. James V. Allred owes it to the rest

of the state to order speedy investigation of conditions surrounding the lynching of two negro youths at Columbus, Mrs. Jessie Daniel Ames, executive director of the Association of Southern Women for Prevention of Lynching, declared today.

Mrs. Ames prefaced her statement by remarking that she is "a Texas woman and therefore privileged to speak about this." She is in Austin to address the Texas Federation of Women's clubs Thursday.

"We shall soon see whether the county attorney at Columbus has spoken the will of the people of his county. If he's re-elected, he has.

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Wants Action

"I think the governor ought to order speedy investigation, the county attorney's attitude being what it is. Surely this was a lynching which could have been averted. The negroes had previously been taken to Houston for safekeeping because mob violence was feared. When they were returned to Columbus, officials must have known feeling was running high and that a lynching was imminent. I understand no precautions were taken against such action."

Mrs. Ames pointed out that the Columbus incident is a sharp setback to Texas' efforts to come out of the dark ages of mob violence.

"Such lynchings not only make the South, and Texas, ridiculous to other states but appear lacking in civilization."

Failure to follow the Columbus lynching with decisive action makes it appear that "we're helpless or don't care," she added.

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Conditions Had Improved

"Conditions had been improved to the point where it was embarrassing to Southern senators to filibuster against the anti-lynching bill in congress. Last spring the filibuster against the Costigan-Wagner bill brought on editorial and public comment verging on condemnation."

Mrs. Ames, whose headquarters are at Atlanta, Ga., claims Georgetown as her residence. She was born in Palestine, Texas.

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Heavy Program Friday

The club women face their heaviest schedule Friday morning, the important business session preceding adjournment close to noon.

Their program calls for a series of reports on fine arts, including art, literature and music, the award-of-merit session, and a convention nignight, the address by Mrs. Roberta Campbell Lawson of Tulsa, Okla., president of the General Federation, in whom Texas clubwomen hold especially affectionate interest in view of the support they threw to her recent election to the national office. Mrs. Lawson is to speak on the subject "We Belong to the Ages."

Immediately thereafter the convention will plunge into disposal of a lengthy list of resolutions and closing business.

Mrs. T. S. Reed of Beaumont fine arts department chairman, will preside over her program, calling for reports from Mrs. Greenleaf Fisk of Abilene, Mrs. Morgan Jones of Abilene and Mrs. Ira Carson of Ozona.

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Post-Convention Trip

A post-convention trip to San Antonio, where historic spots will be toured, and on to Monterrey has been arranged for convention visitors wishing to make the additional pilgrimage. Buses for this trip are to leave federation headquarters Friday at 12:30 p. m.

Concluding social feature of the convention will be the pioneer dinner Thursday at 6:30 p. m. at the Austin hotel with Mrs. C. W. Connery of Fort Worth presiding and with presidents of San Antonio's federated clubs as hostesses. Oscar J. Fox of San Antonio, noted Texas composer, and Betty Longaker Wilson, soprano, will give the musical program, and Jeston Dickey and Bessie Lee Dickey Roselle, both of San Antonio, will present a pageant they have written, "Pioneer Women of Texas," for which James R. Burton is local chairman.

The dinner will be followed by a session at 8:30 p. m. also at the hotel with former Gov. Pat Neff, now president of Baylor university, and Lyndon B. Johnson, federal youth administrator, as principal speakers.

The convention turned attention Wednesday afternoon to problems of education, hearing addresses by L. A. Woods, state superintendent of public instruction and Dr. J. E. Franklin, of East Texas State Teachers college. Mr. Woods stressed the importance of music in the new educational program, and Dr. Franklin appealed to club women to be mapping educational needs, necessarily curtailed during the depression, which will see new development under influence of better times. "Surely not all the battles of education have been fought," he reminded his audience.

Mrs. Taylor's address at Wednesday evening's president's dinner was followed by a fine arts program at Hogg Memorial auditorium with Mrs. Q. C. Taylor, chairman of American and Texas music, assisting Mrs. T. S. Reed of Beaumont, chairman of fine arts.

Views expressed in this interview were given federation women later in the morning together with a vivid description of women's parts in mob violence which approached "And Sudden Death" in frank delineation. Obviously affected, clubwomen gave close attention as Mrs. Ames declared, "at Honey Grove and Sherman in 1930 women took little children into the mob with them, saying 'I've never seen a negro lynched and this may be my only chance.'"

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Speaker Interrupted

She asserted that although she did not know Gov. Allred's stand on a state anti-lynching measure, at a meeting of governors last June he expressed himself "in no uncertain terms" against federal intervention in curbing such violence.

Much of the effect of her final appeal for club women to "make more than a gesture in using influence to find out who those men are in Colorado county and obtain just one conviction, the first ever given a lyncher in Texas," was counteracted by a dramatic interruption from the floor. Rising at conclusion of Mrs. Ames' address, white-haired and elderly Mrs. J. R. White of Coleman cried, "Nothing in the world will save Southern women from those brutes (negroes) except lynching!" Although she had no recognition from the chair, Mrs. White continued her defense of lynching until sternly silenced by Mrs. Volney Taylor, federation president.

Clubwomen had before them Thursday morning seven resolutions pertaining to club and legislative affairs on which they will act Friday.

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More Pay to Governor

Reported out of the committee by Miss Kate Friend of Waco, the resolution called for increasing the governor's salary $12,000 yearly, establishment of fine arts school at the University of Texas, prison rehabilitation along humane lines, and greater effectiveness of the mothers' aid law in Texas. The mothers' aid law, it was pointed out, is now in only eight counties in the state. Other resolutions pertained to club organization.

The convention also heard Mrs. Roberta Campbell Lawson of Tulsa, president of the General Federation of Women's clubs, and Mrs. James V. Allred. Mrs. Lawson called for increased vocational training, recreation and greater employment of guards "of the highest type." She asked club women to use their influence in seeking an adequate legislative appropriation to make this program possible.

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Mrs. Allred, describing the work of the Texas commission for the blind, made a plea for greater service and less pity for the blind. "Independence is their divine right," she declared in telling of the "Lighthouses for the Blind," centers for vocational training and placement. One of the five such centers in Texas is operated in Austin. "Talking books" for the blind, music scholarships and comprehensive surveys for positions were stressed as real work to be accomplished by clubwomen in behalf of the sightless.

BROWNSVILLE, TEX.
HERALD

NOV 18 1935

LAWS BLAMED FOR LYNCHING

Columbus Resolution In Recent Mob Act Says Solons At Fault

COLUMBUS, Nov. 18. (AP)—Directors of the Columbus Chamber of Commerce, in a scathing denunciation of certain Texas criminal laws, Monday laid the blame for the mob lynchings of two negroes here last week, squarely upon the Texas legislature.

A statement signed by Herman Braden, president, and H. L. B. Skinner, secretary, said responsibility for the lynching of the negro youths, who had confessed to officers they criminally attacked and drowned Miss Geraldine Kollman Columbus high school honor graduate, "lies primarily with the thirty-fifth legislature of the state of Texas, which enacted the juvenile law of the state in its present form."

The statement also blamed "all subsequent legislatures who have failed to recognize and remedy the most serious defects of the law."

"It is unquestionably the consensus of informed public opinion in this state that the juvenile age limit of 17 years should have no application to serious and brutal felonies such as premeditated murder and rape," read the statement.

"It is too much to expect of the sober elements in any Texas community to always succeed in preventing the administration of adequate punishment for such crimes without the sanction of law, and we here now call upon the governor and legislature of Texas for the correction of the laws of the state so that such adequate punishment may be administered by due course of law."

The two negro youths, who gave ages of 15 and 16 years, were seized from Sheriff Frank Hoegemeyer by a mob of 700, including women, and hanged to a live oak tree."

BEAUMONT, TEX.
ENTERPRISE

NOV 16 1935

LYNCHING PROBE BY STATE SAFETY BUREAU ORDERED

Rangers Sent to Columbus On Demand of Governor To Inquire into Killing of Two Negroes

AUSTIN, Texas, Nov. 15.—Gov James V. Allred today requested the safety department, of which the Texas rangers are a division to investigate the recent lynching of two negro youths near Columbus.

"Acting upon the request of the sheriff of Colorado county, I have requested L. G. Phares, director of the public safety commission, to make an investigation into the lynchings at Columbus," Governor Allred said.

"Chief Phares has ordered Ranger E. M. Daveport to proceed to Columbus at once and assist in the investigation."

The negroes were taken from the custody of officers returning them from Houston to Columbus for trial in connection with the slaying of a white girl and hanged to trees.

A statement of a county official that he believed the lynching to be an "expression of the will of the people" was challenged from many sources.

A speaker before the Texas state federation of women's clubs in Austin urged Governor Allred to take vigorous action against the lynchers.

GREENVILLE, TEX.
EVENING BANNER

NOV 18 1935

Solons Blamed For 2 Lynchings

COLUMBUS, (AP).—Directors of the Columbus Chamber of Commerce, in a scathing denunciation of certain Texas criminal laws, today laid the blame for the mob lynchings of two negroes here last week, squarely upon the Texas legislature.

A statement signed by Herman Braden, president, and H. L. B. Skinner, secretary, said responsibility for the lynching of the negro youths, who had confessed to officers they criminally attacked and drowned Miss Geraldine Kollmann, Columbus high school honor graduate, "lies primarily with the 35th legislature of the state of Texas, which enacted the juvenile law of the state in its present form."

The statement also blamed "all subsequent legislatures who have failed to recognize and remedy the most serious defects of the law."

DENTON, TEX.
RECORD CHRONICLE

NOV 19 1935

Columbus C. of C. Blames Lynchings on Faulty Laws

COLUMBUS, Nov. 19.—(AP)—Directors of the Columbus Chamber of Commerce, in a scathing denunciation of certain Texas criminal laws Monday laid the blame for the mob lynchings of two negroes here last week, squarely upon the Texas Legislature.

A statement signed by Herman Braden, president, and H. L. B. Skinner, secretary, said responsibility for the lynching of the negro youths, who had confessed to officers they criminally attacked and drowned Miss Geraldine Kollmann, Columbus High School honor graduate, "Lies primarily with the Thirty-Fifth Legislature of the State of Texas, which enacted the juvenile law of the State in its present form."

The statement also blamed "all subsequent Legislatures who have failed to recognize and remedy the most serious defects of the law."

"It is unquestionably the consensus of informed public opinion in this state that the juvenile age limit of 17 years should have no application to serious and brutal felonies such as premeditated murder and rape," read the statement.

BEAUMONT, TEX.
JOURNAL

NOV 16 1935

Ranger Aids In Lynching Probe

AUSTIN, Texas, Nov. 16.—(INS)—Ranger E. M. Davenport was in Columbus today to aid the sheriff there investigate the lynching of two negroes near the town. A court of inquiry into the lynching was planned.

That Davenport had been sent to Columbus was announced late yesterday by Gov. James V. Allred and Chief L. G. Phares of the safety commission.

The ranger was requested by the sheriff of Colorado county, it was stated, and Chief Phares said he had no plans to send other rangers into the county "unless Davenport hollers for help." He hadn't "hollered" yet.

A mob took the negroes away from officers who were returning them to Columbus to stand trial for the murder of a white girl. They had been in jail in Houston for safekeeping.

Wide comment was evoked by the statement of a county official that he considered the lynching "an expression of the will of the people."

AMARILLO, TEX.
DAILY GLOBE

NOV 18 1935

CITY BLAMES LEGISLATURE FOR LYNCHING

COLUMBUS, Texas, Nov. 18 (AP)—Directors of the Columbus Chamber of Commerce, in a scathing denunciation of certain Texas criminal laws, tolay laid the blame for the mob lynchings of two Negroes here last week, squarely upon the Texas Legislature.

A statement signed by Herman Braden, president, and H. L. B. Skinner, secretary, said responsibility for the lynching of the Negro youths, who had confessed to officers they criminally attacked and drowned Miss Geraldine Kollman, Columbus High School honor graduate "lies primarily with the Thirty-fifth Legislature of the state of Texas, which enacted the juvenile law of the state in its present form."

Lynchings—1935
& Legal Punishment of Lynchers.

Texas.

4971

Texas to Investigate Lynching

AUSTIN, Texas, Nov. 14. (AP)—Governor James V. Allred requested the state safety department tonight to investigate the recent lynching near Columbus of two Negroes who were accused of criminally assaulting a white girl, then drowning her.

Demands for the investigation came after a Colorado county, Texas official said the lynchings were an "expression of the will of the people."

Probe Of Texas Lynching Starts

AUSTIN, TEXAS, Nov. 15.—(AP)—Gov James V. Allred today requested the safety department, of which the Texas Rangers are a division, to investigate the recent lynching of two negro youths near Columbus.

"Acting upon the request of the sheriff of Colorado County I have requested L. Phares, director of the public safety commission, to make an investigation into the lynchings at Columbus," Governor Allred said.

"Chief Phares has ordered Ranger E. D. Davenport to proceed to Columbus at once and assist in this investigation."

The negroes were taken from the custody of officers returning them from Houston to Columbus for trial in connection with the slaying of a white girl and hanged from trees.

A statement of a county official that he believed the lynching to be an "expression of the will of the people" was challenged from many sources.

A speaker before the Texas State Federation of Women's Clubs in Austin urged Governor Allred to take vigorous action against the lynchers.

OFFICIALS CONDONE LYNCHING IN TEXAS

Expression Of Will Of People, Says County Attorney; Victims Juveniles

COLUMBUS, TEXAS, Nov. 13.—(AP)—Official action lagged tonight against the howling, cursing mob which lynched two young negroes near here last night.

County Atty. P. P. Moore termed the lynching "an expression of the will of the people." Sheriff Frank Hegemeyer asked that a court of inquiry be withheld pending investigation.

The town was quiet, but from many parts of the state—including the capital—sounded bitter denunciation of the mob's action.

Snatched from officers at a river crossing, Ernest Collins, 15, and Benny Mitchell, 16, were hanged to a live oak tree near the farm home of Miss Geraldine Kollmann, valedictorian of Columbus High School, whom they confessed they criminally attacked and drowned.

The county attorney said he would "vigorously prosecute" any of the 700 persons, including women, who participated, but added:

"I do not call the citizens who executed the negroes a mob. I consider their action an expression of the will of the people."

The mob dispersed quickly.

Also absent today was the Rev. C. D. Marmion, 33-year-old Episcopal rector, who climbed atop an automobile and attempted to halt the mob at the scene of the hanging. He abandoned his plea when someone shouted "get another rope" and jeers drowned out his words.

Gov. James V. Allred was among first to take his stand against mob law. He said "lynching is deplorable at any time."

Another side was given by County Judge H. P. Hahn, who said:

"I am strongly opposed to mob violence and favor orderly process of the law. The fact that the negroes who so brutally murdered Miss Kollmann could not be adequately punished by law because of their ages, prevents me from condemning those citizens who meted justice to the ravishing murders last night."

The maximum sentence the negroes could have received was reformatory confinement until 21.

RIPLEY, W. VA., Nov. 13.—(AP)—State police abandoned a murder theory tonight and described as suicide the death of J. Fulton Gunnoe, 55-year-old CCC camp foreman found hanging from a tree his clothing in flames.

Lieut. James H. Fillinger of the State police investigation division, said Panumbra Casto, filling station attendant, reported Gunnoe purchased gasoline in a container found beneath his body.

Fillinger said he could not understand how Gunnoe could have set himself afire and hanged himself, but added he was satisfied it was suicide.

He pinned his hopes for a motive on a registered letter mailed by Gunnoe to his wife yesterday—a few hours before he disappeared into the woods. Mrs. Naomi Gunnoe, who lives at Sundall, 100 miles away, said that the letter gave no indication that her husband planned to end his life. She added:

"He wrote me about a visit we paid to the camp recently and told me he was coming home next weekend."

Earlier the officer worked on the murder theory despite the opinion of Coroner C. R. Kessel that Gunnoe, a former deputy sheriff in Raleigh County, and once a wealthy man, killed himself.

Kessel said an inquest will be unnecessary.

NEW YORK SUN

NOV 13 1935

SHERIFF COULD NOT RECOGNIZE BOYS' LYNCHERS

Will Make No Arrests, but February Grand Jury May Investigate.

ADMITTED KILLING A GIRL

Mob Acted Because Juvenile Law Was Only Punishment for 16-Year-Old Negroes.

COLUMBUS, Tex., Nov. 13 (U. P.).—Sheriff Frank Hoegmeyer announced today that he would make no arrests in connection with the lynching of two Negro boys.

"The men were masked," he said. "Their automobiles had licenses from other counties. I didn't recognize any of them. The Grand Jury will meet in February and may investigate the lynching then."

The boys, both 16 years old, were seized by a masked mob last night, accused of slaying a white girl. They had been sent to Houston several weeks ago to frustrate a mob, and were being returned for arraignment in Juvenile Court, guarded by only two deputies.

Mayor O. A. Sumwalt issued the following statement:

"Feeling has been high here ever since the Negroes confessed they killed Miss Kollman.

"Under the law the Negroes could only be tried in Juvenile Court and the only punishment possible was confinement until they became of age. The citizens didn't think that was punishment enough, and some of them apparently decided to take matters into their own hands."

Another May Follow.

The boys, Benny Mitchell and Ernest Collins, were hanged from the limb of an oak tree. The mob was reported to have extracted a confession involving another Negro youth in the slaying and there were reports that he would be lynched if found.

Miss Geraldine Kollman, 19, a farm girl, was assaulted and killed while patrolling the family pecan orchard on horseback. Mitchell and Collins were arrested and were said to have confessed. They were being returned here for arraignment today.

As Hoegmeyer and his deputy, Berry Townsend, drove onto the Colorado River bridge near Altair several automobiles blocked their path. Men leaped on the car and seized the Negroes, snatching the ignition key to block pursuit.

The lynching party sped to Columbus and beyond to the tree, apparently selected in advance, a mile from the home of Miss Kollmon.

Hoegmeyer found them and cut them down an hour later. Coroner E. C. Thrower held an inquest and issued a verdict that the Negroes died at the hands of persons unknown.

Reports varied concerning the size of the mob. The Sheriff said ten or fifteen men were in the party that stopped his car. Other reports said 700 men were in the mob.

Hanged and Burned.

RIPLEY, W. Va., Nov. 13 (A. P.)—A placid evening's walk terminated in a flaming death from a tree limb last night for J. Fulton Gunnoe, fifty-five-year-old war veteran and CCC camp foreman.

A frightened farmer, James Elliott, saw flames lighting his window. In his night clothing he ran out to a low ridge about 150 yards from the main Charleston-Parkersburg highway and found Guncoe's blazing body hanging from a tree.

He hurried four miles to Ripley to tell the State police a Negro had been hanged. Troopers discovered later, however, a tag identifying Gunnoe as a white man and foreman of the Jackson CCC camp, some miles from Ripley.

Roy Bradley, superintendent of the camp, confirmed the identity shortly afterward.

State police said a heavy wire was wrapped six times around the dead man's neck. His body had been burned from head to foot after gasoline was poured over it.

Gunnoe's hat, flashlight and empty pocketbook were found a few yards from the tree. It was not known whether he had any money with him.

"The flames were up around the neck when I got there," said Elliott in describing the scene. "The body was so badly burned it couldn't be recognized. Either oil or gasoline had been poured over the clothing and set afire.

Bradley said Gunnoe left the CCC camp about 6 o'clock last evening, but did not say where he was going.

Gunnoe came to the camp September 9 from his home at Edwight, a mining village in Raleigh county. He had been a Raleigh county deputy sheriff until about four months ago, when he resigned to work for a friend in the lumber contracting business and then took the camp foremanship. He is survived by his widow.

NEW YORK TIMES

NOV 14 1935

TEXAS PROSECUTOR CONDONES LYNCHING

Calls Hanging of Two Negroes at Columbus 'Expression of People's Will.'

JUDGE SEES JUSTICE DONE

No Action Taken by the County Authorities—Victims, 15 and 16, Taken From Sheriff.

Special to THE NEW YORK TIMES.

COLUMBUS, Texas, Nov. 13.—The lynching of two Negroes here last night after they had been taken from the custody of the Sheriff by a mob was condoned today by the County Attorney, O. P. Moore and by County Judge H. P. Hahn.

"I do not call the citizens who executed the Negroes a mob," said Mr. Moore. "I consider their action an expression of the will of the people."

County Judge Hahn said:

"I am strongly opposed to mob violence and favor orderly process of the law. The fact that the Negroes who so brutally murdered Miss Kollmann could not be adequately punished by law because of their ages prevents me from condemning those citizens who meted justice to the ravishing murderers last night."

No investigation of the lynchings had been started today although Sheriff Frank Hoegemeyer announced that a special court inquiry might be called within the next few days and E. C. Thrower, Justice of the Peace, said he would conduct a court of inquiry some time during the day.

The victims of the mob were Benny Mitchell, aged 16, and Ernest Collins, 15, confessed slayers and attackers of Geraldine Kollmann, 19, a high school graduate and valedictorian of her class.

The Negroes, because of their ages, would have been sent to a reformatory until they were 21 years of age if they had been convicted in court. They had been confined for safekeeping in the Harris County jail since their arrest. Tuesday evening Sheriff Hoegemeyer and Deputy B. L. Townsend left Houston with them for Columbus where they were to stand trial in juvenile court today.

The Negroes, chained neck to neck, sat in the back of the sheriff's automobile and the two officers sat in the front seat.

Apparently well informed of the sheriff's route the mob waylaid him between Altair and Columbus.

"I stopped and a group of ten or fifteen men approached," said the sheriff today. "They had handkerchiefs over their faces and I saw two or three shotguns and some rifles and pistols.

"Men climbed on both running boards of my car and opened the doors. They took .45 pistols off of me and Townsend. They took the keys out of my car. While they were doing that some other men jerked the Negroes out of the back seat and hustled them over to another car.

"Of course I couldn't recognize any members of the mob because they all had on masks. I didn't hear any voices that I might recognize again. All the license plates on the cars were covered up with cloth or pieces of paper tied around them."

The two Negroes, still chained together, were hanged on a tree on the outskirts of Columbus, near Miss Kollmann's home. A plea from a young minister, the Rev. C. G. Marmion, an Episcopal pastor at Columbus and Eagle Lake, to "let the law take its course," was greeted with boos, jeers and cries of "suppose it had been some of your women folks?"

With the rope around his neck, Mitchell was reported to have repeated a confession he was alleged to have made and to have implicated a third Negro, one who had been arrested by Sheriff Hoegemeyer but later released.

When the Sheriff finally reached Columbus he was informed where the bodies of the Negroes would be found. On his arrival at the spot he found a crowd of several hundred persons gathered 'round the tree.

National Guard for Negro's Trial.

By The Associated Press.

ATLANTA, Nov. 13.—Two National Guard companies were ordered to Moultrie tonight to attend the trial of John Henry Sloan, a Negro, for slaying a white man in a case which already has cost the life of another Negro.

In an appeal to Governor Talmadge, Judge W. E. Thomas of the Southern Circuit Superior Court said the threat of mob violence was "serious and alarming."

One Negro was killed by a posse of citizens which was searching for Sloan, who was captured recently at Havana, Fla.

Under command of Adjt. Gen. Camp the guardsmen will assemble at a jail "somewhere in Georgia," where Sloan is being held.

New York American

NOV 14 1935

CONDONE LYNCHING OF 2 BOYS

WILL OF PEOPLE,' SAYS COUNTY ATTORNEY

OFFICIAL ACTION LAGS

COLUMBUS, Tex., Nov. 13 (AP).—Official action lagged tonight against the howling, cursing mob which lynched two young Negroes near here last night.

County Attorney O. P. Moore termed the lynching "an expression of the will of the people." Sheriff Frank Hegemeyer asked that a court of inquiry be withheld pending investigation.

The town was quiet, but from many parts of the State including the Capital—sounded bitter denunciation of the mob's action.

HANGED TO OAK TREE

Snatched from officers at a river crossing, Ernest Collins, 15, and Benny Mitchell, 16, were hanged to a live oak tree near the farm home of Miss Geraldine Kollmann, valedictorian of Columbus High School, whom they confessed they criminally attacked and drowned.

The county attorney said he would "vigorously prosecute" any of the 700 persons, including women, who participated, but added:

"I do not call the citizens who executed the negroes a mob. I consider their action an expression of the will of the people."

Also absent today was the Rev. C. D. Marmion, 33-year-old Episcopal rector, who climbed atop an automobile and attempted to halt the mob at the scene of the hanging. He abandoned his plea when someone shouted "get another rope" and jeers drowned out his words.

'NO ADEQUATE PUNISHMENT'

Gov. James V. Allred was among the first to take his stand against mob law. He said "lynching is deplorable at any time."

Another side was given by County Judge H. P. Hahn.

"I am strongly opposed to mob violence and favor orderly process of the law. The fact that the Negroes who so brutally murdered Miss Kollmann could not be adequately punished by law because of their ages, prevents me from condemning those citizens who meted justice to the ravishing murderers last night."

The maximum sentence the Negroes could have received was reformatory confinement until 21.

New York Herald-Tribune

NOV 14 1935

Texas Is Slow To Start Inquiry Into Lynching

Slaying of Two Negro Boys by Mob Expressed 'Will of People,' Official Says

Judge Defends Its Action

Grand Jury May Take Up Incident in February

By The Associated Press

COLUMBUS, Tex., Nov. 13.—Official action against members of the mob that lynched two young Negroes near here last night lagged today as two of the county authorities withheld condemnation of the mob and another voiced doubt that there would be an immediate investigation.

County Attorney O. P. Moore said the lynching was "an expression of the will of the people." County Judge A. P. Hahn said that he could not condemn the members of the mob because the youth of the Negroes would have prevented them from being "adequately punished."

Sheriff Frank Hegemeyer, from whom the prisoners were taken, said that he had not recognized any of the lynchers and had no clews. "I guess the grand jury will make an investigation," he said. "It meets in February."

The victims of the mob, Ernest Collins, fifteen years old, and Benny Mitchell, sixteen, were said to have confessed that they had assaulted and drowned Miss Geraldine Kollmar after she had accused them of stealing pecans from her father's farm. The girl's body was found in a creek.

The Negro youths were seized by a mob of 700 last night at River Crossing while the Sheriff was bringing them from Houston for trial here in the juvenile court. They faced a maximum punishment of confinement in a reformatory until they were twenty-one years old.

The County Attorney said he would "vigorously prosecute" any of the persons, including women, who participated, but added: "I do not call the citizens who executed the Negroes a mob. I consider their action an expression of the will of the people."

Absent today was the Rev. C. D. Marmion, thirty-three-year-old Episcopal rector, who climbed atop an automobile and attempted to halt the mob at the scene of the hanging. He abandoned his plea when some one shouted "get another rope" and jeers drowned out his words.

Governor James V. Allred was among the first to take his stand against mob law.

Judge Hahn said:

"I am strongly opposed to mob violence and favor orderly process of the law. The fact that the Negroes who so brutally murdered Miss Kollmann could not be adequately punished by law because of their ages prevents me from condemning those citizens who meted justice to the ravishing murderers last night."

Lynchings—1935.
Legislation Relating to.

5057

THAT MOST USEFUL SENATOR, Edward P. Costigan, of Colorado, has again introduced an anti-lynching bill in the Senate in conjunction with Senator Wagner of New York, who cooperated with him on a similar bill which was favorably reported by the Senate Judiciary Committee at the last session of Congress. Though there has been a decrease in the number of lynchings, the necessity for this measure is greater than ever because of the failure of the Department of Justice to move in the case of Claude Neal, who was lynched on October 26 last at Marianna, Florida. The circumstances of this crime were revolting beyond words. The lynching was planned and advertised in advance and was accompanied by every form of torture and mutilation that a brutal and sadistic mob could invent, including the searing of the man from head to toe with red-hot irons. When he was finally killed—after hours of torture—his remains were hung up and viewed by a crowd variously estimated at between 3,000 and 7,000 people. Now it happened that this Negro was seized in Georgia and carried into Florida, but the Attorney General of the United States has not acted—for reasons which doubtless seem sufficient to him. It is clear that we need a law which will compel the government of the United States to move in every lynching case; if it did so with the enthusiasm with which it is going after gangsters and bank robbers, it would speedily reduce lynchings to a minimum. Such fiendish atrocities as those at Marianna do the good name of the country vastly more harm than a Dillinger or a Floyd.

A. MITCHELL INTRODUCES ANTI-LYNCH MEASURE

Proof that Person is Injured by Mob is Prima Facie Evidence

An anti-lynching bill "with teeth" was introduced in the House of Representatives by Congressman Arthur W. Mitchell (Democrat) of Illinois, Tuesday.

This was the first measure introduced by the new member and is said to have met favor by many leaders of the House and Senate.

One of the outstanding features of the bill is that when "proof that any person being in the custody of any such officer, agent or employee was unlawfully injured or put to death or unlawfully taken from such custody and injured or put to death shall be prima facie evidence that such officer, agent or employee suffered or permitted such person to be taken from his custody or injured or put to death therein."

The bill has been referred to the Committee on Judiciary. The complete text follows:

To assure to persons within the jurisdiction of every State the equal protection of the laws, and to punish the crime of lynching.

(a) Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any officer, agent or employee of any State or governmental subdivision thereof shall have any person in his custody by virtue of his power of authority as such officer, agent or employee and shall, without lawful justification or excuse, suffer or permit such person to be taken from his custody and injured or put to death or to be unlawfully injured or put to death while in his custody, the said State shall be deemed to have denied to the said person the equal protection of its laws.

(b) Proof that any person being in the custody of any such officer, agent or employee was unlawfully injured or put to death or unlawfully taken from such custody and injured or put to death shall be prima facie evidence that such officer, agent or employee suffered or permitted such person to be so taken from his custody or injured or put to death therein.

Section 2. (a) Any officer, agent or employee of any State or governmental subdivision thereof who shall have any person in his custody by virtue of his power or authority as such officer, agent or employee, and who shall, without lawful jurisdiction or excuse, suffer or permit such person to be taken from his custody and injured or put to death or to be unlawfully injured or put to death while in his custody, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding $5,000 or by imprisonment not exceeding five years, or by both such fine and imprisonment.

(b) Proof that any person being in the custody of any such officer, agent or employee, was unlawfully injured or put to death or unlawfully taken from such custody and injured or put to death shall be prima facie evidence that such officer, agent or employee suffered or permitted such person to be so taken from his custody or injured or put to death therein.

Section 3. Any officer, agent or employee of any State or governmental subdivision thereof, acting as such officer, agent or employee under authority of law, having in his custody or control a prisoner, who shall conspire, combine, or confederate with any person to injure or put such prisoner to death, or who shall conspire, combine, or confederate with any person to suffer or permit any person to take such prisoner from his custody or control, to be injured or put to death, shall be guilty of a felony, and those who so conspire, combine or confederate with any officer, agent or employee shall likewise be guilty of a felony. On conviction the parties participating therein shall be punished by imprisonment for not less than two years and not more than ten years.

Section 4. If any person shall be taken from the custody of any officer, agent or employee of any State or governmental subdivision thereof and unlawfully injured or put to death, or shall be unlawfully injured or put to death while in the custody of any such officer, agent or employee, the said State and the said governmental subdivision of the said State shall be deemed to have denied to such person the equal protection of its laws, and the said governmental subdivision of said State shall be liable to the injured person or, in the event of death, to the legal representative of the deceased for a sum of not less than $2,000 nor more than $10,000, which sum may be recovered in a civil action against such county or other governmental subdivision of a State in the United States District Court of the Judicial District wherein such person is injured or put to death. Provided, that when any such person shall have been taken from the custody of any such officer, agent or employee of any State who is not an officer, agent or employee of any governmental subdivision thereof, the county or other governmental subdivision of said State wherein the said person shall have been so injured or put to death shall be liable to the injured person, or in event of death, to the legal representatives of the deceased as aforesaid. When any person shall have been injured as aforesaid, the cause of action for such injury shall not abate with the death of the person.

Section 5. If any provision, sentence, or clause of this Act or the application thereof to any person or circumstances is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances, shall not be affected thereby.

for lynching and mob violence. It has also gone on record once before as favoring the Costigan-Wagner Anti-lynching Bill which died in the last Congress."

"I am positive that the Senators and Congressmen from New Jersey will stand four-square behind the mandate of the elected representatives of the people, and that we may count on their votes at the crucial moment. In the rush for the passage of social legislation, I cannot see how Congress can logically attempt another sidetracking of a measure for the protection of human life and liberty, as well as of public property. Immediate legislative pressure from a large number of states should be exerted to whip the few lagging reactionaries into line."

Burrell Introduces Anti-Lynch Resolution In N. J. Assembly

NEWARK, N. J.—A resolution requesting Congress to pass an "Anti-Lynching Law" was introduced in the New Jersey Legislature last Monday by Assemblyman J. Mercer Burrell, New Jersey's only colored representative.

The Burrell resolution denounces the disregard of lynching as one of the great contributing factors to the growing National wave of violent crimes. The resolution also stated that lynching and crimes of mob violence can only be effectively checked by Federal enactment backed up by the vigorous impartial type of enforcement that is now being used to wipe out gangsters.

Assemblyman Burrell's anti-lynching resolution was referred to the Ways and Means Committee of the House of Assembly, of which the colored member is chairman. The resolution will be favorably reported out of committee at the next session, and will be given second reading.

In comment on the resolution, the young Legislator said, "I have no doubt that New Jersey desires to be again put on record as speedily as possible, against lynching and mob violence. More than 14 years ago this State adopted drastic penalties

Assemblyman A. F. Hawkins Scores

Assemblyman Augustus F. Hawkins of the 62nd district of Los Angeles induced the California Assembly to pass joint Resolution 21 which memorializes Congress to pass an anti-lynching bill.

Mr. Hawkins, speaking in defense of his resolution, said as follows:

"Lynching is a national disgrace, the evil of which has been pointed out by both ex-President Hoover and the now President Franklin D. Roosevelt.

"Statistics will disprove the contentions of those who uphold this most un-American practice. Lynchings have occurred in over 40 different states and have involved no one race, color or creed. In 52 years almost 5000 instances of mob violence are on record.

"This resolution is designed to place the state of California behind support of adequate anti-lynching legislation and to encourage Congress of the United States of America to take necessary steps to stamp out this travesty upon human rights. It has been definitely proved that this evil can be suppressed.

"I feel that this resolution is demanded by our best ideals and principles, as well as by our concept of social pustice. The principle of this resolution is its own defense and I ask your support of it entirely upon that basis."

When Hawkins had finished his speech, the resolution was adopted by both houses without a dissenting vote. One member of the Legislature then moved that Hawkins' speech be printed in the Journal of the Legislature. This motion was also adopted.

The Hawkins resolution provided that a copy be sent to the President of the United States of America, a copy to the vice-presiednt and copies to each member of the 74th Congress in Washington.

Mr. Hawkins is the only Race member in the California legislature and has the distincion of being the youngest member of that body.

Mitchell's Anti-Lynch Bill Places Burden on States

Phrase "Mob or Riotous Assemblage" Is Missing from Measure.

PENALTY OF $5,000 OR 5 YEARS PROVIDED

County Where Lynching Occurs Is Liable.

WASHINGTON.—Differing materially from the provisions of the Costigan-Wagner anti-lynching bill, the measure introduced in the House by Representative Arthur W. Mitchell, Democrat, of Illinois, is directed solely against non-action by State officials in discharging the duty of affording to persons in their ustody the equal protection of the laws.

The phrase "mob or riotous assemblage," used frequently in the Costigan-Wagner bill, is nowhere to be found in the Mitchell bill.

Blame on Officials

By the terms of the Mitchell bill a state is deemed to have denied to a person the equal protection of its laws if any officer of the state, county, or other local governmental subdivision, without lawful justification or excuse, shall suffer or permit a prisoner to be taken from his custody and injured or permit a prisoner to be unlawfully injured or put to death while in his custody.

Any officer, having any person in his custody by virtue of his power or authority, who shall, without lawful justification or excuse, suffer or permit such person to be taken from his custody and injured or put to death, or to be unlawfully injured or put to death while in his custody, shall be guilty of a felony, punishable by a fine not exceeding $5,000 or by imprisonment not exceeding five years, or both.

Proof that any person being in the custody of an officer was unlawfully injured or put to death or unlawfully taken from such custody and injured or put to death is made prima facie evidence that the officer suffered or permitted the prisoner to be taken from his custody or injured or put to death.

Subject to Imprisonment

Officers conspiring or confederating with other persons to injure or put a prisoner to death or to suffer or permit any person to take a prisoner from their custody to be injured or put to death, and those who consipre with the officers are guilty of a felony under the terms of the bill, and subject to imprisonment for not less than two years and not more than ten years.

The county or other governmental sub-division of the state where a prisoner is taken from the custody of an officer and injured or put to death, or injured or put to death while in the custody of an officer, is made liable to the injured person or his legal representatives for a sum of not less than $2,000 nor more than $10,000.

Penalty in Civil Action

The penalty is to be recovered in a civil action against the county or other governmental subdivisions of a state in the United States district court of the judicial district where the person is injured or put to death.

Only the county or other governmental sub-division of the state where the person is injured or put to death shall be liable in damages. The provisions of the Costigan-Wagner bill make the county in which a prisoner is seized and the county in which he is injured or put to death jointly liable for liquidated damages in the event the person injured or put to death is transported by a mob from one county to another county during the time intervening between his seizure and injury or putting to death.

MUNCIE, IND.
EVE. PRESS
JAN 28 1935

A FEDERAL LAW TO STOP LYNCHINGS

There is just one more law that should be added to the multiplicity of laws which now confuse us all, even the lawyers, and that is a federal statute making financially responsible—and heavily so—any community in which lynching takes place.

Supposing any town or county that was inclined to permit a lynching knew this would cost the taxpayers say, $50,000, and there was no way of getting out from under the penalty, how many lynchings do you suppose would take place in the United States in a given year?

Such a law would stiffen the backbone of sheriffs and police officers and cause a great rallying to their side of citizens who would have to pay the big bill if an unlawful killing were to take place.

WHITE PLAINS
REPORTER
JAN 28 1935

Anti-Lynching Bill Supported by V. F. W.

Among the subjects taken under consideration by the members of Foreign Wars, at their recent Amex Post No. 542, Veterans of meeting in the Post Rooms at 1 North Lexington Avenue was the Wagner-Costigan Anti-Lynching Bill. The Patriotic Instructor of the Post asked Albert Kleine to introduce a resolution to the effect that the Post send letters to Senators Copeland, and to several members Aobert E. Wagner and Royal S. of the Congress whose patronage is among post members, requesting their whole hearted support of this Anti-Lynching Law. The resolution was approved.

No Fine in Missouri Anti-Lynch Measure

JEFFERSON CITY, Mo. — A state anti-lynching bill, introduced in the Missouri house of representatives by Messrs. Bourk, Asotsky, Haskell and Lafferty, on January 17, provides life imprisonment as the penalty for lynching.

Any person who takes part in or with a mob shall be guilty of lynching if the victim dies, or attempted lynching. The penalty for attempted lynching shall be not less than two years nor more than twenty-one years.

Brooklyn, N. Y. Eagle
FEB 16 1935

Congress and Lynching.

One of the most important pieces of social legislation before Congres is the Wagner-Costigan anti-lynching bill. Although a similar measure died in the closing days of the last Congress after being reported by the Senate Judiciary Committee, public indignation over the evils of mob murder has become so much more widespread during the past year that it is felt there is a good chance for passage of such a law in the present session.

The need for such legislation has been conclusively established. The familiar arguments were repeated at the recent hearing before the Senate Judiciary subcommittee. H. L. Mencken declared that no civilized government could "condone such atrocities." Senator Costigan described lynching as "open anarchy." Senator Wagner said that lynchings constituted "almost every type of infamy that blots the record of civilization." We agree with all these views.

Local politics and psychology make it extremely difficult for this problem to be handled adequately by State authorities, and this fact constitutes one of the strongest reasons for putting the situation in the hands of the National Government. The Wagner-Costigan measure prescribes severe penalties for lynchers, peace officers who conspire with mobs or fail to protect prisoners and counties where such lawlessness occurs. Those accused of violation of this law would be tried in the Federal courts.

It will be recalled that at the recent National Crime Conference President Roosevelt listed lynching along with banditry, kidnaping and wholesale drug peddling as the type of crime against which the force of outraged public opinion must be built up. A potent factor in blocking the anti-lynching bill last year was Attorney General Cummings. His opposition was based on the theory that lynching is a purely local problem. We hope that he has undergone a change of heart during the past few months. In view of the failure of States to prevent the continuance of lynching it seems to us a definite responsibility of the Federal Government to try to end such acts of barbarism.

Lynchings-1935
Legislation Relating to.

5058

Southerners Are Twice Defeated by Just One Vote

Filibusterers Talk to the Empty Benches; 5 Roll Calls Needed Monday.

5-4-35

COSTIGAN IS URGED TO RESIST PRESSURE

New Figure Shows 188 Innocent Persons Lynched.

(Whole Page of Reports on Anti-Lynching Bill Filibuster on Page 7)

WASHINGTON — (Special)— The Senate filibuster entered its seventh day Wednesday.

Each day since last Thursday, Southern Democrats, aided by two and sometimes three Republicans, sought vainly to pass a motion to adjourn the Senate and thereby kill the motion of Senator Costigan (Dem., Col.) to bring the bill up for consideration.

On two days the motion to adjourn was lost by one vote.

From many cities came telegrams to Senator Costigan not to yield to Southern pressure.

Bill Not Before Senate

Southern Senators declined Senator Costigan's appeal to permit the Senate to take the bill up on its merits so that it might be amended and perfected.

While the President's Social Security and other "must" legislations and the bonus bill waited on the calendar, filibustering Southerners continued their tactics of holding the floor and preventing a vote.

Hits Dixie Colored People

Senator Bankhead (Dem., Ala.) occupied the floor a part of Tuesday. He said Southern colored people have no interest in the anti-lynching bill.

All Republican Senators save one walked out while he talked. Six roll calls followed. Senators came in to answer to their names, then walked out on the filibusterers.

McCarren Rebukes South

Senator McCarren (Dem., Nev.) entered into debate by Senator Smith (Dem., S.C.), said Southern Senators are making too much of the anti-lynching bill and they ought to pass it.

"I am not going to fight the Civil War over again," he said.

Debate had been good-natured, but both Senators Bankhead and Smith seemed bitter and scored the empty benches, Tuesday.

Senators favoring the bill could not get the floor to make a motion to consider the bill.

Black Talks 3 Hours

Senator Byrnes (S. C.) talked [illegible] hours and a half Monday, [illegible] three hours.

The Southern minority conceding that the Senate has the votes to pass the bill swore that it must never come to a vote.

President Fails to Shake Senate

President Roosevelt had some of the Senators over to the White House for an NRA conference Tuesday and expressed dissatisfaction with the legislative progress of the Senate.

He said the upper house was a slow-moving body and the country was beginning to talk about it.

This prodding of the President, however, failed to shake the Senate loose from its anti-lynching filibuster which went on all day Tuesday.

The President put in a good word for the House of Representatives and see it was well up in its work.

Compromise Rejected

Senators Costigan and Wagner were willing Friday to have the bonus bill considered if they can just have a vote on bringing up the measure for debate. The filibustering rank and file refused this compromise even though their leaders were for it. They proposed they said, to talk 10 days.

5-4-35

Filibuster Started Wednesday

Senator Costigan filed his motion to bring up Senate Bill 24 (the anti-lynching bill) near the close of session Wednesday of last week.

The filibuster, which is accomplished by one objector after another holding the floor and yielding only to those he knows are opposed to the bill, is designed to prevent the Senate from voting to take the bill up.

Lindbergh Bill Mentioned

Senator Tom Connally (Texas) used several hours Thursday discussing the constitution and states rights.

Senator Costigan asked him if he were opposed to the Lindbergh kidnaping bill. Senator Connally said he didn't remember how he voted then.

During the afternoon there were four roll calls to obtain a quorum.

Five Roll Calls

There were five roll calls Monday, while Southern Senators, Black, Ala.; Bankhead, Ala.; Borah, Idaho; McKill, Kans.; Trammell, Fla.; Gore, Okla.; Bailey, N.C.; Connally, Texas, Norris, Repub., Neb., Fletcher, Fla. and Byrnes, S.C., filibustered against the anti-lynching bill.

When the filibuster started Senators walked out of the chamber and Senator Bankhead suggested the absence of a quorum.

Senator Black objected to a roll call because they were present a few moments before and the walk was deliberate.

LYNCHBURG, VA.
NEWS
MAY 1 1935

FILIBUSTER

All but the most confirmed pacifists—and they sometimes may backslide—believe that occasions arise in the life time of men and of states when it is necessary to fight. "War never settles anything" is a saying that comes pat to the lips, but nearly everybody knows better. It may solve no abstruse problem and usually creates other problems, but it has saved a people from death and starvation. It has at times kept a peoples' country safe for its own peoples. So, as much as sane persons hate war they are forced to admit that so long there is injustice in the world fighting can not be wholly dispensed with.

Nothing, it has been said, or ought to have been said, justifies revolution but success. A rebel is a traitor if he loses; a patriot only if he wins. Sane persons are opposed to violent revolutions, but there have been revolutions that have accomplished, so far as human foresight and human hindsight can judge, great good and the failure of which would have been disastrous for great masses of people and, perhaps, for the whole world. So, while revolution, in the sense the word once was used before everything from a legislative hand out to a radical change in all political, social and economic thinking came to be called that, is hated in the abstract, the right of revolution is preserved by all free peoples who determine to remain free

Mob violence is hated of all law-abiding and all humane people. To say that it is ever justifiable is to make a bold statement, and whoever does so must be prepared with overwhelming proof or be subject to the charge of recklessness of talk and recklessness of consequences. Yet the Boston tea party was a lynching party, with property rather than persons as the object of attack by the mob—and any person who had interfered would have had scant regard for his life.

In a democracy, parliamentary processes are established. The principle of democracy is the rule of the majority, and of representative democracy the finality of the considered vote of the parliamentary body. A democracy such as ours can not function nor long endure otherwise. It has been the fault of the newer democracies of the world that the machinery for ascertaining and establishing the will of the people, or of the representatives of the people has been kicked into the scrap heap when a sufficient number of the people with sufficient force to make their objects stand were dissatisfied with the result. The inability of parliamentary bodies to function has led to the destruction of the parliamentary system and to dictatorships. Yet ginning, that there are certain things a parliament can not be allowed to do and certain limitations to the power of the majority, however large. Hence constitutional provisions and restrictions.

Constitutions are not always invulnerable. They can be and have been cracked and even swept away on a tide of popular sentiment. Even in this country the document once so reverenced and which was prepared for the purpose of defending inherent and inalienable rights of the minority and of the individual has been badly battered at times. It will hardly be denied that a parliamentary act which does that, or which by roundabout method evades the purpose of the constitution, threatens the whole system of government. When such occasions arise it is time to fight—to fight with every legitimate weapon at hand. It is idle to speak of preserving the parliamentary amenities, the parliamentary procedure, parliamentary rights, when the object of the fight is to preserve the system that created the parliament, or to preserve the very principles of the constitution that brought it into being, or to preserve inherent rights of individuals or of communities.

One of the times to fight has come and the weapons to be employed against the viciously political anti-lynching bill now pending in congress is the filibuster. Like war, like revolutions, it is not a thing to be undertaken lightly. It is not a thing the thoughtful like. But this bill is something that should be and must be defeated. If it can not be defeated by garnering enough votes in the senate and in the house by argument, then it must be defeated by tactics that will prevent it from coming to a vote. The growth of the Negro vote in Harlem, eyed watchfully by Tammany, and in the middle west, eyed watchfully by machine bosses and timid politicians in that section, can not be allowed to bring about the passage of a bill which violates the whole principle of federal government. Oh, everybody knows that the states rights theory was shot to pieces on battlefields and its remnants have been the football of politicians for

the generations since, and that like liberty, many crimes have been committed in the name of the thing held sacred in the early days of the republic, yet there is such a thing as the principle left. Furthermore there is such a thing as rights of communities. And there is such a thing as union of spirit and of thought among the sections and such a thing as goodwill among the races. All are imperilled by this bill. Its passage would complete the rout of the defenders of ancient rights, it would split the sections apart anew, it would interrupt the work of racial harmony. And it would not prevent a single, solitary lynching in this whole broad land of ours. Fanaticism, lick-spittle politics, Tammany ambition, sectional hatred have become so strong that in a congress nominally democratic, and, therefore, supposedly opposed to everything the bill represents, passage of this bill is probable if it ever comes to a vote. That President Roosevelt will sign it there can be little doubt.

The remedy? Prevent it from coming to a vote. The weapon? The filibuster.

BOSTON, MASS.
TRANSCRIPT

MAY 2 1935

Lynching Fight Widens Split of Democrats

Accentuates Southern Hostility to Many Features of New Deal Program

By Oliver McKee, Jr.

Special to the Transcript:

Washington, May 2—The opposition of Southern Democrats to the Wagner-Costigan anti-lynching bill, on opposition that has driven a wedge through the ranks of Senate Democrats, is a development of real political significance. For it emphasizes and accentuates the cleavage in the Democratic party between the Old Guard of the South, and the newer element that hold the commanding place of power in the councils of the Roosevelt party.

Senators from the Solid South, as ever, stood virtually as a unit against the lynching bill, and they are particularly resentful over the fact that a New York city Democrat, Robert Wagner, is the man who has been the principal leader in a fight which they regard as against States' rights—traditionally in pre-New Deal days, a fundamental of Democratic political philosophy. Further, Southern Democrats have never had an excess of love for Tammany Hall.

Close students of under current trends in Congress are practically a unit in agreeing that during the past couple of months Southern Democrats have grown restive under the policies of the National Administration. The flareup over the lynching bill has brought this opposition to the surface. Two of the best known New Deal senators, both close to the White House—Wagner and Costigan—were the leaders in the fight for the anti-lynching bill. An inevitable effect of the controversy over this measure will be a widening of the cleavage between Southern Democrats and New Deal Democrats from the North and West.

While the anti-lynching bill has now been laid aside, the sub-surface hostility of Southern Democrats to many other items on the legislative program extends over a wide front. This opposition, more perhaps than any other factor, explains why it is that Congress may not be able to complete the Roosevelt reform program until mid-summer, if then. There is strong Southern opposition to at least half a dozen of the major pieces of legislation on the congressional calendar. These include the A A A amendments, extension of the N R A, the Guffey coal bill, which has been sharply opposed by Southern industrialists, the utility control bill, social security and the banking bill. A good deal of Southern opposition is also expected to the Wagner labor relations bill on the ground that it will promote industrial war rather than peace, its ostensible objective.

Some of the smartest attacks yet made against the New Deal in the Chamber of Commerce convention have come from Southern industrialists. In the House of Representatives, many Southern members are resentful still against the National Administration on account of patronage, and in both Houses there are many Southerners who privately are out of sympathy with the Roosevelt policies because they so sharply run counter to the principles of old-fashioned democracy.

Administration control over Congress, therefore, now seems to depend on its ability to hold in check the opposition of many representatives from the so-called Solid South. In both House and Senate, Southerners provide most of the majority leaders. Lip service to the New Deal is still the rule, but this merely conceals much latent antagonism to Administration policies.

NORFOLK, VA.
VIRGINIAN PILOT

APR 30 1935

The Fight On the Anti-Lynching

The fact the filibuster against the Federal anti-lynching bill is being conducted exclusively by a group of Southern Senators is its own cold commentary on the eloquence that is being expended in the denunciation of this measure as an invasion of States' rights. The bill seeks to make punishable by the Federal courts murders perpetrated by "mob or riotous assemblage." That means, the act goes on to say, "an assemblage composed of three or more persons acting in concert, without authority of law, for the purpose of killing or injuring any person in the custody of any peace officer or suspected of, charged with, or convicted of the commission of any crime."

That definition is broad enough to include killings committed by racketeering gangs in the West or by strikers or strike-breakers in the East. Yet not a single Senator from these sections has become disturbed about the threatened invasion of any State's police power. Only the Southern Senators are exercised. They were not similarly exercised thirteen years ago when the Federal Government planned and enacted prohibition legislation which gave the Federal courts concurrent jurisdiction with the State courts in the punishment of dry law offenses; nor were they exercised more recently when the Department of Justice took over the business of hunting down the bank robbers and kidnapers in respect to whom the State police power had demonstrated its impotence.

In view of the cheerful surrender of States' rights when it served purposes of which the Southern Senators approved, the States' rights eloquence that has been mobilized against the anti-lynching bill seems out of all proportion to the thing that is feared. The worst that could happen under the bill would be the prosecution in the Federal courts of a gang of lynchers which the State had failed to prosecute, or the prosecution in the Federal courts of a few sheriffs or jailers whose conduct in the events preceding a lynching were culpable enough to impress a grand jury composed of citizens of the neighborhood. This is the alarming prospect that has caused Senator Bailey, of North Carolina, to identify the anti-lynching law as a destroyer of States' rights and of individual freedom.

It is possible that the anti-lynching law is unconstitutional. That question may be left to the courts—as was done with the TVA bill and the gold clause. The important question of the moment is that of the bill's merits. One can not be sure that the enactment of this law would help to eradicate the lynching infamy. For many years we feared that it would do more harm than good. We are less sure of that now. The time has come, we think, to invoke the Federal police resources (as we invoked it to deal with kidnapers) even if the procedure is attended by some doubts. What are a few doubts compared with the abject failure of lynching prosecutions conducted as the exclusive prerogative of the States?

RALEIGH, N. C.
TIMES

APR 18 1935

FEDERAL ANTI-LYNCH BILL HELPED ON BY COTTON ED

Fomenting in Congress is a new drive for the enactment of the so-called "Anti-Lynching Bill" sponsored by Wagner and Costigan. We say "so-called" because the measure is just another of numerous attempts to substitute the Federal for the State police power in matters it was understood for years were reserved to the States to handle for themselves.

Prohibition as a nationa. power was attained only by aid of a change in the Constitution afterwards repealed when the vice of the policy had been ascertained by the painful method of trial and error.

The same mistaken policy was attempted to be carried out by statute in order to give Federal control of "Child Labor," so-called, on the pretext of a statute based on the theory that it came within the power of the Federal Government's right to regulate interstate commerce. It failed in the courts and there s now pending, though so far repudiated, an effort to change the Constitution to permit this new invasion.

At the same time, the reserved rights of the States o attend to their own affairs have been absorbed into he Federal authority in several important particulars nder the blanket of the "Commerce Clause."

There is the Mann Act which makes an ordinary reach of the peace in the shape of personal immorlity a Federal offense if the individual parties happen o carry their intrigue beyond State lines. In this ideous act, duly endorsed by the Supreme Court, nly the man may be punished, on the theory that he woman is his "baggage!"

There is the extension of the phrase "interstate commerce" to cover rulings laid down by the Interstate Commerce Commission as to the conduct of traffic within State lines, and there pends a ' ll to extend this control to motor travel and traffic on the highways, as well as to current generated by public utility companies.

There is the Harrison Act having to do with the commerce in drugs, worthy enough in motive but destructive of State authority and integrity in that it sends out a great company of Federal agents to deal with crimes and offenses committed within State borders, regardless of their lack of interstate incidents.

The Anti-Lynching bill goes further than any of these increments to centralized government in that it would make of the natural crime of murder, punishable under the laws and in the courts of every State a Federal instead of a State offense. Some years ago t might have been said that the Supreme Court of the United States would attend to such a law, if passed; but not now, seeing the condition of the Constitution after having been run through the Supreme Court's new style wringer.

We are glad to note that Senators Bailey and Reynolds are preparing to resist this innovation to the point of staging a filibuster if necessary. They will be aided by Senator Smith of South Carolina who will, unfortunately, be a liability instead of an asset. For in recent remarks in the Senate "Cotton Ed" not only opposed the national "Anti-Lynching Bill idea, but did so on the ground that lynching itself was justifiable and virtuous! If anything could justify the proposed legislation, it would be just that attitude on the part of the States as reflected by their representatives.

Lynchings–1935
Legislation Relating to.

5059

Nashville, Tenn. Banner
August 5, 1935

GOVERNOR COMMENDED ON LYNCHING STAND



Members of the National Negro Bar Association, meeting in Nashville last week, presented Gov. Hill McAlister Saturday with a copy of a resolution passed by the association commending him for his courage in acting to save from lynching E. K. Harris, Shelbyville Negro, during his trial for assault last December. From left to right, members of the group are: Charles H. Calloway, Kansas City; C. S. Waldon, Atlanta; Joseph McLemore, St. Louis; Frances Taylor, Chicago; Euclid Louis Taylor, Chicago; Chester K. Gillespie of Cleveland who introduced the resolution; Mrs. Georgia Jones Ellis, Chicago; Fleming Jones, Welch, W. Va.; Governor McAlister; Perry W. Howard, Washington, D. C.; E. Washington Rhodes, Philadelphia; and Josiah H. Henry, Baltimore.

MILWAUKEE, WIS.
LEADER
JUL 18 1935

NOW LET'S HAVE AN ANTI-LYNCHING LAW

Mississippi disgraces itself again by lynching two Negroes.

Lynching is among the worst of crimes, and it deserves the severest punishment. But, as in the case of other crimes, the perpetrators are more in need of re-education. Emotionally they are brutes, not human beings.

For the immediate future the best deterrent would be a stiff federal anti-lynching law. It should be a law which would punish the counties in which lynchings occur, with heavy fines, so that every taxpayer will feel it in his pocket nerve. And, of course, the murderers should be properly dealt with.

This is a necessity for the immediate future because the re-education of the lynching brutes will take time, and something must be done to forestall these outbursts of savagery in the meanwhile.

Anti-Lynch Bill O.K.d By Jewish Vets

11-2-35

NEW YORK, N.Y., Nov. 1—A resolution asking that Congress pass an effective federal anti-lynching law was adopted at the recent National Convention of the Jewish War Veterans of the United States, held in Saratoga Springs, New York.

The text of the resolution:

"WHEREAS, more than forty-five hundred (4,500) persons, white and colored, have lost their lives as a result of mob violence and lynch-law in the United States during the last century;

"WHEREAS, mob violence and Lynch Law are not confined to any section of our country, but have been committed in more than three fourths of the states in utter defiance of duly constituted courts of law, and

"WHEREAS, mob violence and Lynch Law are a direct violation of the constitution of the United States which guarantees the right of all citizens to a fair trial regardless of race, creed or religion, and

"WHEREAS, mob violence and Lynch Law are not only reprehensible because they undermine the very foundation upon which our Republic was founded, but directly discredit the United States abroad and make mockery of our so-called Law and Order,

"NOW THEREFORE BE IT RESOLVED, By the Jewish War Veterans of the United States in convention assembled this first day of September, 1935, in the City of Saratoga Springs, New York, that it again urges the Congress of the United States to pass an effective Anti-Lynching Bill at the earliest practicable moment."

Borah Pledged Against Anti-Lynching Measure

WASHINGTON, Nov. 23—(AP)—Senator Borah bluntly asserted today that should he receive the "unexpected and great honor" of being president, he would veto as unconstitutional such legislation as the Costigan-Wagner anti-lynching bill.

His stand was given in a letter to the National Association for the Advancement of Colored People. It replied to one sounding his views as a presidential possibility, toward the anti-lynching bill he has opposed in the Senate.

The Idaho Republican's quick response to the challenge, and its wording of it furthered the growing belief in Washington that he would get into the presidential race. But it was unusually outspoken for a presidential possibility.

Walter White, signing the association's letter as its secretary, said he was writing "on behalf of twelve million American negroes and of many white Americans who are deeply concerned with the alarming increase in lynchings in the United States." He warned that negro votes hold the balance of power in many pivotal states.

Borah replied he had opposed the Costigan-Wagner measure because he had no doubt it violated the constitution, and added:

"That being my view then and now, I shall vote against such measures as long as I am a member of the Senate and should the unexpected and great honor come to me of being president of the United States and such a bill should reach me under my oath and in the light of my convictions, I would unhesitatingly veto it."

Henry Ford Urged For G. O. P. Nomination

DETROIT, Nov. 23—(AP)—The Detroit News quotes former Gov. Alex J. Groesbeck, of Michigan, as saying in an interview tonight that he considers Henry Ford the best possible presidential candidate the Republican party could nominate next year.

"If the Republicans are to win in 1936," Groesbeck said, "they must have a candidate whose name is as well known as President Roosevelt's—a man whose name alone would pull great numbers of votes.

"I am of the opinion Ford would make an excellent president."

The Republican former state executive said he believed that Senator William E. Borah (R), Idaho, is the only other possibility whose vote-pulling power would approach that of the automobile manufacturer.

Al Smith May Seek New York Mayoralty

NEW YORK, Nov. 23—(AP)—The Daily News says former Gov. Alfred E. Smith will run for mayor in 1937 if he finds it necessary to "entrench the anti-new deal dynasty set up for him with the revamping of the board of estimate through Aldermanic President Bernard S. Deutsch's death."

He may decide to remain "the power behind the throne," The News says, and back Surrogate James A. Foley but "one way or the other, his advisers say, he will build his political fences into a great wall around Manhattan against the hated Roosevelt-Farley new deal.

Borah Would Kill Anti-Lynch Bill If He Occupied the White House

WASHINGTON, Nov. 23.—(AP)—Senator Borah bluntly asserted today that should he receive the "unexpected and great honor" of being president, he would veto as unconstitutional such legislation as the Costigan-Wagner anti-lynching bill.

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Constitution Cited.

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Borah replied he had opposed the Costigan-Wagner measure because he had no doubt it violated the constitution, and added:

"That being my view then and now, I shall vote against such measures as long as I am a member of the senate, and should the unexpected and great honor come to me of being president of the United States and such a bill should reach me, under my oath and in the light of my convictions, I would unhesitatingly veto it. . . .

"I do not enter a discussion of what in my judgment is the utter futility of these measures aside from the constitutional question. Neither do I take time to again express, as I have often expressed it by word and act, my horror of lynching, further than to say that if the federal government is to deal with the subject, it can only do so by an amendment to the constitution of the United States."

Borah Accepts Assumption.

Borah did not suggest that he would not be a candidate. In fact he said he would let the association's assumption "that I am a candidate for the presidency" stand "for the purpose of this letter."

Earlier the Borah movement received further impetus when Representative Lemke, republican, North Dakota, who supported President Roosevelt in 1932, said the Idaho senator was "the only candidate so far prominently mentioned who could get the support of the farmers of the west for the republican nomination."

Lemke's statement, capping an hour's conference with Borah, was regarded significantly. So was an announcement that the senator would open a drive for liberalizing the republican party in a nation-wide radio broadcast December 7.

This will be the first of a series of speeches by Borah in the eastern and middle-western states before the opening of congress in January. His friends expect him to challenge the established leadership of the party in these addresses.

The Association for the Advancement of Colored People, in its letter to Borah, said he held "the somewhat dubious honor of having been the executioner of two distinctly hopeful opportunities" for stamping out lynching.

NAACP Position.

Citing a number of lynchings within recent months, the letter asked:

"Do you feel proud of your handywork, Senator Borah?"

Then citing the power of negro votes in some of the border and northern states, the letter added:

"There are many Americans, Senator Borah, who no longer believe in the sincerity of members of the senate who forget states' rights when such issues as prohibition are being discussed but who wrap about themselves the mantle of 'constitutionality' when the lives of human beings are taken by lawless mobs."

Borah made public the association's letter together with his reply in which he said he confined himself "to a simple answer to what I consider a corrupt and shameless question."

Expressing his views on the unconstitutionality of such measures as the Costigan-Warner bill, Borah said:

"Whatever may happen in the future politics of this country, so far as my position on the question presented by these measures is concerned it will not be changed or even modified."

Dieterich Is Sore over Rebuke for Lynching Vote

ALL LIES, HE SAYS

Senator Says Nobody's Life Is Worth $10,000.

(AFRO Bureau)

WASHINGTON — Senator William H. Dieterich, (Dem. Ill.) extending his hand gingerly in response to the reporter's greeting, in his office in the Senate Office Building here Monday, remarked bitterly, "I didn't think a colored person would shake hands with me!"

"Why not, Senator?" asked the reporter.

"Because I'm being attacked for voting according to my conscience!

"Why did you vote for adjournment?"

"I'd have done that with any bill. This bill is not urgent. It can wait. Important legislation was being held up. Those fellows would have kept us there till next year!

Can't Scare Him

"If I can't discuss a bill without being attacked for it, what am I here for? You can't scare me. You can't boss me—your group nor any other group!"

"Who's trying to 'boss' you, Senator?" the legislator was asked.

"Why, you people here," fumed Dieterich, and fumbling nervously among the papers on his desk, drew forth a two-page pronouncement [illegible] Conference of N.A.A.C.P. Branches, dated May 17, and signed by Irvin C. Mollinson.

"You're not going to put your people up superior to my people," he stormed.

"Who wants to? That is a new idea. The proposition is that no people shall be superior—yours or mine—equality is what we call it," the reporter explained.

Wants Decent Anti-Lynch Bill

"Well, if you want an anti-lynching bill you'd better get somebody who knows how to draw up a bill to draw up a decent one!" thundered the Illinois Senator.

Clenching the arms of his chair, the infuriated solon, staring angrily at the letter from the Illinois Conference, blurted out indiscriminate charges that "dirty Republican politics," and "a lot of Communism," were behind it.

He was told that the N.A.A.C.P. was not controlled by politics of any color.

Lies, All Lies!

"This is lies—all lies! Every statement in here is a lie. I never opposed the bill in committee, and everyone knows what went on on the floor," he raged.

"What does the letter say?" he was asked.

'Say? It says plenty! Why listen here," and the Senator read the statement from the Illinois Conference, charging him with consistent opposition to the anti-lynching bill, and calling on the voters of Illinois to defeat him should he present himself as a candidate for re-election.

"Isn't this what you're here for?" he demanded, glaring at the reporter.

Told that the AFRO was unaware that he had received such a letter, Senator Dieterich snapped:

Shall Pay No Attention

"Well, I have received it, and it's not going to influence me at all! I shall pay no attention to it!

"All your people aren't good any more than all mine are, and all mine aren't good. Yours are good as long as they behave themselves—and so are mine.

"This would be a funny government if every group that demanded more than belonged to it could come up here and tell Congress how to run the country!"

"Perhaps it's a funny country that has to have a special method of treating the minority groups that are a part of its population," the reporter suggested. "Also the right of protection can hardly be considered as 'more than belongs' to any group."

"We certainly have a right to protection," he was reminded, "and you know it to be a fact that in very many instances it is not a case of prisoners being taken from officials, but of men and women being done to death by mobs when no arrest has been made."

Reporter Quizzed

"Well, what are you going to do about that?" demanded Mr. Dieterich.

"Punish the community when it fails to restrain its members — the thing you don't want," he was told.

"Restrain members, eh? I tell you, when citizens get indignant over these hatchet murders and such things—colored people don't do them all—sometimes I wouldn't care if they did lose restraint!"

"Well, Senator, you know what the usual excuse is in the South, and in spite of your Chicago gang killings, you also know that the great majority of lynch victims are not white. You should bear in mind that there is a long list of women who have been lynched—and women don't commit rape."

Doesn't Know About the South

"You're talking about what happens below the Mason and Dixon line. I don't know anything about that!"

EDITOR'S NOTE: Senator Dieterich was present at the hearing on the Costigan-Wagner bill, last February, before the Senate sub-committee on judiciary, of which he is a member.)

The Senator was reminded of the Mary Turner outrage, in which an expectant mother was lynched for threatening to expose the lynchers of her husband.

Ratty Letter

"I don't know anything about those things," evaded the Senator. "But this letter here—this dirty, ratty letter —! Suppose I don't come back here! Worse things could happen to me! And I'm not going to make any statement!"

Lynchings—1935
Legislation Relating

5060

U.S. ANTI-LYNCHING BILL

Southern Obstruction in the Senate

5-3-35

(From our New York Correspondent.)

The United States Senate has accomplished nothing during the past week because of the disquiet over the bill proposing a Federal law against lynching. The deadlock still continues, and no one can say when it will be broken.

What is being witnessed is filibustering by senators from the Southern States, who are bitterly opposed to the proposal.

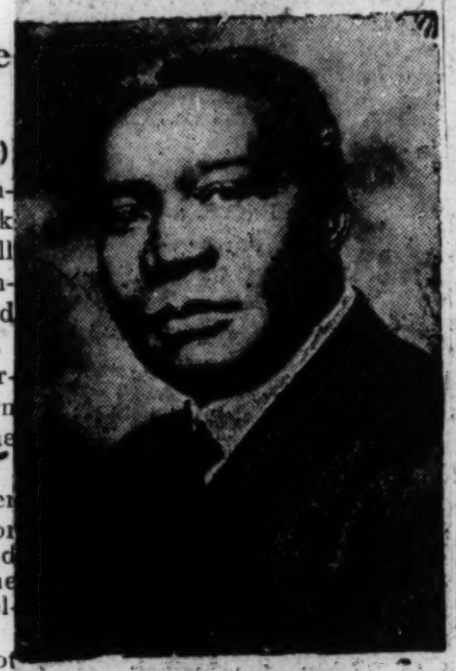
Under the Senate rules, any member or group of members can hold the floor indefinitely, discussing anything and everything, and this is done in extreme cases to obstruct the passage of unwelcome legislation.

In many cases—usually, though not always, in the Southern States—it has been demonstrated that police officers have handed over prisoners to mobs for lynching after making little resistance. In other cases officers have even conspired with the mobs and have usually gone unpunished because cor munity sentiment was with them.

The bill now under consideration would take such cases out of the jurisdiction of the local authorities and give the Federal Government power to impose penalties up to many years' imprisonment. The majority of Southerners bitterly resent this suggestion. They say it seeks an infringement of the rights of States and reflects upon that part of the country, which has been marked by a rise in the number of lynchings during the past few years after a long period during which they steadily declined.

Experts who have studied the subject believe that the lynchings are primarily economic in character and arise from competition between poor whites and poor negroes, or from the desire of wealthy whites to keep poor negroes properly subservient. Only a small proportion of recent lynchings are attributable to the alleged sex crimes which are commonly supposed to be the cause of nearly all of them.

Shuns "Soft Soap"



DR. R. R. MOTON

President Emeritus of Tuskegee

Alabama senators used his name as proof that two leading Southern Negroes were against the anti-lynching bill.

5-10-35

Dr. Moton wired as follows:

Tuskegee, Ala.,
May 1, 1935.

Senator Epward P. Costigan,
United States Senate Chamber:

In absence of adequate measures by State action to protect prisoners threatened with mob violence, to put an end to lynching, and to identify, to arrest, to indict, and to convict the leaders and participants in lynching parties, I am heartily in favor of such legislation as will register the Nation's disapproval of this crime against humanity and insure the prompt investigation of every lynching and the conviction of those who thus take the law in their own hands, and the impeachment penalizing of officers of the law who fail in their duty to protect prisoners committed to their charge. When State officers and State courts persistently and repeatedly fail in their duty to guarantee the security of every citizen by the certain functioning of the orderly processes of the law, we are justified in looking to the Federal Government for the protection which the Constitution declares must be given to every citizen. It must be remembered that lynchings are not confined to those charged with crimes against women, as the records will show, but are resorted to on indiscriminate provocation, and as yet there is no guarantee anywhere by mandate of the law against their occurrence. And when the Governor of one of our great States goes so far as to publicly announce the pardon of lynchers in advance of their conviction, it is high time that something be done by higher authority to put an end to this evil. If Governors, Senators, Congressmen, and State legislators will pledge themselves publicly to see that the necessary legislation against lynching is enacted in each State, the occasion for national legislation will be removed. Till that is done we must look to the Federal Government for that protection which the States still fail to give and the Federal Constitution guarantees. And I would be disloyal to my own people, who have suffered most from the neglect, and to the best white people of the South, in whom I have the utmost confidence, if I did not add my voice in support of this Federal enactment. All matters now stand every section and every race is exposed to this danger and the application of this law will bear as heavily on one State as another. I am satisfied that outside the field of politics the sober conscience of all classes in the South will support this view. Federal legislation will strengthen those elements in the South who want to see this blot removed from our country.

R. R. MOTON,
President Tuskegee Institute

NEW YORK DAILY NEWS

MAY 2 1935

LYNCH BILL DROPPED, SENATE TALKS BONUS

Washington, D. C., May 1 (AP).—The Senate today voted to take up the soldiers' bonus bill after a seven-day Southern filbuster had succeeded in blocking consideration of anti-lynching legislation.

Adjournment, moved by Majority Leader Robinson, was taken for less than half an hour. Senator



Senator Borah — Senator Robinson

Lynch bill foe and bonus bill friend.

Robinson wished to make the bonus bill the pending business before the Senate quit for the day.

Every previous efforts to scuttle the anti-lynching bill by the adjournment route had failed.

Borah Turns Tide.

A stirring speech by Senator Borah (Rep., Idaho), assailing the constitutionality of the anti-lynching bill, was a big factor in switching a majority for adjournment instead of a recess.

The vote to adjourn carried 48 to 32.

Rallying to the Southern, cause, Borah declared that enactment of the anti-lynching bill would "deal a blow to our principle of government the importance of which could not be overstated."

His statement brought smiles of delight to the faces of Southern Senators who had conceded there was enough support to pass the bill if it should be brought to a vote.

Colored Lawyers Aided.

"To my mind," Borah said, "if this type of bill con be sustained by the Supreme Court, we have utterly broken down all state sovereignty."

Earlier, Southern Democrats rew from Senator Costigan (Dem Col.) a statement that many prominent colored lawyers were consulted in drafting the legislation.

Costigan, co-author with Senator Wagner (Dem., N. Y.) of the bill, said he had consulted, among others with Walter White, secretary of the Association for the Advancement of Colored People.

Jacksonville, Ala., Record
May 31, 1935

LYNCHING

The south has cause to rejoice that their senators were successful in filibustering the Costigan-Wagner anti-lynching out of consideration for this session at least.

All right-thinking individuals oppose mob violence in any form. Lynching is murder. It violates the law of God and man.

We agree with Senator Byrnes who declared on the senate floor that he believed the enactment of the anti-lynching bill would increase rather than decrease lynchings.

Lynchings have declined from 231 in 1892 to a total of only 15 in 1934, while that is 15 lynchings too many, yet the trend is definitely away from them and officers of the law are doing more effective work than ever in preventing mob action. This means that the viewpoint of the people on lynchings is changing and that the day will come when lynching will be as dead as dueling, which at one time had such a hold upon the people.

The passage of an anti-lynching bill would undoubtedly delay the fine progress being made toward wiping out entirely the evil of lynching.— Vicksburg Post-Herald

Brooklyn, N. Y. Eagle
MAY 2 1935

Cotton Ed Holds Fort—Anti-Lynch Bill Dies

Rather Be Right Than Senator, His War Cry as He Leads South to Victory—Borah Helps

Eagle Bureau,
National Press Building.

By CLINTON L. MOSHER

Washington, May 2—The Senate of the United States today proceeded to debate the major issues confronting the Roosevelt administration after spending six and a half days refighting the Civil War and shedding oratorical blood only to see history reversed—the South emerging triumphant after it had been reinforced by troops enlisted from the ranks of the defenders of the Constitution.

The Senate, to all practical purposes, has buried the Wagner-Costigan bill, which would give the Federal Government jurisdiction over lynching cases after it appeared that local agencies in the South had failed to show proper energy in prosecuting the offenders in neck-tie parties.

The triumph of the boys in gray is really a victory for "Cotton Ed" Smith, the senior Senator from South Carolina, so called because he always talks about the cotton industry. The notion had been abroad among critics of "Cotton Ed" that his knowledge of things was pretty much confined to cotton, but that, events have proven, is all wrong.

Opposition Spokesman

The Honorable Ed has a first-class working knowledge of lynching, States' rights and the glorious history of the States below the Mason and Dixon line. He was the chief spokesman of the opposition to the Costigan-Wagner bill.

"Cotton Ed" has a slight impediment in his speech. He has an extremely busy mustache and when he inhales the fringe is sucked into his oral cavity. As he exhales to utter speech the words become tangled in the aforementioned shrubbery and the effect is much as if "Cotton Ed," getting up late of a morning, had left his store teeth on the mantelpiece.

Smith trembled all over at the very thought of the Federal Government, at the instigation of the Northerners—Wagner of New York and Costigan of Colorado—interfering with the administration of justice in the South when a Negro had committed a crime which the citizenry regarded could be best punished by a length of rope and the limb of a tree.

With Senator John Bankhead of Alabama, uncle of Broadway's Tallulah, and some other lawmakers from the deep South, "Cotton Ed" held the fort against the "Boys in Blue," the Northern Senators.

Illegal, Borah Says

After six days, it looked like a stand-off, but into the breach stepped Idaho's William Edgar Borah with his law books. He remembered the last time the Senate argued anti-lynch law and he told his associates late yesterday that the bill was unconstitutional. There was a motion to adjourn for a few minutes. The motion was carried 48 to 32 and the bill, by the creation of the interim and under the strange rules of the Senate, was slaughtered.

The adjournment lasted from a few minutes after 3 p.m. until 3:30. The Senators then played it was morning and started in again. This necessitated, under the rules, a word of prayer by the chaplain, the Rev. C. Barney Phillips. There was considerable difficulty finding the gentleman of the cloth and pulling him away from his ordinary ecclesiastical duties, but once he was informed that the second fighting of the Civil War had ended he rushed to the Capitol, prayed from the rostrum and business was resumed after a 13-minute delay.

Charges Vote-Seeking

This war like all wars had its high points and the highest occurred when "Cotton Ed" hoisted his bulky figure out of his chair and went to it. The Senator made it clear he believed Messrs. Wagner and Costigan had introduced the bill to get the Negro vote.

"God help us to get back to where men would rather do right than to be Senators!" shouted "Cotton Ed."

Working himself into a fine frenzy and prancing up and down the aisle, the Senator went on:

"I want to say to the Senator from Nevada that the thing which did more to precipitate the Civil War than anything else was just such unwarranted interference with our affairs as is now proposed."

The Senator from Nevada is Pat McCarran, a robust gray-haired orator who had been giving a lift to Senators Wagner and Costigan. Replied McCarran: "I am not going to fight the Civil War all over again. There is no use talking about that."

And shouted "Cotton Ed" in reply:

"The Senator may have to do so if he and his colleagues keep on with such a measure as this!

'Made Darn Good Speech'

"I think I have made a darn good speech," concluded "Cotton Ed," working his way toward the Senate cloakroom and a bit of rest.

But it remained for Senator Borah to fire the parting shot. He was chairman of the Senate Judiciary Committee when a similar bill was up for debate.

"The opinion of the committee," he said, "was that the bill was unconstitutional."

The muskets are cooling, but if anyone is interested in knowing what has become of the best known of the once Sons of the Wild Jackass, he won the Civil War all over again, this time for the South.

Hastings, Fla., Herald
May 24, 1935

DEFEATING OF THE ANTI-LYNCHING BILL

The United States senate recently killed the Wagner-Costigan anti-lynching bill and now possibly the states which have anti-lynching laws will have the right to enforce them according to the needs and circumstances of their individual cases. There was much division of opinion regarding this bill, but while some southern editors and organizations favored it, the majority opposed it because of the radical clauses in the bill which would have penalized every county in any state where a lynching occurred in the sum of $10,000 to be paid to the family of the party lynched. This was penalizing every law abiding citizens in these states, who hated lynching and never would have been a party to the atrocity, just as much as it penalized the men who committed the crime, and even more so when one considers that the mobs perpetrating the lynching usually are ignorant, non-property owning persons while the property owner and taxpayer who has to pay bills is innocent of the crime. An Alabama editor summed up the situation when he said: "It is a partisan measure reminiscent of Carpet Bag days. Every state has its anti-lynching laws and there is no need for the federal government to interfere with states' rights.—Winter Haven Chief.

NASHVILLE, TENN
BANNER
JUL 31 1935

Over the South

HAS NOT BEEN DENIED

(Charleston News and Courier)

Pearson and Allen, Washington correspondents, in their syndicated letter published by a considerable number of newspapers throughout the country, made the statement that the real author of the Costigan-Wagner bill was Walter White, a leader of the Negroes, of New York, that he came to Washington, that he convinced the wife of the President of the wisdom and righteousness of the bill, that she brought President Roosevelt to favor it.

It was defeated by means of a filibuster carried on by Southern Senators. Most of the Northern Democrats voted for the bill. Senator Costigan is a Denver man, a member of the Democratic Party considered by many as a near Socialist. Senator Wagner is a Tammany Democrat.

All sincere Socialists believe in the wiping out of the color line in politics and industry if not in all spheres of life.

The Costigan-Wagner bill is in substance the bill introduced some years ago by Mr. Dyer, long the Republican representative of the Negro district of St. Louis.

The bill provides for the transfer of cases of alleged lynching to the Federal Courts and under its terms a killing by as few as three persons is defined as a lynching. It provides also that Sheriffs and deputies charged with conniving with lynchers or allowing prisoners to be taken from their custody may be tried in Federal Courts and punished. And it provides for the imposition of large fines upon counties in which alleged lynchings occur.

The President, so far as we are informed, has said not a word against the bill—or for it.

The statement of Pearson and Allen has not been denied.

Lynchings-1935.
Legislation Relating to.

5061

BOSTON, MASS.
TRANSCRIPT

MAY 2 1935

The Anti-Lynching Bill Lynched

It is easy to condemn the Southern senators for their opposition to the Costigan bill and, because lynching is so vicious a crime, to feel sentimental regrets that their filibuster was finally crowned with success. Yet when the matter is considered from the strictly constitutional standpoint, there must be substantial doubt in the average mind whether lynching may properly be regarded as a Federal crime and subject to Federal penalties.

Many Northerners, as hostile as anyone can be to the habit of certain communities of the South to take the law into their own hands, are firmly convinced that the Costigan measure represented an unwarranted invasion of States' rights. Unlike kidnaping, lynching is practically never an interstate offense. In the one case the criminals are almost certain to cross State boundaries, either to secure their victim or in the course of their flight from justice. Successful prosecution depends largely on freedom from the restrictions which boundary lines impose. On the other hand, lynching is invariably a local matter. The crime is committed by persons in the neighborhood and they remain in the neighborhood when their work is done. To find and punish the criminals is distinctly the job of the city, town or State authorities.

This, of course, is not to condone lynching. The practice continues to be one of the worst indictments of our civilization. Nor is it to screen the motives of the Southern senators who fought the Costigan bill. They may have made their winning battle on the issue of States' rights but their fervor was doubtless born of a fear of what their constituencies would do to men who permitted Congress to interfere with an old Southern custom.

BALTIMORE, MD.
MORNING SUN

APR 27 1935

NARROW SQUEAK

The preoccupations of statesmen are a never-failing source of delight to the *cognoscenti*, and the performance in the Senate on Thursday, when the bonus bill was rushed into action to prevent a vote being taken on the Wagner-Costigan anti-lynching bill, was a useful exhibit of political diversion in the midst of a crisis. It is doubtful whether Federal intervention is the wisest approach in preventing lynching, but in spite of its limitations it seems remarkable that enough chivalric emotion could be aroused against even a debate on the bill as to make the bonus bill seem heaven-sent relief.

Surprise, however, ought not to be the predominant emotion over the fact that an American legislative assembly, in the year of grace 1935, prefers to discuss the merits of a bill calling for the spending of a few extra billions than to debate a bill designed to prevent lynching. Senator Bailey said the fight against the Costigan bill was "a cause worth dying for," and the presumption must be that a cause worth the life of a single Senator ought to be worth an immediate vote on the soldiers' bonus. Billions for defense against any debate that might kill a single Senator is our motto. Perhaps, though, it is just as well all around.

A debate on the anti-lynching bill would unquestionably precipitate a terrific burst of splendid Confederate oratory having to do with State's rights, and, as hinted in the passage at arms between Senators Wagner and Bailey, such speeches would sound very comic now, with most of the States feeding unconcernedly at the Federal trough. Senatorial oratory is full enough of lacunæ as things are. We ought to pay several billions to keep it from getting worse.

NORFOLK, VA.
LEDGER DISPATCH

APR 30 1935

Vicious Anti-Lynching Bill

Of course Senator Glass was angry yesterday when the Senate was debating the Federal anti-lynching bill. He knew and knows that political considerations and nothing else could move the able lawyers in the Senate who are supporting the bill to vote for it. He knew and knows that the pious Senators who are lifting their eyes to Heaven and noisily praying for the passage of the bill are not one whit more opposed to lynching than are the Senators who are opposing its passage both because they know the bill is not worth the paper on which it is written and because they know that if it were valid it would constitute still another move in the effort to convert the states into mere provinces of the United States.

The Ledger-Dispatch condemns lynching as strongly and earnestly as any United States Senator who is now trying, for political purposes, to bring about the passage of this vicious bill. It would punish lynch-mobsters in the South as quickly and severely as it would punish lynch-mobsters in Ohio and California. It would gladly see, as it has frequently advocated, the enactment of legislation removing from office any sheriff, deputy or constable, from whose custody any prisoner was taken by a gang of lynch-mobsters. It firmly believes, if it does not know, that a mob is so completely a coward as well as completely a fool that almost any mob can be thwarted, intimidated, by any officer who dares defy it. Not once in a hundred times has any mob taken a prisoner from an officer who, that mob knew, would shoot in protecting his prisoner.

But it also knows that an attempt to vest the Federal government with power to interfere in a matter so wholly within the province of the several states—whether in the North, South, East or West—is an attempt to throw out of adjustment what used to be called "the nice balance" between the power of the individual states and the power of the United States.

It knows, too, that if this bill becomes law—until it can be thrown out by the Supreme Court—and an attempt is made to enforce it, the result will be to arouse such resentment as to make the condition it is ostensibly designed to correct far worse than it is now.

TOPEKA, KANS.
CAPITAL

MAY 2 1935

Filibustering Southern Senators.

Southern filibustering against the federal anti-lynching bill threatens to prolong the session of Congress thru July, contrary to the optimistic prediction a week ago by speaker Byrnes that its work will be done by the end of June. The trouble with these filibusters is that they provoke antagonisms which sometimes involve the fate of an entire legislative program.

It is a bit comic to note Southern Democratic leaders rising on the floor to protest against anti-lynching bills on the ground that they are "a menace", as Senator Black of Alabama put it, "to organized labor." Other Southern Senators who are loaded against the bill are Bailey of North Carolina, Byrnes of South Carolina, Connally of Texas and Russell of Georgia, all alarmed for the interests of labor. Yet if it was not for Southern sweatshop labor NRA probably would have been permitted to die when the present term of the law is out, June 16. One accomplishment claimed for it that is hardly disputed is that it balks the sweatshop and child labor, notably in Southern states.

Senator Black in attacking the bill denounced it as calculated to increase lynching. "It is a bill", he declared, "to suppress labor unions, a bill to punish and prosecute peace officers who fail to perform properly services demanded by owners and operators in case of a strike." The Alabama Senator is so radical a friend of labor that he opposes not only the anti-lynching bill but the Costigan-Wagner bill. Southern Senators have talked uninterruptedly for a week to prevent a vote or even consideration of the anti-lynching bill.

The anti-lynching bill is what its title implies, so what has it to do in reality with the problem of labor or collective bargaining? State control is not effectual. Within the year the world has witnessed the scandal of a Governor of California congratulating a lynching party for stringing up criminals already on their way to the gallows by due process of law. But Senators of Southern states volunteering as champions of the rights of labor, ostensibly friends of labor, but actually defending mob law, constitute a strange if not weird spectacle of the consistencies of politics. If there is any demand in the platform of organized labor that Southern Democrats support it is not in the record. They have prevented ratification of the child labor amendment, supported by every Democrat as well as Republican President in 25 years, and now, in the name of labor, filibuster to keep the anti-lynching bill from reaching a vote.

Greenwood, S. C. Index-Journal
April 30, 1935

SAME MIND

On the day after The News and Courier inquired of The Index-Journal whether it was prepared to guarantee that county court houses would be needed in the next ten years, or so long as that, Senator J. W. Bailey, of the State of North Carolina, speaking in opposition to the Costigan-Wagner anti-lynching bill, said:

"The Federal court can take the county court house and walk off with it; and I think they might as well, for if this bill should pass what use would we have for county (State) court houses? We might turn them over to the welfare department."

Regardless of the prospect, it appears, that a number of people in this country do not mind the prospect of that sort of thing but desire it.

Senator Bailey went on to show what would happen in the event of a suit in Federal court against a county, any county in any State in the United States, to recover the allowed penalty for a lynching, using his own county of Wake as an illustration:

An order will be sent down to Wake County, N. C., some of these days to pay somebody some money; the order will come from the Federal court, and if the mandamus is exhausted, then there is an "appropriate process." I understand what that means. The proponents of the bill do not there use the word, but that means the machine gun in the hands of the United States soldier. That is the "appropriate process." What else could it mean? They will exhaust the powers of the judiciary; they will exhaust the means provided by mandamus; and if the county refuses, then there is to be invoked the "appropriate process." The "appropriate process," under the circumstances and the spirit of this bill, cannot be anything short of a regiment of soldiers. The Federal government is going to compel payment.

Not only will it compel payment but it will do some other things.

GREENSBORO, N. C.
NEWS

APR 29 1935

SENATOR BAILEY ON LYNCHING.

The Daily News, as it has vouchsafed on many occasions and hereby repeats, has great admiration for the intellectual honesty of the senior senator from North Carolina.

Hence, it notes with commensurate interest what Mr. Bailey, who incidentally, paid his respects to Coughlin, minus the Father, has had to say anent the Costigan-Wagner bill which would bring lynching under the federal ban if its sponsors can make their way over the dead bodies of southern statesmen and the ghost of state rights which has been disinterred after a dormancy which, quite mysteriously,

obtained while Congress was enacting anti-kidnaping legislation. And right here there is brief pause for any one so moved to explain how lynching is not an extension of kidnaping which substitutes officers of the law for home or family and a doing-unto-death for confinement.

Senator Bailey has made the assertion that the question is neither racial nor sectional. Perhaps the senator's assertion is true. There have been lynchings to north and to west of us, as, recollect, the double entry which California made in 1933. There have likewise been white persons who received the brunt of attention at the rope and faggot parties. But, from 1885 through 1933, of the 4,174 persons lynched in these United States, only 989 were white while 3,185 were black. Without checking over the geography of the entire list, 1933's division by sections will serve as a representative example; of the 28 lynchings which marred the year, 24 were in the south proper, two others were in the border states of Maryland and Missouri, and the final two constituted California's bloody contribution. Of the 24 reported from the south, one occurred in our own and Senator Bailey's North Carolina, that Pender county affair which got no farther than an expression of gubernatorial regret and a superficial investigation by the solicitor. A year or so previous Edgecombe county put Tarheelia in the lynching group, and if retributive action there ever got beyond the we're-investigating stage it has remained a deep, dark secret in a state which has at least fairly enterprising newspapermen working within its confines.

A sentient citizen will doubtless be pardoned if he opines that these filibustering days must be powerfully trying on some of Senator Bailey's prime traits and characteristics.

Brooklyn, N. Y. Eagle

MAY 5 1935

Anti-Lynching Bill Urged by Woman Author

Miss Witherspoon Makes Strong Plea for Negro in Letter to Copeland

Hope that the shelving of the Costigan-Wagner anti-lynching bill in the Senate will not permanently kill the measure in this session was expressed yesterday by Miss Cora Witherspoon, Southern author, in a letter to Senator Royal S. Copeland.

Though born in Mississippi, Miss Witherspoon is bitterly opposed to lynching and she writes to the New York Senator as a voting resident who has lived here all her adult life, since graduating from Bryn Mawr. She is the author of "The Legend of St. Mathhew's Toll," written in collaboration with Miss Tracy Mygatt, a Brooklynite, who was a classmate at college.

The letter asks Senator Copeland to support the anti-lynching bill and adds:

Plea for the Negro

"It is really as a Southern woman that I wish you to consider me more particularly at this moment. For it is as a Southerner who all her life has suffered from a shared guilt toward the Negro race (though she has tried to keep her own hands clean of injustice) that I would make an appeal from my very heart.

"It will take millions of money, millions to be spent on education, on housing schemes, on agriculture and industrial projects; it will take decades, not to say centuries of patient effort, of an applied wisdom such as we have not yet begun to acquire; it will take social courage of a high order to make up—if it can be made up—to this long-suffering and infinitely injured race what they have suffered at the hands of us their white fellow Americans.

Demands Federal Law

"The Southern States have had 70 years to eradicate this fearful evil of lynching and they haven't made much headway. The whole country must take a hand. The Federal Government must handle the lynching problem as a national issue. We want and intend to have a Federal anti-lynching law.

"To ask the South to cure itself of lynching at this stage is to tell a patient in an advanced stage of cancer to apply the knife to himself, No, an outsider, a surgeon, must cut out the cancerous growth. The patient desires it removed. I believe the best Southern element does truly desire to be rid of lynching but has not the nerve, the unswerving will to perform the operation.

"The writer was born in Meridian Miss., which as you know is not far from the Black Belt. It is the part of the country where a good deal of patriarchial kindness for the black prevails and always prevailed but where the concepts of justice and legal equality are unknown. I have never had first hand experience of a lynching but I know the white mind that makes such an outrage possible. I grew up, so to speak, under the shadow of lynchings.

"My father was the late S. A. Witherspoon, member of the 62d, 63d and 64th Congresses. Were he living I do not know how he would vote on the Costigan-Wagner bill but I am sure he would have rejoiced to see the section he loved freed forever of the curse of lynching."

Tallahassee, Fla. Democrat
May 1, 1935

Johns Urges Protest On Anti-Lynching Bill

(By The Associated Press)

A resolution calling upon the Florida legislature to request members of congress to oppose the pending Costigan anti-lynching bill was introduced in the house today by Johns of Bradford. It was referred to the resolutions committee without discussion.

WASHINGTON, D. C.
STAR

AUG 4 1935

ANTI-LYNCHING BILL FAILURE DEPLORED

Senator Costigan Laments Failure of Congress to Pass Legislation.

Senator Costigan, Democrat of Colorado, issued a statement last night, deploring failure of the present session of Congress to act on the anti-lynching bill, sponsored jointly by Costigan and Senator Wagner, Democrat of New York.

"The recent epidemic of lynchings, which has included victims South and North, again demonstrates what Senator Wagner and I have been condemning in the present session of Congress," the Colorado Senator said. "It is not being controlled by States and demands national legislation, as was the case with kidnaping.

"All reasonable men and women are shocked beyond measure by the danger of mob law. The lawless hands that assert mob power over life and death, without an opportunity to the accused to be heard under fair conditions in his own defense, can easily be persuaded to place the lighted torch and commit other unspeakable crimes against the home of any citizen, rich or poor, high or low. The best proposal for stopping lynchings now under consideration is to be found in the anti-lynching measure before Congress, which would impose a definite Federal responsibility for law enforcement on local peace officers and on communities that tolerate the unspeakable practice.

"It is deplorable that Congress has permitted a small group of filibusterers to halt such necessary legislation, but public opinion in the end on this moral issue of law and order must and will prevail."

Lynchings- 1935

Legislation Relating to.

5062

Roanoke, Va., World News
May 4, 1935

THE FARCE HAS ENDED

The Costigan-Wagner anti-lynching bill, debated in the United States Senate, has been "laid aside" for a more politically nourishing debate on the bonus. Nearly every member of the Senate knew that the lynching bill would not pass. And nearly every member knew that it was plainly unconstitutional and would be ineffective if passed. But senators from the Deep South had a fine time getting speeches into the record, while Senator Wagner had an equally fine opportunity to make himself solid with his Harlem constituency. It was as much of a farce as was the pre-arranged debate between Senators Lodge and Underwood in 1922, when it had been agreed in advance that the bill would be thrown out of the window after both had made political capital of it.

The bill defined as lynching a murder committed by "an assemblage of three or more persons acting in concert, without authority of law for the purpose of killing or injuring any person in the custody of a peace officer, or suspected of or charged with, or convicted of the commission of any crime." As pointed out by the Norfolk Virginian-Pilot, the definition is broad enough to cover killings committed by racketeering gangs in the west, or by strikers or strike breakers in any labor disturbance.

Senator Borah seems to have made the only convincing argument not tainted by the fear of votes at home. He held the bill to be unconstitutional, an unwarranted and indefensible, attempt to interfere with the rights and duties of the States. And his argument might be applied with the same force to the NRA, the AAA, and many another of the present-day efforts of the Federal government to dictate to the States and to individuals within the States.

As for the Costigan-Wagner bill, it is hoped that the last has been heard of what Senator Glass describes as "this wretched thing." Most of the country would like to hear the last of some other wretched things that under the guise of reform are now invading the rights of the States and of individuals.

There is just one more word to be said. If, as Senator Borah and others argue, there should be no Federal invasion of the police powers of the States, there is all the more reason that the States should exercise those powers to the utmost to protect helpless prisoners and prevent mob violence.

LINCOLN, NEB.
MORNING STATE JOURNAL
APR 2 0 1935

THE SOUTH RESENTS.

Gentlemen from the south have taken the anti-lynching bill as a direct insult to themselves and their constituents. Perhaps it is. If they resent the implications they might see to it that the lynching situation is cleaned up in their districts.

In the first place federal anti-lynching legislation is not exactly a necessity. In a sense it is a duplication of laws. Every state has laws which, if properly enforced, would curb lynching. Every state has the power to end, or at least keep at a minimum, all forms of mob violence.

But laws are not enforced. Public officials do not do their duty. State officials do not see that local authorities are punished for failure to perform duties or negligence in such performance. Moreover the people in southern states especially do not want the laws dealing with mob violence enforced and do not care whether or not officials who are negligent in the performance of their duties in such cases are punished. As a result a wholly undesirable situation has developed.

The attempt to put an anti-lynching bill on the federal statute books is being made in order that federal authorities may have power to preserve order in these lawless communities. It was hoped that if such a bill were enacted, federal officials could put a stop to lynching in southern states, for they are the worst offenders.

The people of the south do not want such federal interference and their representatives in congress are making a determined fight against the bill. They should be able to defeat it. The south is represented in congress by a large group of congressmen who stand side by side on this proposition. Not only that but the south is the ruling section. The southern bloc dominates the majority party in congress.

The southern bloc in congress resents the implications of the federal anti-lynching bill. They are going to see to it that the south has its lynchings unmolested. The first really determined filibuster of the session has been staged by southern leaders in the fight on this bill.

Clarkesville, Tenn., Chronicle
May 2, 1935

The Filibuster Broken

News that the filibuster against the anti-lynching bill by Southern Senators has been broken, with the senate moving on to the compromise bonus issue, comes as a welcome relief. It was a victory for the Southern Senators who fought the Costigan-Wagner measure on constitutionality grounds.

Lynching is deplorable and represents the triumph of the mob, but under our Constitution our Union is composed of sovereign states. To give the Federal government authority in lynching cases is to further extend the powers of Washington into the states. Every state should deal sternly with mobs and lynchers, but the responsibility should be on the states and not on the Federal government.

It was foolish on the part of advocates of the bill to persist on its passage when Congress had such important matters before it. Seven valuable days of the senate were consumed in arguing the legislation which, in the final analysis, must have been held unconstitutional.

COLUMBUS, O.
CITIZEN
APR 3 0 1935

NOT DIXIE'S VOICE

A SMALL group of Southern senators threatens to filibuster the Costigan-Wagner anti-lynching bill to death, just as a similar group killed the Dyer bill 12 years ago.

They may succeed. But if they do the country should know that their specious pleas in behalf of states' rights or chivalry do not echo the sentiments of the whole South.

Organizations representing some 42,000,000 Americans urge passage of this bill. That much of this support comes from south of the Mason-Dixon line may be judged from its approval by many of Dixie's leading papers.

"Its (the Costigan-Wagner bill's) invasion of states' rights should cause no Southern heartburning," says The Norfolk (Va.) Pilot. "There is no such thing, morally speaking, as a reserved right to deal in our own way with a form of collective murder which our own way has uniformly failed to punish."

"It may be," says The Newport News (Va.) Press, "that the anti-lynching bill will not be adopted by the Congress now in session. But if it is not, and lynchings do not stop, it will be adopted by some other Congress; in fact, must be adopted if the machinery of justice is to function."

"Apparently," says The Macon (Ga.) Telegraph, "the mere threat of the federal anti-lynching bill has a wholesome effect, and the time has come when even the South would vote for such a bill."

Southern women, too, have been quick to resent Senator Smith's quaint argument that "lynchings are necessary for womanhood's protection." Scores of letters, telegrams and resolutions from southern women's religious, welfare and club organizations have repudiated the preposterous claim that the South's law is helpless to protect the South's women.

Proponents of this measure claim 50 Senate votes from all over the country and a big majority in the House. Only 20 senators are called irreconcilables. It is neither just nor gallant of them to filibuster against this popular national movement.

Valdosta, Ga. Tribune
May 10. 1935

ANTI-LYNCH LAW

There has been a great deal of shouting about the Costigan Anti-Lynching Bill. All the usual flamboyant effects of political pyrotechnique were turned loose in connection with the measure. It leaves one with the strange wonder of what the shouting was all about.

There was, perhaps, a day when such a measure was needed, and at that time the measure couldn't become law because it would have been a dangerous weapon in the hands of irresponsible haters of the South. Now that a lynching is a rarity, and likely to occur almost anywhere, the measure pops up again.

It is just as well that it was beaten. It would have been an unpopular measure, fraught with menace to many localities, but not especially adverse to southern interests.

Lynching is on the wane. A better adjustment of racial differences in the South is only partly responsible. Basically the reason it has declined is because of the progress of education. It can be ended almost altogether by more education, but not by legislation.

ST. PAUL, MINN
PIONEER PRESS
MAY 3 1935

LYNCH LAW STANDS.

Just as they did in the case of the very similar Dyer bill fifteen years ago, the Southern senators by means of filibustering have forced abandonment of the Wagner-Costigan act against lynching.

Incidentally the success of the obstructive tactics used against the bill shows that abolition of the lame-duck session of Congress has not, as promised, eliminated the filibuster. It was argued that when the arbitrary date of adjournment was lifted, senators then could be allowed to talk until they dropped in their tracks. But in this case the desire of the administration to be getting on with its "must" list of bills led to surrender before the winds of Southern oratory, proving that there are still circumstances under which a filibuster will succeed.

The Wagner-Costigan bill would have imposed severe penalties on local peace officers who fail to protect their prisoners from mobs and provides for damages to the relatives of victims of mobs, to be paid by the city or county where a lynching takes place. Although the law would have applied equally in all states, about 97 per cent of the lynchings in America take place in fourteen Southern states, and 90 per cent of the victims in the South are Negroes. The Southern members therefore put on the shoe that fits so well, and for nearly a week spoke sentimental nonsense about the insult to the glorious South. The truth is, of course, that it is not the bill that insults the South; it is the existence of the horrible crime of lynching that reflects on the South.

The usual argument was also heard that lynching is excusable as a means of preventing crimes against white women. Very complete statistics exist on lynching covering the last 40 years, and it is significant that the accusation of that crime accounts for only a small proportion of the total number of lynchings in that period. And, to add a grim touch, the Southern Commission, composed of a dozen prominent Southerners, reported that "investigations after the lynchings often proved these accusations to have been unfounded." How senators could bring themselves to speak and act in defense of lynch law in the face of that horror is beyond understanding.

Somewhat better grounds for opposing the Wagner-Costigan act is the fact that lynching has been on the decline. Comprehensive statistics run back to 1889 on this crime. Since the high mark of 255 in 1892, the number of lynchings has fallen to as low as 8 in 1932. It rose to 28 in 1933, but last year it had declined again to 15, which is close to the average for the past ten years.

The only sure cure for the lynching evil is the cultivation of so powerful a public opinion against it that the crime dies out of existence. It can be urged with a certain amount of force that the Federal government should not extend its jurisdiction over what is a purely local crime, with the consequence both of arousing fierce sectional resentment and creating a precedent for further extensions of Federal intrusion, at a time when local action is making fairly consistent progress for eradication of the evil.

At any rate, now that the bill is apparently killed for this session, it may be felt that Southerners, and especially senators, owe a duty of redoubling their efforts and their education to stamp out lynching completely. They have contended that there should be no interference. It follows that the South must show that none is needed.

Columbia, S. C. Record
May 7, 1935

Demonstration

There is another thing that ought to be noted about the successful Southern filibuster against the Costigan-Wagner anti-lynching bill.

It was a demonstration of the fact that the Southern senators if they want to prevent a bill's enactment can do something about it.

If they do not so band themselves together to prevent the enactment of some other bill by threatening to talk until the bill is withdrawn it does not mean that they could not carry out such a threat but that they do not care to oppose the bill.

THE COSTIGAN-WAGNER BILL

WITH the relegating of the Costigan-Wagner anti-lynching bill into the temporary ashcan by the senate, it is high time for the race to take an intelligent view of the entire situation with a view of ascertaining exactly how the Negro is effected.

It is our opinion that the passage of the Costigan-Wagner anti-lynching bill would be of little, if any, real benefit to the Negro. It would actually be no more than another step toward the summit of a mountain. Naturally, it would be to the race's advantage to have such legislation on the statute books, just as it is nice to have, the 14th and 15th amendments present. It might eventually lead to something of genuine value later on, even as these same amendments may mean something to the voteless Negroes of the sunny South who are railroaded day in and day out to prison and whose hard earned dollars go into the pockets of white politicians who deny them the ballot and vie for the opportunity of insulting this race over the radio, in print and from the public platform.

The nation has had enough experience with unenforceable laws like the Volstead act to realize that a law will be scoffed at if it does not meet with the approval of a section of citizens. The only places where the 18th amendment or the 14th and 15th amendments or the Costigan-Wagner bill could be respected and observed are those places where public sentiment is already overwhelmingly favorable—and in such places that kind of legislation isn't really needed once in the proverbial blue moon.

The Negroes who looked to this proposed bill as a way to end lynching may as well get it into their misguided heads that as long as Dixie wishes to lynch, Dixie will lynch. The remedies will not come from the statute books. There are two possible cures: a growing public consciousness of the very horror and beastliness of the act coming through the works of such organizations as the Commission of Interracial Co-operation, the churches, the schools and the colleges; and the forceful objection of the victims. If Negroes are going to run and hide in terror when the mob forms, what is to prevent the lynchers from carrying out their plans? But if Negroes of a community have let it be understood that fire will be fought with fire, none but the most foolish of would-be mobbists will rush headlong into an cat which may claim their own lives, for after all the lyncher is cowardly and tries to do en masse without danger to himself what he would not dare to do alone.

We do not say that the fight in behalf of an anti-lynching bill should be halted, but rather that we do not look upon the enactment of such a statute as a panacea for the lynching evil. Obviously the passage of the Costigan-Wagner measure would represent an advance in the right direction, and for that reason we would like to see it pass, but as to whether it would actually curb or even deter lynching we have our doubts—and it is not difficult to visualize some sections of the South practicing the crime with greater freedom than ever merely to thumb their noses at the government as did many a drinker in prohibition days.

On the other hand, there are few if any lynchings which could not be punished by the federal government under the recently enacted kidnapping laws, but has Washington yet consented to exercise this power?

WICHITA FALLS, TEX.
TIMES
MAY 1 1935

THE ANTI-LYNCHING BILL

The New York Herald-Tribune, a paper which can hardly be charged with having undue sympathy for the South or with harboring racial prejudice, raises a point in connection with the Costigan-Wagner anti-lynching bill that comes closer to the heart of the question involved than most of the arguments, hysterical and otherwise, that some southern senators have offered. The Herald-Tribune says:

A lynching is almost invariably a purely local crime. In this respect it differs radically from kidnaping, bank burglary, highway robbery and the like, with their attendant murders, whose perpetrators skip from jurisdiction to jusisdiction. There is not the same excuse to include it in the fast-growing list of offenses to be dealt with by federal authorities.

In the second place, it is an evil that is on the wane. In 1892 there were 255 lynchings; last year there were 15. The curve, though it may waver a bit from year to year, has shown a marked downward tendency for nearly half a century, indicating very clearly the growing popular revulsion against the crime as well as the effectiveness of local statutes.

Given the enormous diversity of customs and conditions in this country, one may always doubt the wisdom of calling on the federal government to solve a local problem. Lynching is a local problem, however widespread may be its practice, and unless the figures lie, it is being solved locally. The process may take longer than the short cut of federal interference, but in the end it is bound to be the more wholesome and effective.

The notion is too widely prevalent that because an objective to be gained is a worthy one, as the stamping out of lynching undoubtedly is, federal legislation is the most desirable means of attaining it. The Costigan-Wagner bill provides an opportunity to combat that notion.

MANHATTAN, KANS.
CHRONICLE
MAY 1 1935

When the Civil War Is Ove

Laudable as the purpose of the anti-lynching bill before the national senate is, sponsors of the measure would better cease their efforts to obtain enactment at this time so that the senate might turn to more important business.

A filibuster, in which the senators from the black belt of America are engaging, prevents either enactment or rejection of the measure and is holding up action on bills of far greater importance.

Anyhow, passage of the bill at this time would stir up bitter sectional hatred in the south which would offset the good that the law might do.

After all, it is the right of the states to make the kind of criminal code they want. If the people of the south are determined to uphold this form of murder let them bear the shame that is theirs.

Later, perhaps, after the Civil war is over, this crime may be abolished.

NEWTON, KANS.
THE KANSAN-REPUBLICAN
MAY 3 1935

One of the objections in the South to the Costigan-Wagner anti-lynching bill was that it provided for damages against a city or county payable to the family of a man lynched by a mob. It also provided that officers of the law were to be held accountable for the safeguarding of prisoners charged with "lynching" crimes. Those are somewhat dangerous provisions where mob law is frequent. Kansas, along with many other states, has its own state anti-mob law, providing for redress and damages in cases where a crowd inflicts injury upon an individual. In some cases the number designated as a mob is pretty low, too. A "mob" in Kansas is five or more, under the revised statutes.

Lynchings-1935
Legislation Relating to.

5063

WASHINGTON, D. C.
NEWS
MAY 2 1935

SO THIS IS DEMOCRACY

A LARGE majority in Congress wants to enact a Federal anti-lynching law. A large majority of the citizens of the country favor such a law. This has been so for many years. Then why isn't there a law? Since this is a democracy in which Congress is elected by popular majorities and in which Congress itself acts by majority rule, how could the Senate yesterday throw out the anti-lynching bill and prevent majority rule?

Well, it seems that ours is a democracy in text books and Fourth of July orations but not in the Senate. There, periodically, it is possible to rule by minority dictatorship. The method is not the one of stuffing the ballot box, or of kidnaping or terrorizing the majority, so that the minority can palm itself off as the majority. The method is much simpler. The minority merely decrees that there shall be no vote at all. This is achieved under the rule of unlimited debate by which the minority talks a measure to death. It forces the majority to turn to other emergency legislation acceptable to the minority dictators.

While congratulating the southern senators on the effectiveness of their dictatorship, we venture to raise this question for their consideration: Is it wise, from their point of view, to kick democracy in the face quite so publicly at this particular time?

Granting that they have got away with it for many years, hasn't there been a recent change in the public temper which makes this sort of thing somewhat dangerous? Wouldn't it have been wiser from their point of view, for instance, to give the Negro lynch victim the nominal protection of Federal law and then nullified the law as they nullify the Negro's constitutional right to vote?

We are interested in this question because we understand that these southern senators are very fearful of the spread of radicalism, especially among Negroes. The radicals are said to be telling the Negroes and the poor white share-croppers and mill hands of the South that democracy is a fake, that there is no such thing as representative government in this country, that democracy is only camouflage for dictatorship by their enemies. Aren't those radical agitators just mean enough to prove this point in the minds of ignorant Negroes and whites by citing the dictatorship of those few southern senators thwarting the mass democratic will of the American people and of the majority of Congress?

Admitting, from the point of view of these southern senators, that Negroes must continue to be robbed of constitutional rights, couldn't they find a safer method? After all, the Negroes are one-tenth of the national population and in many places they are a majority. With all this talk of radicalism and some of the oppressed actually demanding their rights, perhaps it would be safer for the country to hold out enough hope of democracy to them to discourage more violent weapons.

Anyway, it may be a matter worth thinking about while these southern senators are patting themselves on the back, secure in their dictatorship—secure for the moment.

SEATTLE, WASH
TIMES
MAY 2 1935

NO FRIENDS OF LYNCHING

STANDING shoulder to shoulder on this, as they have on no other issue, senators from the southern states seem to have put the anti-lynching bill out of the running. This they have done by employing the ancient and generally vexatious device of filibustering. The anti-lynching bill hasn't been finally defeated, but the solid phalanx from the Solid South has proved itself strong enough to prevent further consideration at the present session.

It is scarcely to be doubted that the bill would pass if brought to a vote. Few senators, if any, not even those of the South, would care to risk the inference of being in favor of lynch law. But it would be hasty and unjust to ascribe southern resistance to preference for shameful rowdyism and the privilege of taking the law into their own hands. Southern senators are right to this extent—that the bill as it stands proposes federal invasion of the right of the state to enact and administer its own laws with respect to certain crimes.

The filibuster, at least temporarily successful, has been predicated upon the principle of states' rights, nowhere so jealously cherished as in the South. It happens to be a matter of record that lynchings are less numerous each year; and it is not too much to expect that an increasing respect for law and for the proper processes of law presently may do away with the idea, born of honest desire to end practices altogether evil, that federal intervention affords the only cure.

Asheville, N. C., Times
May 2, 1935

It Is Fair Warning

THE anti-lynching bill, which would have lynched the last anemic survival of state rights, is defeated. Senator Borah's strong argument on the unconstitutionality of this proposed assault on state police power was a big factor in the decision, but nevertheless the Senators opposing have spent some uncomfortable days.

Lynching is a most reprehensible crime. But so is murder, so is house-breaking. Shall we finally surrender to the Central Government all jurisdiction of the criminal law?

If there had been no progress in the struggle against mob violence, there would be more excuse for this recurring attempt to extend the federal authority into the states.

Nevertheless, the Southern states, still the scene of most of these crimes, will prove themselves dumb if they do not see in yesterday's vote the certainty that sooner or later such a law will be written, if there is not still greater progress in preventing lynching and in punishing the perpetrators of the crime.

Athens, Ga., Banner-Herald
May 13, 1935

THE ANTI-LYNCHING BILL

The anti-lynching bill which was defeated by the senators from the south—that is, the failure of its supporters to get a vote on the measure will remain in status quo, at least, during the present session of congress.

An interesting occurrence, credited to Congressman Mitchell, the only negro member of the lower House of Congress, was his remarks in connection with its passage in which he said: "I was not disturbed about the passage of the anti-lynching bill. Lynchings are declining rapidly and will probably continue to do so, ad so I see no necessity for the measure".

The negro congressman is a native of Alabama. He was born and reared in that state and understands conditions in this section of the country and knew that the bill was directed at the southern states. His views are sound and sane, and, if followed by his colleagues, racial conditions will be improved in this section as well as in other sections of the nation.

WASHINGTON, D. C.
HERALD
MAY 2 1935

Lynching Bill Roll Call

Adjournment Vote 48 to 32, Kills Measure

The Senate roll call yesterday on a motion to adjourn for 20 minutes, which was a parliamentary move to sidetrack the antilynching bill, follows:

For Adjourning, 48

DEMOCRATS, 43

Adams	Hayden
Ashurst	King
Bachman	Lewis
Bailey	Logan
Bankhead	McGill
Barkley	McKellar
Bilbo	Murray
Black	O'Mahoney
Brown	Overton
Bulow	Pittman
Byrd	Pope
Byrnes	Radcliffe
Caraway	Robinson
Clark	Russell
Connally	Sheppard
Dieterich	Smith
Duffy	Thomas (Okla.)
Fletcher	Thomas (Utah)
Glass	Trammell
Gore	Truman
Harrison	Wheeler
Hatch	

REPUBLICANS, 4

Borah	Frazier
Cousens	Norris

FARMER-LABOR

Shipstead

Against Adjourning 32

DEMOCRATS, 14

Bulkley	Minton
Burke	Neely
Copeland	Schwellenbach
Costigan	Tydings
Donahey	Van Nuys
Guffey	Wagner
McCarran	Walsh

REPUBLICANS, 17

Austin	Keyes
Barbour	McNary
Capper	Nye
Carey	Schall
Dickinson	Steiwer
Gibson	Townsend
Hale	Vandenberg
Hastings	White
Johnson	

PROGRESSIVE, 1

La Follette

GREENSBORO, N. C
NEWS
MAY 2 1935

SURE, THAT'S DIFFERENT.

The bloc of southern senators who have battled so impassionately for how-many days now to prevent a vote on the Costigan-Wagner anti-lynching bill are also amongst the countryside's most avowed believers in and champions of democracy, with either a capital or a lower case d. And the essence of democracy, as deponent has attempted to analyze it from a non-political corner, is majority rule.

Yet, it is this very tenet of democracy which the anti-lynching bill's opponents are violating. They fear that a vote on the measure will bring its passage, that the majority of their colleagues in the senate are against them. Hence their endless dissertations, their Bible readings and their palaver are directed at preventing a vote. They are essaying to talk the bill to death, to thwart the processes of democracy by a filibuster.

Aside from the principle involved here, there is the matter of holding back other highly important measures, measures which the administration, the filibustering senators a vital and proudly proclaiming part of it, has labeled "must" and assured that its own success and the welfare of the nation depend upon their passage. Mr. Roosevelt himself has urged speed; but the interminable talk, actually costing one wonders just how much, goes on and on while the legislative jam behind it becomes more and more acute.

When such senatorial incorrigibles as Huey Pierce Long resorted to similar tactics, holding up the relief bill and measures which had accumulated behind it, they and their dilatory methods were excoriated by some of the self-same statesmen who are now talking their tongues out. But, of course, when one has a pet or political peeve oprograms. Yet, holding company his own, that is a matter which control, social security, banking

GREENSBORO, N. C
NEWS
MAY 6 1935

NOTE ON ORGANIZATION.

Senatorial consideration of the bonus measure is significant not only of itself but because of the legislation which this proposal displaced and is continuing to displace.

After arguing over the Costigan-Wagner anti-lynching bill for a week, the majority finally gave way and capitulated, however temporarily, to the reading of Deuteronomy and other filibuster edification. When this agreement to go on with consideration of other matters was reached, what prompted it? Nothing other than a pre-election urge to do the right thing by the boys. Whether or not lynchings might be thwarted, a few luckless lives saved or local authorities prodded into assumption of their responsibility by Uncle Sam mattered not when contrasted with payment of the bonus. There was an issue which truly can and could break a jam.

But, in breaking the anti-lynching impasse, this rescue measure merely set up another barrier all its own. The galleries and the opportunity will hardly be overlooked by candidates coming up for re-election in 1936. The Patman measure, the Vinson measure and the Harrison measure all have their supporters. Such an opportunity for talk the senate rarely receives. How long it will go on, if a veto occurs, as anticipated, nobody ventures to say. In the meantime those highly important administration measures which Mr. Roosevelt recently grouped under a White House "must" have been as tightly jammed behind the bonus agitation as they were behind the lynching filibuster. And the bonus issue, mind you, was not mentioned at all by the President except in an expression of disapproval and a prediction that it would jeopardize other plans and

falls into an entirely different category. Democratic processes or no democratic processes, the end these southern statesmen are assuring by their continued loquaciousness, justifies the means.

NORFOLK, VA.
VIRGINIAN PILOT
MAY 3 1935

Slain by Inconsistency

The grim irony which permeated the arguments against the Costigan-Wagner anti-lynching bill continued to the moment of its death. Senator Borah delivered the lethal blow. The filibuster of the Southern Senators might have been successful in the long run—they were still defending the trenches of State rights at the end—but that is at best a guess. About the mortal wound delivered by Senator Borah there is no doubt whatsoever. When he went to war the jig was up. Every argument the Southerners delivered on the high ground of constitutionality and reserved powers and the extension of Federal authority was, in the minds of others, suspect. But when Senator Borah used the same arguments, the situation was radically different.

Yet the irony remains. For this same Senator Borah who took up the cause of the Southern Senators with a denunciation of the spread of the Federal government and defense of the doctrine that the States alone have the authority to handle their lynchers, is the same Senator Borah who only a few years ago was stumping the South in behalf of a greater extension of Federal authority through the prohibition amendment than the anti-lynching bill contemplated.

Then Senator Borah could argue technically from the basis of the Constitution. The amendment was in the National Charter. Strictly speaking, therefore, he stood on that document. But that is a mere technical distinction. Actually, the theoretical objection to attaching the amendment to the Constitution still existed. If it did not belong there, it could not be defended in theory because it was there.

Practically, the objections were even more serious. The Federal invasion of state and individual rights which the prohibition amendment brought in its train were unmistakable. Along with the remainder of the country the South was then feeling the effects of violations of rights regarded prior thereto as sacred. Yet neither Senator Borah nor the Southern Senators—including some of those stirred by the threat of the anti-lynching bill—were then disturbed. They all managed to swallow the prohibition amendment, the unconstitutional searches and seizures, and double jeopardy. Here and there men objected that this program was not contemplated by the Constitution, but they were a scattered few. The great mass accepted the entire philosophy of prohibition, and forgot all about State rights.

The anti-lynching bill is dead, slain by the sword of inconsistency. The States' Righters can breathe more easily, and so, it must be added, can those Senators whose opposition rested in reality on no such ground. Perhaps even in death it has accomplished some good. Those parts of the South which are peculiarly the breeding ground of lynching know now that they have escaped by a close shave. They may understand a little better that if they do not condemn lynching as a foul and despicable crime and do not back up sheriffs who try to carry out their oaths of office, the Costigans and the Wagners may not find a Borah in their path next time. Anti-lynching legislation will revive in Congress as surely as lynching remains a curse of Southern life. The best way to beat it is not to rely on a State rights standard in Washington which everybody knows is commonly used or discarded as circumstances dictate, but to get at the evil of lynching itself. There will be no anti-lynching bills if there are no lynchings.

Lake City, Fla., Reporter
May 3, 1935

ANTI-LYNCHING BILL

The Florida House passed three joint resolutions requesting Congress not to pass the Costagan-Wagner bill to outlaw lynching in the United States. Senator Costigan (Colorado) and Senator Wagner (New York) have thus far been blockaded by Southern senators determined to talk the bill to death before it is allowed to pass

Lynchings—1935
Legislation Relating to.

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MARSHALL, TEX.
MESSENGER

MAY 2 1935

The Anti-Lynching Debate

As is usually the case when an anti-lynching bill is discussed in Congress, the Senate debate on the Wagner-Costigan bill has been characterized more by heat than by light. Members from the South seem unable to discuss the question dispassionately, as was pointed out recently by the Greensboro (N. C.) Daily News, in an editorial reprinted on this page of The Daily News said:

Honestly, we, who have never lived or moved and had being anywhere else save right down here in the midst of those who believe in the high hand as the savior of womanhood, have never met more than half a dozen Southern gentlemen to whom we would delegate the right to lynch.

None of these, we might add, was, had been or expected to be right soon a member of Congress.

What are the facts about lynching? Briefly, they are: Since 1882, there have been 5071 lynchings in the United States, and these by no means have been confined to the Southern states. In the past 35 years, the records show fewer than 1 per cent of these crimes have been followed by prosecution. In only 12 instances have convictions resulted. These figures bear out what everyone knows—that it is next to impossible for local government to deal with lynching.

In 1922, when the Dyer anti-lynching bill was before Congress, it was defeated by a filibuster of Southern Senators who contended that lynching is a matter for local government alone. Since then, 280 lynchings have occurred, with a prosecution record of approximately zero. It is interesting to observe that while the Dyer bill was pending lynchings decreased; that when the agitation for Federal action weakened after the defeat of the bill, lynchings rose in number. The same phenomena occurred in connection with the Berger bill of 1928. If the mere threat of Federal action has a salutary effect upon lynching, passage of a law permitting Federal intervention under certain circumstances might well make lynching one of the rarest of offenses.

The Wagner-Costigan bill has its constitutional basis in the right of all persons to equal protection under our laws. Willful failure on the part of peace officers to protect prisoners from mobs or to arrest persons who had taken part in a lynching would be made a felony. If prosecutions were not commenced by the State within 30 days after commissions of the offense, the bill would empower the Federal Government to act.

Under a further provision, which is regarded by many as the most powerful feature of the bill, a county in which a lynching occurred would be held liable to the injured person or to his heirs or legal representatives in event of his death. The recoverable damage would be not less than $2,000 or more than $10,000. It is believed that to place financial responsibility on counties would have the effect of cooling off the ardor of would-be lynchers who are also taxpayers.

Is this measure constitution? Senator Connally of Texas says no and quotes numerous authorities to prove it. Senators Costigan and Wagner, who have given much thought and labor to the proposed legislation, say yes. They also cite numerous authorities. Certainly, the constitutional question will never be settled in Congress. It is one that must await the decision of the courts.

The question for Congress is whether or not an attempt is to be made to deal with an evil by which more than 5,000 persons since 1882 have been deprived of their legal rights; an evil which has reached heights in the United States duplicated nowhere else in the civilized or uncivilized world; an evil which has resulted in the death of many innocent persons; an evil which menaces respect for our courts and our processes of justice.

We believe it to be the duty of Congress to act.—Post

Palmetto Fla News
May 2, 1935

The anti-lynching bill in Congress is one of the most unfair propositions that anybody ever tried to perpetrate upon a free people. The idea of penalizing law-abiding people because they do not risk their lives in trying to save the hide of a criminal who deserves death in most instances is absurd. It's bad enough for officers of the law to risk their lives in trying to protect criminals from irresponsible mobs, but it's ridiculous and not right to penalize the property owner also in the effort to make him risk his life in such a cause. If Congress would make it possible for criminals to pay the penalty for their crimes instead of being set free on technicalities, then there would not be so much lawlessness and lynching.

CHARLOTTE, N. C.
OBSERVER

MAY 2 1935

THE SENATOR VEHEMENT.

"This bill is not going to pass: we will fight it out if it takes all summer."

Thus SENATOR BAILEY pulls the famed GRANT epigram to state his attitude to the measure proposed by two Democratic Senators that the Federal Government take the administration of lynching laws out of the hands of the States.

SENATOR BAILEY'S objection is vehement. That of other Southern Senators is, more or less, of the same virility.

It is not, of course, that these men condone mob murder. They look upon it as being a foulness as detestable in their eyes as it is in the eyes of all decent people in the South.

But they accept this attempt to foist a Federal measure upon the Southern States as no more than a play and they resent the effort as a gesture to discredit the integrity of law enforcement on the part of local units of Government in the South, by saddling a Federal statute upon us.

There is sanity in that position. And to be added to that soundness of view is the argument, in addition, that if the States ineffectually enforce the anti-lynching laws they now have on their books, the Federal Government would no more effectually enforce them.

Juries in Federal courts are either the same or duplicates in temperament and attitude and civic conceptions as those who serve on juries in State courts.

And if the South, with its State courts and juries composed of men who are lax in the enforcement of State laws, are inefficient by that token may one judge that the same type of men serving in Federal courts would be any more rigid and diligent in enforcement of Federal laws relating to the same crime?

BEAUMONT, TEX.
ENTERPRISE
APR 24 1935

THE ANTI-LYNCHING BILL

The discovery said to have been made b southern democrats that Senators Costigan an Wagner are determined to force action on thei federal anti-lynching bill is expected merely t stiffen the resistance of the south's representa tives in congress to this measure.

There may be some politics mixed up in the anti-lynching bill. Senator Wagner would bene fit politically by enactment of a measure spon sored by him and supported more or less vio lently by the negro organizations of the coun try, including those which have some politica power in New York. Harlem is in Senator Wag ner's bailiwick, and Harlem is a race-conscious place. Senator Costigan, however, hails fron a state where advocacy of an anti-lynchin bill could not help him politically.

The southern press, along with the southern members of congress, have long opposed a fed eral law against lynching, for the reason tha the south still believes in state rights. Th south does not condone lynching. No reputabl southern newspaper has ever advocated lynch ing, and none ever will. The southern news papers have denounced lynching for years, an so have southern men and women in all walk of life.

But delegating police powers to the federa government is not the way to stop lynching. A further invasion of state rights by the fed eral government is opposed by the southern people. They believe, and rightly, no doubt, tha this is a matter the states must handle, with out federal interference. Running to the federal government for a solution of every questior that arises is getting to be an obsession and a national habit. Centralization of authority in Washington has been carried to such an ex treme the "unscrambling" of federal bureau cracy is even now a hopeless task.

Lynching, which is not a sectional crime, can and will be stopped by the states—when the American people become more law-abiding This condition of affairs is much to be desired but will not be hastened by enacting federal laws that impair the sovereignty of the states

LYNCHBURG, VA.
NEWS
MAY 3 1935

BRAZEN HYPOCRISY

The anti-lynching bill now before congress defines as lynching a mur der perpetrated by "an assemblage composed of three or more persons acting in concert, without authority of law for the purpose of killing or injuring any person in the custody of a peace officer, or suspected of, or charged with, or convicted of the commission of any crime." Commenting, the Norfolk Virginian-Pilot says:

That definition is broad enough to include killings committed by racketeering gangs in the west or by strikers or strike breakers in the east. Yet not a single senator from these sections has become disturbed about the threatened invasion of any state's police power.

If the definition is as broad as that then the definition does not accurately, or approximately describe lynching. If no eastern or western senator has become disturbed by the threat to the police power of the states it might be said that the explanation is that western and eastern senators are not notoriously interested in the federal system of government. They are descendants of soldiers who tried to and virtually succeeded in shooting states rights, powers of states, to pieces. And one need not be a cynic to point out that Negroes there have votes. A simpler explanation, however, is available. It is that senators from western and eastern states know that no such broad definitions will ever be made by the federal courts in those sections. When three or more gangsters murder rival gang members, or three or more strikers or strike-breakers murder a scab or a unionist, they will be tried for murder in the state courts—if they are tried at all. If three or more whites in a southern or, mayhap, a border state, murder a man, especially if the man be a Negro, they will be tried in the federal courts as lynchers. A lynching is a murder committed by more than one person south of the Mason and Dixon line. Were it otherwise the senators now so complacent would be alarmed. They wouldn't want this bill and they wouldn't have it. But they know it to be the truth that the broad definition given by the bill is a joke. They know that it was the truth that one of the sponsors outside of congress told when he blurted out that the bill was intended to protect those victimized on account of race, creed or color. That is the intention and that is the way it would work out in practice. Victims of any other than the Negro race in any other than the southern section would have to be content with the protection of the state courts.

All that was brought out clearly in the senate debate on the bill, during the senate filibuster if that term is demanded. It was brought out, too, that, according to the Wickersham report thousands of prisoners are beaten, tortured and maimed by police in the administration of the "third degree" in many cities and that in the home city of one of the authors of the bill hundreds were so mistreated and the threat was made that an amendment would be offered to protect this segment of the "poor and the humble" for which so much solicitude is expressed by advocates of the bill. If there were any chance of such amendment being adopted we would hear something, probably, even about local self-government, from the eastern and western senators, and if it were adopted we would find them falling over themselves to defeat the bill. Neither this amendment nor any other designed to make real the pretended definition or to extend protection to any other class than that with a lot of votes could pass, of course. That isn't the idea at all of the sponsors and advocates of the measure.

Even so there is no mourning among many of the bill's supporters because the filibuster conducted against it has proved temporarily successful and that the measure has been side-tracked. What little jar there was to their complacency was that in spite of the determined opposition of a group of senators the measure might be enacted into law. They did not really want it; all they wanted was the votes they hoped to get for supporting it. If the filibuster had failed and the bill had been passed their hope was not, as in former cases, such as that of the bonus bill, that the president would veto it, or agree to one of his famous compromises, but that the supreme court would throw the abortion out of the window. It is not likely that the measure will come up again at this session. Credit for sponsoring it has been achieved; there would be no sense in running renewed risk that the thing might be passed and signed by the president. It will better serve as a vote catcher another time.

SPRINGFIELD, MASS.
REPUBLICAN
MAY 3 1935

Defeat of Antilynching Bill

The defeat of the antilynching bill in the Senate is said by some nearby observers to mean the revival of states' rights; it is equally fair to say that it means the revival of states' barbarism.

The Republican national platform of 1928 declared in favor of "a federal antilynching law so that the full influence of the federal government may be wielded to exterminate this hideous crime." No Democratic national platform has ever advanced so far; and even the Republicans in 1932 sidestepped the lynching issue for a feeble substitute reaffirming the party's traditional friendship for the Negro.

With neither party now committed by its latest declaration of principles to a federal antilynching law, it may be cause for surprise, first, that the bill now beaten in the Senate was sponsored by two Democrats, Wagner of New York and Costigan of Colorado; second, that the bill got so far as to occasion such a rumpus. For several days the Senate was virtually tied on the question of sidetracking it. The determination of a group of southern senators to filibuster against it, if necessary, disclosed their fear that, if squarely put to a vote on its merits, the bill would pass.

The constitutional basis for the bill is much sounder than that of much other legislation that has reached the federal statute book and survived a review by the courts. The 14th amendment declares that all persons born or naturalized in the United States are citizens of the United States as well as of the states wherein they reside; and further: "Nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

When a state fails or neglects to prevent a lynching within its borders, it fails or neglects to comply with the requirements imposed upon it by the 14th amendment. The theory of the Wagner-Costigan bill is that the federal government has power to protect persons so unfortunate as to fall into the clutches of lynching mobs, or to penalize local authorities who surrender to mob action.

Senator Borah in this week's debate finally announced his opposition to the bill on the constitutional ground that it would have "annihilated all state sovereignty" and "have broken down state lines completely." We prefer the constitutional law of Senators Costigan and Wagner. And curious it is that such a contrast should be worked out between two northern Democrats and an eminent northern Republican.

Charleston, S. C. News & Courier
April 29, 1935

The Consistent Senators

No one can justly impute inconsistency or party disloyalty to Senators Bachman and Logan, Southern Democrats in the senate, of Tennessee and Kentucky, in voting for the Costigan-Wagner "anti-lynching," or anti-Southern, bill. If this bill is not openly an "administration measure" it is introduced by Democrats and supported by Democrats of the West and North. If the president is not favorably disposed toward it, he gives no sign to the contrary.

The bill is in perfect harmonw with the centralization policies of the national Democratic party, to which the supreme court of the United States is stoutly adhering.

While we have no way of knowing how Messrs. Ickes, Tugwell, Hopkins, Walker, Frankfurter and Miss Perkins feel about it (they have not spoken), we are pretty sure that they are enthusiastic for it. James Farley is the one truly great New Dealer probably scratching his head. He need not worry; the South is all right, it won't secede from Five Billion Dollars.

Whatever Democratic inconsistency appeared in the vote on this bill was exhibited by the Southern senators supporting the New Deal.

The consistent Southern senators were Byrd, Glass, and Bailey. They are not New Dealers.

Bachman and Logan cannot be accused of turning their backs on the national Democratic party, party of Costigan of Denver and Wagner of New York city.

The Costigan-Wagner bill was born Republican, it was the Dyer bill. Mr. Dyer represented the Republican negro district of St. Louis.

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SPRINGFIELD, MO.
NEWS
MAY 3 1935

ANTI-LYNCHING BILL EXHIBITS STRENGTH OF SOUTHERN BLOC

Southern solidarity in the senate on any moot question means a virtual veto on that particular legislation. There are enough southern votes, even leaving out so-called border states such as Maryland, to block action utterly. Even the modest senate cloture rule, adopted with so much hesitation, could not be invoked against so substantial a minority.

That being true, exactly what Senators Costigan and Wagner as authors of the anti-lynching bill thought to profit by endeavoring to force consideration of the measure in the senate is not easy to puzzle out. They were on notice by a large and seasoned group of senate long-distance talkers that the bill not only could not pass but would not be permitted to reach a parliamentary roll call vote. Yet Costigan forced the issue. Why?

Frankly, the Capital does not know. There is nothing about the public records of either sponsor of the bill to disclose motives. Immediate personal campaign exigencies hardly can be involved. Wagner is not up for election again until '38. Being foreign-born, the senate or a governorship is the constitutional limit of his political ambitions.

Costigan is up next year; but why should anti-lynching legislation have a special appeal in Colorado? Lynch law has not ruled in that state much, unless it was back in frontier days. If Senator Costigan dreams of party promotion, antagonizing the democracy of the solid south would not seem a reasonable way of trying to make those dreams come true.

And, if some of their southern colleagues are right about what sort of a door the Costigan-Wagner bill would open to federal direct intervention in the police affairs of the states, the two authors of the measure were taking special risks. They are acclaimed as the leading senate friends of organized labor, of labor generally. They share that with Black of Alabama, father of the 30-hour week bill. And Black told them:

"The bill as it is written would be the greatest weapon to opponents of organized labor extended to them since the beginning of this government. In the hands of their enemies it could strike them (labor organizations) to death. I cannot understand why the great labor organizations have failed to see what this bill would do to them."

The answer to Black's mystification is easy. If organized labor's legislative watchdogs in Washington had the least notion that so drastic a measure of federal intervention in state police activities could pass, they would have rallied to see to it beyond question that it had no anti-strike or anti-picketing flavor.

They would not have been content for a moment to rest on the constitutional argument against it if it, as Black contended, would more than undo all that has been accomplished in the way of anti-injunction legislation to curb federal court activities in labor strikes. Organized labor's seeming indifference to any such bill can be viewed only as due to a certainty that it could not be enacted anyhow—so why bother with it?

TIMES
Kingsport
MAY 5 1935

AN UN-AMERICAN BILL

The despicable Costigan-Wagner anti lynching bill was definitely side-tracked in the senate last week after Senator Borah of Idaho had assailed it as embodying a principle that would "utterly break down all state sovereignty." When the senate voted to adjourn Thursday the hated bill lost its preferred position in the order of business and it is unlikely that it will again loom as a threat during the present session.

We deplore the senate rules which make possible a filibuster, enabling a few senators to hold up the order of business of the United States senate indefinitely. However, if ever a filibuster were justifiable then it was to be forgiven and even commended in the case of this anti-lynching bill.

This bill, introduced by two of the senate's most unpopular extremists, Senator Costigan of Colorado and Senator Wagner of New York, was a direct and open insult directed at the southern states. We have no doubt but that it was purposed as such.

Briefly the measure would provide federal penalties for officers who failed to protect prisoners, and worse still would make counties liable for damages if a lynching should occur within their confines.

The bill is obviously undemocratic and un-American. It is a direct challenge to states' rights. If enacted it would, as the veteran Senator Borah points out, utterly break down all state sovereignty. Moreover it would be patently unfair in its application. We deplore lynchings, of course. We regret that they have ever occurred to blacken the escutcheon of our country—just as we regret all crime. But suppose a county were to be fined for a lynching occurring within it. That would mean that the taxpayers of the county would be fined, for financially speaking the taxpayers are the county. In short, honest citizens and taxpayers, who had no part in the lynching and doubtless deplored it, would be fined as a result of it. Could any proposition be more utterly despicable?

We say that the measure is an insult to the south because of the fact that the majority of the lynchings occur in southern states. But it is equally true that most of the gang murders, kidnapings and other atrocities occur in the northern cities. It would be just as fair to fine a county in which a kidnaping, a murder, or any other crime of gang origin should occur. Most of the racketeering takes place in the east and middle west. Would Senator Wagner favor a federal bill which would impose "damages" upon any county in which an organized racket was carried on? We do not think so. Many of the bank robberies and highway robberies are perpetrated in the western states. Would Senator Costigan support a measure which would fine counties when robberies occurred in their confines? Certainly he would not. Then why are these two gentlemen so eager to enact federal legislation which would be objectionable to the southern states?

Senator Wagner of New York is and always has been a bitter enemy of the south. His activity in regard to this anti-lynching bill is unwarranted and unjustified, and should be resented by every southern man and woman. Moreover, it should be resented by the American people generally who have the rights of states and the rights of taxpayers at heart, and who believe in fair play.

EL DORADO, KANS.
TIMES
APR 30 1935

THE LYNCHING PROBLEM

New York Herald-Tribune:

Of all the forms of lawlessness that have disgraced America in the eyes of the civilized world that of lynching is undoubtedly the most abominable. It is so for the simple reason that other comparable crimes are either the work of demented or depraved individuals or of gangs without the pale of organized society, while your lynching mob usually includes a fair proportion of citizens of the kind normally regarded as respectable. It is their betrayal of the state and of their own decency that gives the final hideous touch to the atrocious business.

Little wonder, therefore, that from time to time Congress has had to face the proposal to put an end to the evil through Federal action. Just now the Senate is in the throes of a passionate debate over the Costigan-Wagner bill. This measure would make it a Federal offense, heavily punishable, for local peace officers to refuse or fail to protect prisoners in their custody from mob violence. It would also provide for financial damages to the relatives of victims against the counties or cities, or both, in which lynchings are perpetrated, the damages to be collected in a Federal court. In the main it follows the lines of the Dyer anti-lynching bill, which had Congress in a similar ferment thirteen years ago.

Its opponents have called it unconstitutional, but mistakenly, we believe. Since the Fourteenth Amendment forbids any state to deny to any person within its jurisdiction the equal protection of the laws, excellent authority has held that Congress has the right to pass legislation penalizing failure to give such protection. Neither with the bill's objective nor with its constitutionality can there be serious quarrel. Nor need we join our Southern statesmen in shedding bitter tears over its implied insult to the South. As Senator Costigan has observed: "Lynching has been practiced in every part of the nation. The evil is in no sense to be regarded as sectional."

However, the bill does raise a fundamental question of governmental policy. In the first place, a lynching is almost invariably a purely local crime. In this respect it differs radically from kidnaping, bank burglary, highway robbery and the like, with their attendant murders, whose perpetrators skip from jurisdiction to jurisdiction. There is not the same excuse to include it in the fast-growing list of offenses to be dealt with by the Federal authorities. In the second place, it is an evil that is on the wane. In 1892 there were 255 lynchings; last year there were 15. The curve, though it may waver a bit from year to year, has shown a marked downward tendency for nearly half a century, indicating very clearly the growing popular revulsion against the crime as well as the effectiveness of local statutes.

Given the enormous diversity of customs and conditions in this country, one may always doubt the wisdom of calling upon the Federal government to solve a local problem. Lynching is a local problem, however widespread may be its practice, and, unless the figures lie, it is being solved locally. The process may take longer than the short cut of Federal interference, but in the end it is bound to be the more wholesome and effective.

Columbia, Tenn., Daily Herald
May 8 1935

THE BONUS AGAIN.

Now that the anti-lynching bill is out of the way, the Senate bids fair to get down to business and catch up with the House in acting on measures now on the calendar, to the end that adjournment may be taken in early summer.

The first major measures to be considered is the bonus, a controversial question for more than ten years, and more and more of a political football each year.

The Herald has long been opposed to cash payment of the bonus, as unwarranted class legislation, and as a financial burden that the nation should not have to bear, if paid in cash, and a dangerous expedient if paid through inflation methods.

But the bonus has dragged along now to the point that it must be disposed of, one way or another, to clear the air for important matters, and to rid the nation of the inflation menace which will keep on as long as this measure is pending.

There are three chief plans offered. The Patman bill, passed by the House, provides for inflation. The Vinson bill, supported by the American Legion, leaves the matter of payment up to the Congress. Either will be vetoed by the President, it is claimed.

The Harrison compromise provides for part cash and part bonds. According to its sponsor, it will not be vetoed. To rid the nation of a question too long agitated, it would be well for both branches to pass this bill, at the same time providing the additional taxes it will take to pay its additional cost.

We say this realizing that passage of the bonus will simply speed the time when pensions, and costly ones will be enacted in favor of the war veterans.

We say it, however, in view of the fact that the American nation, under the leadership of President Roosevelt and in the passage by Congress of the worlds relief bill, is set on a course of spending its way back to prosperity. We have very grave doubts that this government can spend the nation back into prosperity by simply going into debt for projects both useful and useless, in an effort to make work. But we are on that program. For it to succeed, even its most ardent advocates admit, it must be given a reasonable trial.

The basis of the program is to distribute cash throughout the nation. The bonus will be a controversy until it is paid, and unless it is paid now in a reasonably safe and sane way, will probably be paid later by a much wilder and more dangerous method. Therefore, let it be paid now, with taxes levied to care for the additional cost, so that this agitation can end and this money be put into circulation now.

The holders of the certificates, who cash them, rather than keep them as insurance, will probably be worse off than they are now, in the long run, but they are grown men ,and should be allowed to do as they see fit with their own, so if they want to cash in their insurance instead of keeping it for the proverbial rainy day, that is their business, and no argument that they will waste their money is sound. The government itself is wasting plenty of money these days.

Therefore, let us have an end to the bonus agitation by passage of the Harrison bill, prompt action by Congress one way or another on other matters and the adjournment so much sought and so much needed for the good of the nation.

Leavenworth, Kans.
TIMES
MAY 3 1935

SENATE FILIBUSTER OVER.

The long filibuster against the anti-lynching bill is over at last, and the United States Senate can move onward to the consideration of other measures of pressing importance, which have been held back while the bitter discussion waged on and on about this bill which the southern senators are opposing stubbornly.

That the anti-lynching bill has been up against such unyielding opposition is no indication that the senators blocking its passage favor communities taking the law into their own hands to avenge crimes. As framed, the bill consitutes one of the most sweeping break-downs of the barriers which prevent the federal government encoaching on the rights of the states to enforce the laws within their own borders.

Under the anti-lynch bill, if a state has not within thirty days apprehended those guilty of participation in a lynching, the government can take it as evidence that the state officials are not diligent in their duty in the matter, and can come in, make arrests and try the suspects under state laws. And whenever the federal government begins coming in to the various states and trying men under, not federal laws but state laws, it constitutes an infringement of states' rights that is unthinkable. It would be only a step from lynching cases to interference in cases of all other types until gradually. law enforcement of all kind might be usurped by Washington and state courts become but puppets to be set aside at will by government officials.

PORTLAND, ORE
OREGONIAN
MAY 3 1935

Failure of Anti-Lynching Law

Mr. Mallon, in his article on this page today, describes the method being followed by the senate in the strangulation of the Costigan-Wagner anti-lynching bill, which came before that body with the president's approval. The administration leaders secretly conspire toward the filibuster, and the bill cannot reach a vote.

However, no one need fret over the loss of the bill. It is true that America has given lynch law to the world, and that the world points the finger of shame at us for it. It is true that state officers are slow to go after mob leaders, that jurors too often sympathize with the mobsters and that the guilty too frequently escape.

But a law permitting the federal courts to take jurisdiction where the state courts fail would be of doubtful effectiveness. It would be next to impossible to decide when such failure had taken place. There would be growing irritation between the states and the nation, with the nation constantly assuming to itself greater and greater legal power. The present tendency to centralization would be carried forward apace. And even when the federal courts did interfere, they would conduct trials in the same districts where the crimes occurred, and the juries would be from the same group of citizens as the juries for the state courts.

Besides, the number of lynchings has been tending downward for years past—an evidence that the law-abiding spirit has been growing among the people. It is doubtful if morality can be imposed from above, and interference by the federal government at this late date might do far more harm than good. The fact that mobs deserve all the penalties prescribed in the Wagner-Costigan bill, and the lax states deserve the loss of jurisdiction, is not the whole of the matter. There remains the danger of too great a concentration of power in federal hands, and the danger of bringing about a period of lawlessness through the invasion of state affairs and the seizure of groups of citizens.

Lynchings-1935
Legislation Relating to.

5066

Columbia, S. C. State
May 6, 1935

The South and the Anti-Lynching Bill.

During that protraded session of the senate, in which Southern senators rallied so courageously around the old Constitution's flag in fighting the bill to give the federal government authority to operate against lynchers, it was moving to hear them proclaim their unfaltoring belief in the rights of the states to manage their own affairs; their changeless adherence to that constitution which recognizes those rights—and so on and so forth.

Impartial and judicious observers whose opinions we have read, assert that the fight against the anti-lynching bill had not degenerated into a filibuster before it was won by the entry of Senator Borah on the side of its opponents. He declared the proposal to be unconstitutional, and therefore the proponents of the measure abandoned the field. Said impartial observers declare also that for the first time in many moons there was a real debate in the senate and that the Southern senators were impressive in their defense of the constitution. Then entered the senatorial heavy artillery from Idaho, and the tide of battle turned in favor of the Southern forces.

But there is wonder whether the victory is so complete as it seems. There are some who surmise that Borah, the constitutionatist, having got the Southerns to declare themselves so pronouncedly for the constitution and its works and implications, will in future times use this record to put them on the spot when other constitutional issues come before the senate, and Southern statesmen are not so keen to have lines drawn by the constitution.

It is also surmised that when the supporters of the anti-lynching bill surrendered at discretion they were smiling. And why? Because they had made their desired point. They had, by the record, assured the Negro voters of North, East and West, where their votes count, that they were fighting for their cause, and had equally demonstrated that the Democratic party, as represented by Southern senators, had fought them to a finish. So far as political effect is concerned, as much was accomplished as if their bill had passed. And when they go upon the hustings next summer in New York, Pennsylvania, Ohio, Illinois and elsewhere they will produce the record of votes in congress as evidence that in many other matters when it seemed expedient that neither state rights nor the constitution be emphasized by Southern representatives, they were not emphasized. Indeed, it has long been recognized as a different thing to eat one's cake and still possess the cake.

It was asserted that this anti-lynching bill was "aimed at the South." And the more truth in that assertion the more disgrace to the South. It should be the effort of every civilizing influence in the South to so work for the effectiveness of the laws and the courts, made and established under our state constitutions, and made and administered by the whites of the South, that no future anti-lynching bill truthfully can be declared to be "aimed at the South."

Public opinion in the South can be aroused to effect the change. And the call for that change is the call of civilization.

Edgefield, S. C. Advertiser
May 8, 1935

Records Indicate Lynching Is Waning in United States

Washington, April 26.—Lynching is on its way out of the United States: to that all disputants over the Wagner-Costigan anti-lynching bill in the senate as well as the figures offered by both parties, agree.

Whether mob violence should and could be given its quietus by a new federal enactment or whether the growth of public opinion should be permitted to deal with the matter as it has been doing, is the essential issue that has kept the senate in a turmoil for three days, and stopped all other business.

Figures on lynchings for five-year intervals, compiled from a table furnished the senate by Senator Josiah M. Bailey (D.) of North Carolina and prepared by the Tuskegee Institute of Alabama (Negro), show the gradual disappearance of a practice equally abhorred by leaders of all sections. The table follows:

Year	Lynching.
1882	113
1887	120
1892	231
1897	158
1902	92
1907	60
1912	63
1917	39
1922	57
1927	16
1932	8

In 1934 the number of lynchings was 15, Senator Bailey said, and since 1927 the average has been under 20. In emphatic language he argued against federal interference in a matter in which the growth of state sentiment was proving effective.

Senator Robert F. Wagner (D) of New York, on the other hand, argued the bill would encourage this very sense of local responsibility which its southern opponents endorsed. It would make a county in which a lynching occurred liable to payment of compensation of between $2,000 and $10,000; besides imposing penalties on local officials who condoned or permitted the offense.

As typical of the views of southern leaders, Senator Bailey said that he was confident "we have been making progress toward the abolition of lynching. As the years go by as a rule, though there may be some exceptions, the number of lynchings is becoming smaller and smaller. Why is that true? It is because the people are becoming educated to abhor lynching. It is because local officers are having a higher sense of their responsibilities."

Thomasville, Ga., Times-Enterprise
April 26, 1935

THE ANTI-LYNCHING BILL

There is a bitter debate going on in the United States senate against the lynching bill that is now up for consideration. This bill would put a ban on lynching by the federal officials the power to penalize counties and their officers in the event that a lynching does occur, provided the officer has made no effort to prevent it, the type and sort of effort that might involve mass lynching and bloodshed.

There are several southern senators who are fighting the bill on the ground that it is a sectional matter and one that is intended to place a rope around the neck of the southern counties rather than to confine its purposes solely to the idea of preventing lynching or at least to invoke all of the powers of government in behalf of the accused persons.

This lynching bill is a matter of no serious import comparable to other matters that are being discussed. It is a flare up that has no place in the present situation and although designed ostensibly to do away with a very pernicious condition, particularly in the south, the bill has carried the federal authority too far and taken away the sovereign rights of the people of the states to work out their own destiny.

ORLANDO, FLA.
SENTINEL
MAY 4 1935

The Lynching Bill

THE NORTH IS likely to misunderstand the south's opposition to the anti-lynching bill.

In the first place, there was no need for re-opening this question and scrubbing the south's dirty linen out in the public; in the second place, there is quite more lynching and mob killing in the north than there is in the south.

Most southerners do not, whether the north is inclined to believe it or not, sanction lynchings.

They opposed the proposed law simply because it would give to the federal government snooping powers which likely would bring back the days of carpet-bagging; when corrupt agents and officials of the federal government used their offices to desecrate the south, pollute its offices with nadir forms of humanity and lower the dignity of government.

The south has a problem in the negro. But it has never admitted, nor do we now admit, that we are unable to cope with this problem. As we have always viewed it, and being from Mississippi we have always been pretty close to it, it is mostly a problem of ***relief for the negro*** rather than one of lynching or attempting to bulldoze him.

Once in a great while, particularly in the farming sections of what some of our northern critics prefer to allude to as the deep south, a negro is lynched. We believe lynching is unnecessary. But we do not wish to see an espionage system set up to deal with the matter, any more than we

would want to see an organization of spies created in the north to hunt out lynchers up there. Let the courts continue to handle these matters. Why stir up sectional hatreds?

NASHVILLE, TENN.
EVENING TENNESSEAN
MAY 6 1935

Lynching Declines.

The South gets credit for defeat of the Costigan-Wagner anti-lynching bill, but it is worth noting that the filibuster was broken and the measure side-tracked through an eleventh hour attack by that famous liberal from Idaho, Senator Borah.

Like most sane people, Mr. Borah is opposed to lynching as brutal and uncivilized, but at the same time he is a stickler for state sovereignty in handling local crime. It was on the constitutional phase of the legislation that he based his attack, and, once his onslaught had been completed, there were enough Democrats and Republicans to put the bill to sleep.

The constitutional phases of the Costigan-Wagner bill are certainly open to consideration, and though the authors believe it will stand the test, they are opposed by equally eminent authorities who say it goes too far in violating the rights of states.

However, the Wagner-Costigan fight, under way for many months, has had certain definite and admirable results, the chief of which is that it has served to bring to the minds of all, and particularly the South, the evils of lynching, and has unquestionably led to a diminution of such practices. Faced by the possibility of federal intervention, communities have been slower to mob violence, and state officials have been strengthened in their desire to give protection to those endangered.

The South, where the mob most frequently wreaks its vengeance, was aligned against the anti-lynching bill; but in view of the fact that lynching is no longer a sectional problem, it is not surprising that this section was supported by other spokesmen.

Lynching is not always aimed against the black man guilty of a certain crime. It springs up in every section, and for various reasons. We have seen the farmers of the Middle West forming mobs for economic reasons, and we have seen the negroes of the Harlem running rampant because of alleged economic discrimination. In the west also there has been a virtual application of lynch law to Japanese farmers because of combined racial and economic feeling.

Under given conditions, the tendency of the mass mind is to become inflamed to a point where reason and judgment are abandoned. But there are signs of improvement in this respect, and it is to be hoped they will continue. Constant education is having its effect, and the greatest factor in that education is the determination of law enforcement officers and agencies to live up to pledges they assume upon accepting their responsibilities. The oaths to respect and enforce the law are required by the people in their saner moments; they should never be abrogated because a small and violent group suddenly decides they are no longer applicable.

SPRINGFIELD, MO.
NEWS
MAY 7 1935

THE POWER OF BORAH

There is no question that Senator Borah speaks with great authority in the senate on constitutional questions. His views influence those of some of his colleagues. Yet it would be a far stretch of fancy to imagine that it was merely Borah's challenge of the Wagner anti-lynching bill which ended victoriously the prolonged southern filibuster against taking up the measure.

It looked that way, admittedly. One moment the senate was still locked as fast in the long-distance talking campaign of the southerners as it had been for days. It still was in the legislative day of April 15 when the break came on May 1. Two solid weeks of time had been all but lost legislatively in discussion of a measure that had little prospect of coming to a vote.

Then Borah, prodded by Costigan, had his say. The next minute the senate voted 48 to 32 to do what it had repeatedly refused by a single vote margin to do in the preceding two weeks. It ditched the anti-lynching bill.

Was it Borah's forcefully stated view that the bill was unconstitutional that switched half a dozen non-southern—and one southern—democratic votes? It was not. It was his statement that he would not continue to vote "indefinitely" for the parliamentary procedure that kept the bill before the senate. That was the crackup for which democratic leadership had been waiting.

Borah contributed even more to the cause against a federal anti-lynching law when Costigan drew him into a first hand narration of what happened to the very similar Dyer bill passed by the house in 1922 only to be smothered also in a southern senate filibuster. The Idaho senator was a member of the senate judiciary committee then. He headed, most reluctantly, because his mind was foreclosed on the constitutionality question, a sub-committee that found it unconstitutional

It was his recollection that the full committee "practically unanimously" joined in that view, but subsequently six committeemen "changed their position" for the stated purpose of obtaining a full discussion on the senate floor, although still confident the bill was unconstitutional.

Selma, Ala. Times
May 10, 1935

ANTI-LYNCHING BILL DEBATE

The Costigan-Wagner antil-lynching bill, sidetracked by a filibuster in the United States Senate, was supported by 70 per cent of the newspapers commenting. The measure was opposed by 30 per cent of the commenting papers.

All but a small proportion of the opposition was from newspapers of the South.

The anti-lynching measure is viewed by most commentators as a proposed enchoachment on state rights, but the arguments in favor of the bill are based on the wide differences of opinion that exist in some states as to the justification for lynching as a practical means of contending with crime.

Favoring the measure, the Norfolk Virginian-Pilot argues that "ther is no such thing, morally speaking, as a reserved right to deal in our own way with a form of collective murder which our own way has failed to punish."

The Houston Post contends that, "had the state made a practice of 'cracking down' on mob murders after each lynching, there would have been no occasion for action at Washington."

"Apparently the mere threat of the Federal anti-lynching bill," in the judgment of the Macon Telegraph, "has a wholesome effect."

The Birmingham Age-Herald warns that "the continuance of lynching makes Federal legislation quite inevitable."

The Miami News feels sure that "a Federal measure ending virtual immunity would put a powerful check on the mob spirit."

The Kansas City Star suggests that "the vital consideration is that mob violence shall be condemned."

The St. Joseph (Mo.) News Press argues: "It is well within the power of the states, as states, to prevent these outcroppings of barbarism. Their failure to act adequately explains the repeated efforts to put through a Federal anti-lynching law.

Eufaula, Ala. Tribune
May 8, 1935

WASHINGTON
BY HERBERT PLUMER

The man who plunged the senate into one of the most stubborn filibusters of the present session by his insistence that a federal anti-lynching law he helped draft be considered, is far removed from the type one usually associates with such maneuvers.

Edward Prentiss Costigan of Colorado, co-author with Senator Wagner of New York of the bill which bears their names, is anything but the shouting, hardboiled type.

He is slight of stature and speaks in a low but clear voice. His brow furrows as he speaks solemnly of the social questions which claim a large share of his time. He is fond of drawing verbal pictures in a sonorous tone which is convincing and commanding.

He dresses conservatively, usually in blue or gray, the colors blending with his eyes and hair.

There has been considerable speculation as to why Senator Costigan was so determined that the senate take up his anti-lynching bill at a time when the administration was pushing for speed on its legislative program.

Assurances had been given by southern senators that they were prepared to resist to the bitter end.

One must know Costigan, however, to appreciate the motive back of his action. He'll tell you himself that his political credo is:

"Government exists to serve the general welfare; there is no more serviceable field for human beings than the continuous endeavor to make government promote human betterment."

As far as he is concerned the anti-lynching bill is just another link in the chain of a life spent mostly fighting for "under-dogs."

There's a more personal reason however, for his determination in trying to force the senate to take up his bill

As an eight-year-old lad he saw the Colorado community in which he lived stirred to lynching a man and woman who had mistreated their little daughter. The experience has remained a vivid one for him ever since and although he says the lynching in California two years ago of two kidnapers and the subsequent sanctioning of the mob's action by the late Governor Rolph primarily was responsible for his sponsoring his anti-lynching bill, that earlier experience played its part.

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U. S. NEWS
Washington, D.C.
MAY 6 1935

A CENTURY OF FILIBUSTERS

How the Anti-lynching Bill Was Halted; Some Historic Minority Blockades Of Action in Congress

A BLAST of 145,000 words of oratory can produce quite a stubborn headwind. In the teeth of such a gale, huffed and puffed by a determined sectional minority, Senate legislative progress was held stationary for six and a half days last week.

Then majority mariners agreed to pitch overboard the Jonah causing all the squall—the Wagner-Costigan anti-lynching bill. The biggest filibuster since 1922 deflated itself, and legislative progress resumed the tenor of its way. It was rather a hoarse tenor, however, for some Senators who had tenaciously talked their way to another demonstration of minority power to block the majority under Senate rules.

Though the longest filibuster in 13 years, this one was of minor proportions compared with some of the historical parliamentary blockades of the last hundred years. For legislative filibusters go back a century in our history—back to the time when the term "filibuster", that originally denoted pirates and freebooters, first came commonly into the American vocabulary, applied to William Walker and other daring spirits who levied adventurous private war against Nicaragua, Cuba and other Caribbean countries, hoping to add them to the United States.

EARLY FILIBUSTERS

As early as 1841 the Senate filibustered more than a week on a proposal to oust Senate contract printers from their jobs. The same year a bank bill filibuster lasted several weeks. Henry Clay, the "great compromiser", sought to get Senate rules changed to break it up.

Six years later, with war clouds darkening over the Northwest boundary question, it took two months to bring a Senate minority around to agree on a day for voting on the Oregon bill.

In 1856 dilatory minority tactics in the 34th Congress evoked complaint and rebuke from the Democratic majority. Seven years later, when the political party situation had been reversed, it was Republicans' turn to complain of minority "fractious opposition" filibustering against suspension of the writ of habeas corpus as a war measure.

In 1879 on a bill to repeal the election laws, written into an army appropriation bill, minority Senators avowed their right to prevent action by all the dilatory motions in their power. They succeeded in prolonging debate 12 days. Two years later, over a change in Senate officers, the minority started a filibuster that lasted almost without interruption from March 24 to May 4 and was renewed May 6-10.

A 26-DAY DEBATE

In the 56th Congress a filibuster of 26 days broke out against the Blair education bill, for establishment of common schools. The famous "force bill" of 1890 to amend the election laws, like the anti-lynching bill this year, stirred violent sectional opposition. It led to one of the most hotly contested parliamentary battles in Senate history, a debate lasting 29 days.

In 1908, the elder Senator La Follette, a master in the filibustering arts, who is credited with making the longest Senate speech on record, was assisted by several members in a filibuster against a national banking bill conference report. Every technicality was used to consume time. The question of "no quorum" was raised 36 times within a few hours, necessitating roll calls at brief intervals.

In 1914 the Senate because of filibustering had to spend 32 days considering a rivers and harbors bill, and later in the same year, 31 days on a bill to repeal Panama canal tolls on coastwise shipping. Also that year dilatory opposition to creating the Federal Trade Commission was kept up for 30 days, and to an anti-trust bill, 21 days. Twenty-three days of filibustering developed on a ship purchase bill in 1915.

ONE-MAN BLOCKADES

With fair frequency in recent times one-man filibusters have been staged near the end of a Congressional sesion. A single Senator, by getting the floor and holding it, could create havoc in the congested final hours by talking right through to the time of sine die adjournment, while important bills died in flocks around him for lack of opportunity to bring them to a vote.

Last week's affair was true to the traditions of historic past filibusters. And with injection of the racial question, States' rights, and threats by some members to secede from the Democratic party if their party persisted in a course deemed inimical to the South, the discussion suggested the atmosphere of antebellum and reconstruction days when the momentous issues that produced the War Between the States were debated with fiery fervor.

Constitutional contentions as to the nature of the Union and the right of States to be free from Federal "invasion" and "coercion" were warmly urged with arguments suggestive of the great Calhoun's logic in crystallizing the political philosophy of his section a century ago.

A CATARACT OF WORDS

In the seven-day cataract of talk however, there was much flotsam of time-killing irrelevancy. Old tomes were piled high on desks as arsenals to keep up the endless firing against nearly invisible foemen—for most of the bill's supporters ducked out into the cloakrooms and let its opponents talk on and on.

Musty speeches by departed statesmen were fished out of the ash-can of oblivion to be droned through again by reading clerks. There were threats to read whole books of the Bible and to keep Congress in session all Summer if necessary to thwart any authorization of Federal action in cases of States and counties failing to protect their citizens from mob violence.

Senator Connally (Dem.), of Texas, and Bailey (Dem.), of North Carolina, led the filibuster, with Senators Smith (Dem.), and Byrnes (Dem.), of South Carolina; Glass (Dem.), of Virginia; Borah (Rep.), of Idaho, and others joining them in their opposition.

All through the debate the Senate "recessed" from day to day instead of adjourning. Adjournment would have automatically displaced the motion to consider the bill.

Finally the majority caved in. By a vote of 48 to 32 the Senate at 3:18 p. m., Wednesday, May 1, adjourned till 3:30 p. m. Hastily the Chaplain, the Rev. Ze Barney T. Phillips, was summoned. Importuning the Almighty to "visit * * * the Members of the Senate" and "enlighten their minds more and more with the light of the everlasting Gospel," he ushered in a new "legislative day" a quarter hour after the ending of the old "legislative day" which had been running ever since April 15.

Thus the anti-lynching bill was headed off, probably for the rest of this session of Congress, though it is still on the calendar, subject to being called up.

Piedmont, Ala., Journal
May 31, 1935

LYNCHING

The south has cause to rejoice that their senators were successful in filibustering the Costigan-Wagner anti-lynching out of consideration for this session at least.

All right-thinking individuals oppose mob violence in any form. Lynching is murder. It violates the law of God and man.

We agree with Senator Byrnes who declared on the senate floor that he believed the enactment of the anti-lynching bill would increase rather than decrease lynchings.

Lynchings have declined from 231 in 1892 to a total of only 15 in 1934, while that is 15 lynchings too many, yet the trend is definitely away from them and officers of the law are doing more effective work than ever in preventing mob action. This means that the viewpoint of the people on lynchings is changing and that the day will come when lynching will be as dead as dueling, which at one time had such a hold upon the people.

The passage of an anti-lynching bill would undoubtedly delay the fine progress being made toward wiping out entirely the evil of lynching.— Vicksburg Post-Herald.

Nashville, Tenn. Tennessean—M'ng
May 6, 1935

Lynching Declines.

The South gets credit for defeat of the Costigan-Wagner anti-lynching bill, but it is worth noting that the filibuster was broken and the measure sidetracked through an eleventh hour attack by that famous liberal from Idaho, Senator Borah.

Like most sane people, Mr. Borah is opposed to lynching as brutal and uncivilized, but at the same time he is a stickler for state sovereignty in handling local crime. It was on the constitutional phase of the legislation that he based his attack, and, once his onslaught had been completed, there were enough Democrats and Republicans to put the bill to sleep.

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The South, where the mob most frequently wreaks its vengeance, was aligned against the anti-lynching bill; but in view of the fact that lynching is no longer a sectional problem, it is not surprising that this section was supported by other spokesmen.

Lynching is not always aimed against the black man guilty of a certain crime. It springs up in every section, and for various reasons. We have seen the farmers of the Middle West forming mobs for economic reasons, and we have seen the negroes of the Harlem running rampant because of alleged economic discrimination. In the west also there has been a virtual application of lynch law to Japanese farmers because of combined racial and economic feeling.

Under given conditions, the tendency of the mass mind is to become inflamed to a point where reason and judgment are abandoned. But there are signs of improvement in this respect, and it is to be hoped they will continue. Constant education is having its effect, and the greatest factor in that education is the determination of law enforcement officers and agencies to live up to pledges they assume upon accepting their responsibilities. The oaths to respect and enforce the law are required by the people in their saner moments; they should never be abrogated because a small and violent group suddenly decides they are no longer applicable.

ST. PAUL, MINN.
NEWS
MAY 6 1935

WANTS LYNCHING

SOUTHERN senators have now talked to death the Wagner-Costigan lynching bill. Their filibuster has been successful in postponing action on this badly needed legal reform because of the greater demand for action on other legislation sought by the administration.

Their action is further evidence of the backward state of so-called southern culture. There has never been any good reason why the bill should not be passed. Statistics themselves disprove the favorite contention which shorn of its poetic language boils down to the argument that lynching is necessary to protect white southern womanhood. Most of the lynchings which have taken place have not been for rape and in a large number of cases innocent persons have paid the brutal penalty.

Yet these southern senators were not above playing for votes by upholding mob murder. They pandered to the lowest emotions of "poor whites" by opposing the most promising attempt yet made to outlaw the lynching horror.

Why is it that so many of our hill billy "statesmen" and four-flush congressmen come from the south?

UTICA, N. Y.
OBSERVER DISPATCH
MAY 8 1935

What Caused It

It is now stated that the fillibuster, which had been kept up in the Senate for seven days against the anti-lynching bill, came to an end because of a statement of Senator Borah in which he insisted that the federal government had no power, under the Constitution to invade a state and do things that the anti-lynching bill proposed to do. He assailed lynching as a cruel crime and one that should be punished, but he declared that if such a bill as the one proposed was ever sustained by the Supreme Court, "we will have utterly broken down all state sovereignty."

The Senate hesitated. Too many unconstitutional measures have gone through the legislative mill and are now being repudiated by the high court of the land. Perhaps it is well to wait and give the subject further study.

In this connection, one Washington observer writes:

"Sentiment is growing for the appointment of joint committees to study further some of the controversial bills and to report at the January session."

Perhaps it is being realized in Congress that the country can have but one opinion of a body that will continue to pass in succession a number of acts which cannot be sustained in the courts as permissable under the Constitution. Is it heedlessness and inattention or a lack of knowledge of the basic law of the land to which must be charged the inefficiency of the legislative branch?

TORONTO, ONT.
MAIL & EMPIRE
MAY 3 1935

PROSPECT OF MAKING LYNCHING A FEDERAL CRIME.

It seems probable that the Costigan-Wagner bill to make lynching a Federal offence in the United States will become law. The judiciary committee of the Senate voted unanimously in support of it, and this is taken to mean that the legal experts are satisfied that it is constitutional, and does not impinge upon state's rights. Such legislation has been resisted in the past chiefly by those states in which lynchings take place, with occasional support from non-lynching states which yet opposed the extension of Federal authority into matters heretofore deemed the especial business of the states. It has become plain enough that the states are not to be trusted with the duty of stamping out lynching. The fact that since 1922 there have been 280 of these mob murders is evidence enough. We do not recall any one having been punished for his part in a lynching.

The new law places heavy penalties on local officers who through cowardice or inefficiency connive at lynchings, and makes it possible for relatives of a lynched person to collect heavy damages from the municipality in which the lynching takes place. The prosecutions would be undertaken by Federal officers not susceptible to local prejudice as the state officials are almost bound to be. This would virtually make the jobs of sheriffs and jailers dependent upon the stoutness with which they resisted lynching mobs, and would give taxpayers a financial interest in saving victims.

Many lynchings in the past, perhaps most of them, have taken place because the lynchers knew that the legal custodians of the victims were in sympathy with meting out summary justice and would not seriously resist. Similarly they could depend upon local detectives not being particularly zealous in collecting evidence to convict anyone after the act. In a word lynching in the past has been safe. The present bill was inspired by the lynching of a couple of kidnappers in San Jose, California, which was given the official approval of the governor of the state. The nation-wide wave of protest that this created grew into a demand for the Federal law.

JAMESTOWN, N. Y.
EVENING JOURNAL
MAY 7 1935

NO ANTI-LYNCHING BILL

Proponents of the Wagner-Costigan anti-lynching bill, facing the possibility of a continuous filibuster which would materially interfere with other Congressional legislation and prolong the session of Congress, have given up hope of passage of the measure at this session. There will be no federal interference with this southern practice.

It is perhaps just as well. The bill, we are informed, was of doubtful constitutionality and its enactment into law would have prevented the development of the public sentiment against lynching which is essential to curbing mob violence. As a matter of fact most of the southern states have anti-lynching laws which so far as laws go are adequate. The difficulty is in the enforcement of such laws. It would probably be equally difficult to enforce any federal law which the courts would hold unconstitutional.

The agitation in Congress will perhaps have a temporary beneficial effect in the south. At least that has been the result in past years when anti-lynching bills were before Congress. For a time thereafter the southerners curbed their passions and let the law take its course.

Lynchings-1935
Legislation Relating to.

5168

MARSHALL, TEX.
MESSENGER

FEB 25 1934

The Anti-Lynching Bill

The Senate Judiciary Committee has opened hearings on the Costigan-Warner anti-lynching bill to provide federal punishment for lynchers. There seems a likelihood that the bill will pass, probably with the elimination of those sections which would make a county in which mob violence occurs liable to damages to be assessed for the benefit of the family of the victim and holding liable to fine or imprisonment a state employe who fails to do his duty of protecting an individual against mob violence or prosecuting persons guilty of such negligence. These sections add nothing to the effectiveness of the bill; on the other hand, they carry the threat of increased bloodshed in mob violence.

Anti-lynching legislation is supported by President Roosevelt, who declared in his annual message to Congress last year that "crime of organized banditry, cold-blooded shooting, lynching and kidnaping have threatened our security." Bills similar to the Costigan-Warner bill have been introduced in every session of Congress since 1920. In 1922 the Dyer anti-lynching bill passed the House of Representatives by almost a 2 to 1 vote, but was killed in the Senate by the opposition of Southern Senators who considered the provision for fining counties unjust. In this connection, it may be predicted that if the Costigan-Wagner bill passes containing the provision for fining counties, there will be a far greater number of such fines assessed against counties in Northern and Eastern States than in Southern States. Our friends in those parts think of lynching as something that happens only in the South; yet many gang murders in New York and Chicago are instances of lynching so definitely that it would be virtually impossible to define the crime to exclude these and at the same time include the usual Southern variety. The man "taken for a ride" is lynched as surely as any cowering victim of a Southern mob. In the North and East also the term "lynching" is usually taken to signify only a negro victim.—Star-Telegram.

New York Herald-Tribune

MAR 12 1935

Lynching Ban Approved

Senate Committee to Report Costigan-Wagner Measure

WASHINGTON, March 11 (AP).—The Senate Judiciary Committee today approved the Costigan-Wagner anti-lynching bill and authorized Senator Frederick Van Nuys, Democrat, of Indiana, to draw up the report.

The measure, which faces a doubtful road in Congress, lays down severe penalties for lynchers, officers who fail to exercise due diligence in protecting persons from them, and counties where mobs take the law into their own hands.

SANFORD, FLA.
HERALD

FEB 27 1934

An Absurd Lynching Law

Among the numerous measures which have been introduced in this session of Congress and over which the various members are now wrangling as they seek to remake the world is the so-called Costigan-Wagner bill which is supposed to put a stop once and for all to what is known as the lynching evil. This bill which provides federal punishment for lynchers is now in the Senate judiciary committee and is one of the things which is preventing any constructive action on the part of Congress toward relieving the economic condition of the nation.

Among other provisions of this bill which delegates to the federal courts the right to try any member of a lynching mob and to mete out punishment not only to such persons but also to any local law enforcement officers who may be found derelict in their duties, makes liable to a fine of from $2,000 to $10,000 any county in which a lynching occurs. This provision which requires the taxpayers of such a county to pay to the dependents or heirs of the victim of a mob this sum of money is the most stupid part of the whole unreasonable bill.

The taxpayers of a county often are no more responsible for mob violence in their own county that they would be for similar acts in Singapore. Most frequently the members of a lynching mob are not taxpayers in any substantial sense of the word. And very frequently many taxpayers do not condone lynching any more than the most high-minded congressman, but, though they are unable to prevent lynchings, they would have to pay the bill for them.

Furthermore, should some discriminating taxpayer with an eye to future costs chance to be a member of a lynching mob, undoubtedly he could persuade his followers to carry their victim across the county line into some neighboring county before stringing him up. In such a case the taxpayers of the county from which the lynching might be handled by the states in which they occur and which occurred would escape the fine, but the county in which it occurred would certainly and unjustifiably have to bear the cost.

These are matters which can much better know infinitely more about them.

This is one state function which the federal government had better not try to usurp.

BALTIMORE, MD.
MORNING SUN

MAR 3 1935

The Anti-Lynching Bill Nears Issue In Senate

Costigan-Wagner Measure Provides Only Procedure Government Can Take Against Crime—Opposition Expected To Show In Vote

By HARRY HALLER

The St. Petersburg Independent takes the view that the Costigan-Wagner bill would not serve as a deterrent to lynching in any respect. "Would the threat of a fine against a community have stopped the would-be lynchers at Shelbyville?", asks the Independent. "They destroyed their own courthouse in their frenzy. And what luck would federal officers have had in trying to do something about the earlier Marianna lynching, when almost all West Florida was so aroused that the lynching ceremony was actually announced in advance? In California and Maryland the same conditions held."

One does not have to believe in lynching to see the utter absurdity of this bill seeking to prevent it. There is some doubt as to the constitutional power of the federal government to legislate on lynching unless the mob crosses state lines, but there is considerably more doubt as to the practical fulfillment of any such legislation which Congress

PENDING before the United States

Senate at the moment is a bill introduced last year by Senators Edward P. Costigan, of Colorado, and Robert F. Wagner, of New York, which provides for Federal prosecution of State officials who fail to make efforts to detect and punish lynchers and of alleged lynchers themselves. The bill covers the only ground on which Federal jurisdiction can be invoked—that is, failure by the States to maintain constitutional guarantees for equal protection of the laws. Lynching cannot be made a Federal crime as simply as kidnapping because it rarely has an interstate aspect.

Four provisions of the bill are salient. First, it calls for punishment of any State officer or employe who fails to protect a prisoner from a mob, or who fails to be diligent in apprehending and prosecuting lynchers. Fines not exceeding $5,000 or imprisonment not exceeding five years, or both, are provided. Second, State officers convicted of conspiring to put to death a prisoner in custody, or to permit a prisoner to be taken from them, are to be punished. Third, Federal prosecution is to be exerted in the case of lynchers after it has been shown that State officials have failed to act for at least a period of thirty days after a lynching. Fourth, a penalty on the county in which a lynching takes place of not less than $2,000 nor more than $10,000 to be paid to the family of the victim. If the victim is seized in one county and lynched in another, both counties shall be jointly liable for the penalty under the bill.

FORTY-FIVE HEARD

Forty-five citizens of both races were heard before a subcommittee of the Committee on the Judiciary of the United States Senate when punishment for the crime of lynching was considered last February and March and the procedure was broadcast over the radio. Among the national organizations represented were the Federal Council of Churches of Christ in America, National Student Council, Young Women's Christian Association, American Civil Liberties Union, Race Relations Committee, Society of Friends, National Urban League, National Association for the Advancement of Colored People, Women's International League for Peace and Freedom, Writers' League Against Lynching, Church League for Industrial Democracy, League for Industrial Democracy, American Federation of Teachers, and the Congregational and Christian Churches.

A year has elapsed and the Costigan-Wagner anti-lynching bill is still before the Judiciary Committee, with indications of its going on the floor of the Senate within the next few weeks.

Men and women of note have given their testimony. During the year that has elapsed one of the worst lynchings in the history of American civilization occurred at Marianna, Fla. On October 26, 1934, Claude Neal, charged with attack and murder, was the five thousand and sixty-eighth person lynched in the United States since 1882—the forty-fifth mob victim since President Franklin D. Roosevelt entered the White House. Word had been passed all over northeastern Florida and southeastern Alabama that there was to be a "lynching party to which all white people are invited" and the information was broadcast from the radio station at Dothan, Alabama. After an incredible display of sheer sadism was exercised in doing the Negro to death, a group estimated at approximately 7,000 men and women over a distance of some 230 miles joined in the celebration of dragging Neal's body about the dusty roads. Little children came out into the night and stuck knives in the body.

"PECULIAR TO U. S."

One of the standard books on lynching, J. E. Cutler's "Lynch Law," speaks of it as "a criminal practice which is peculiar to the United States"—a definition which is as true now as it was when Mr. Cutler's book was published thirty years ago. Though the origin of the term is doubtful, the questionable honor of establishing this sort of crime on this side of the Atlantic has been ascribed to various persons named Lynch in Revolutionary times, when the absence of courts of justice in country districts and the turmoil of American political upheaval caused men to band together for the maintenance of order, or for purposes of vengeance. Where society is still in the frontier stage, the settlement of disputes is left to individuals or groups of individuals.

But the early term "lynching" did not apply, as it now does, exclusively to the infliction of death upon the victim. A severe flogging and a warning to leave the community, followed by more severe punishment were the warning not heeded, was the usual penalty inflicted by the self-constituted courts. Lynching developed swiftly with the race problem, and the abolitionists themselves met with mob action.

In his testimony before the Judiciary Committee of the Senate last year, Walter White, author of such distinguished novels as "The Fire in the Flint" and "Escape" and secretary of the National Association for the Advancement of Colored People, brought out several misconceptions entertained by the American public in connection with the crime of lynching. At that time there had been 5,053 lynchings in the history of the United States, 1,438 victims being white and 3,513 colored. There were ninety-four women among the victims, seventeen of whom were white and seventy-seven colored. "The first of these misconceptions," Mr. White said, "which is still believed by otherwise well-informed and fair-minded persons, is that there is some connections between lynching and sex offenses by Negroes on white women."

FIGURES ON ATTACK

In a statistical study of the crime, "Thirty Years of Lynching in the United States—1889-1918," of 3,224 lynchings only 523 of the victims were even accused by the mobs themselves of criminal attack. Of the 2,522 Negroes lynched during that period only 477 were charged with attacking women. Thus less than one-fifth of the colored men done to death by lynching mobs were even accused of the "usual crime." "It should be remembered," Mr. White added, "that a mob's accusation is by no means equivalent to conviction or even to an indictment by a regularly constituted jury."

Professor Chadbourn gives an even lower percentage of lynching for attacks on women when he states that "alleged rape is given as the offense in only one-sixth of the cases." Dr. Arthur Raper, of the Commission on Interracial Cooperation, with headquarters at Atlanta, in "The Tragedy of Lynching" also affirms that "less than one-sixth of whom (Negroes lynched from 1889 through 1930) were accused of rape."

A second misconception discussed by Mr. White is that mob victims are usually guilty. In a study made under the auspices of the Southern Commission for the Study of Lynching, of which George Fort Milton, editor of the Chattanooga *News*, is chairman, of the twenty-one lynchings perpetrated in 1930 Dr. Raper asserts that "two of the 1930 mob victims were innocent of crime (they were not even accused), and there is grave doubt of the guilt of eleven others. In six of these eleven cases there is considerable doubt as to just what crimes, if any, were committed, and in the other five in which there is no question as to the crimes committed, there is considerable doubt as to whether the mobs got the guilty man."

OPPOSITION EXPECTED

No open opposition to the Costigan-Wagner anti-lynching bill has appeared in the Senate. A single Texas Congressman appeared before the subcommittee on March of last year registering his opposition. But when the bill leaves the Judiciary Committee within the next few weeks many Southern Senators are expected to voice disapproval. Senator Huey Long, of Louisiana, is reported unofficially as saying he would filibuster all spring against the bill.

The most vehement newspaper opposition in the South is voiced by the Memphis *Commercial Appeal*, and other small papers throughout the South also oppose. Probably the most definite condemnation is advanced by the Communist party and its affiliated Negro organizations on the grounds that the bill does not arbitrarily fix a death penalty for lynchers, that it does not go to the root of the race problem; that it is merely "soothing syrup to still the rising anger of the black and white masses." The Communists propose, rather, a "bill of rights" covering a whole range of inequalities.

One of the most active backers of the anti-lynching legislation is the National Association for the Advancement of Colored People, whose officers, in addition to Mr. White, include J. E. Spingarn, Senator Arthur Capper, Bishop John A. Gregg, the Rev. John Haynes Holmes, James Weldon Johnson, Arthur B. Spingarn, Oswald Garrison Villard, Roy Wilkins and Mary White Ovington. The association was organized under its present name in 1910 and its specific objectives have been the ending of lynching, the obliteration of peonage and debt slavery in Southern agricultural life, the ending of disfranchisement, the abolition of injustices in legal procedure based upon color or race, equitable distribution of funds for public education, abolition of segregation and discrimination, and equality of opportunity to work in all fields with equal pay for equal work.

BALTIMORE, MD.
MORNING SUN

FEB 28 1935

Would Make Public Liable In Lynchings

Blum Sponsors Bill Providing Court Redress For Estate Of Mob Victims

Annapolis, Feb. 27 (AP)—An anti-lynching measure imposing a liability upon any political unit in which a lynching occurs was introduced today in the House of Delegates.

The bill, sponsored by Delegate Jacob Blum (Dem., Fourth Baltimore), provides that Baltimore city or any county in which a lynching occurs shall be liable to any lynched person's estate for not less than $2,000 and not more than $10,000, to be recovered in civil action.

Courts are to direct a verdict in favor of the plaintiff "if the only reasonable inference to be drawn from the evidence is that death or injury resulted from mob violence." Otherwise the case would go to a jury.

BALTIMORE, MD.
EVENING SUN

FEB 26 1935

Urging The State Legislature To Enact An Anti-Lynch Law

To the Editor of The Evening Sun—*Sir:* Let me suggest to the law-abiding Maryland citizenry who are opposed to the atrocious crime of lynching that, as the Maryland Legislature is in session, now is the time to sponsor anti-lynch laws to be passed by the General Assembly. The first and most important duty of any State Legislature is to establish and maintain by law respect for the sovereignty of the State and obedience to its constituted authorities. The lack of proper anti-lynch laws has repeatedly caused Maryland to suffer humiliation and embarrassment before the other States that have proper laws to deter this crime. The legal officers of Maryland should feel a particular urge to use their influence to secure this legislation.

Baltimore, Feb. 22, John Hasenpfeffer.

Obstruction

Southern Democrats in Congress, playing what they thought was smart politics, last year blocked a vote on the Costigan-Wagner anti-lynching bill by delaying consideration until late in the session and then threatening a filibuster. Fortunately, this session that measure is before the Senate, with the unanimous favor of the judiciary committee, in plenty of time. Any similar tactics this year will be leveled for what it is—obstruction of the most irresponsible variety.

This mild measure to hold counties responsible financially for mob murder has widespread popular support both in the North and South. Organizations representing 42,000,000 Americans have urged its passage. A giant petition containing the names of nine governors, 27 mayors, 60 clergymen and more than 200 national organizations, asks the President to support it. The Administration is not unfriendly.

Only the false sentiment of local pride and a misconception of state rights have prevented passage of a Federal anti-lynching law for years.

The very threat of this measure's passage last year seemed to check lynch horrors. While the bill was pending between Jan. 30 and June 8 not one lynching occurred. When it appeared certain the bill would be pigeon-holed, lynchings began and continued at the rate of one a week. Senators Costigan, Van Nuys and Wagner think that at least a half-score of mob murders were prevented by the sobering effect of the bill's threat. Last year there were 16 lynchings, compared with 28 in 1933.

Obstructionist tactics by Southern senators killed the Dyer anti-lynching bill 12 years ago after it had passed the House overwhelmingly. If this measure is killed

again the people will know who did it and why. It is not an issue with which to play politics.

Lynchings - 1935
Legislation Relating to.

5069

COLUMBIA, S. C.
RECORD
MAY [redacted] 1935

THE TEMPORARY TRIUMPH.

The Costigan-Wagner anti-lynching bill isn't dead but the immediate threat of its enactment is no more. A minority, resorting to filibuster, could not kill it, but it could force the postponement of attempts to secure action upon it, duplicating the achievement of the senate minority in 1922, when the Dyer anti-lynching bill met a similar fate.

On January 26, 1922, the house with a membership of 300 Republicans and 132 Democrats, passed the Dyer bill by a vote of 231 to 119. For a long time the senate judiciary committee, composed of ten Republicans and six Democrats, refused to report the bill, but finally on July 28, Senator Shortridge, of California, submitted a favorable report on it for the committee, with minor amendments. Senator Shortridge got the bill before the senate only one day before sine die adjournment and no vote was taken upon it. At the ensuing special session, which met on November 30, 1922, to enact merchant marine legislation, the measure came up. Southern senators, led by Harrison and Underwood, had resort to the filibuster. Unanimous consent was refused for dispensing with the reading of the journal of the previous day, attempts were made to correct the journal, constant motions to adjourn were made, points of order raised and appeals taken from the decisions of the chair, extraneous matters were discussed at length and long quotations read to the senate. Faced with the prospect of being unable to transact any business during the session and the ensuing short session to follow, the Republican caucus capitulated and consented to the withdrawal of the bill. The filibuster, it appeared, had not been outlawed by the 1917 amendment of the senate rules to permit the limiting of debate.

This year's filibuster lasted only six days. But the six days were sufficient to turn loose upon the senate ranting enough to exhaust its patience. But it also got a dose of common sense and sound logic. Take, for example, the state rights and constitutional argument put forward by Senator Borah, of Idaho whose support finally turned the tide in the filibusters' favor.

"To my mind," Senator Borah said, "if this kind of a bill can be passed and sustained by the supreme court, we have utterly annihilated all state sovereignty. We have broken down state lines completely. I can see no escape from that conclusion."

There are, however, he conceded, precedents for the bill's enactment in the NRA and the AAA attempts to regulate intrastate business.

"If you can go into the state of Idaho and take charge of a local business and direct the business man as to how it shall be run," he said, "and take the man by the nape of the neck who does not run it according to the rule passed by the federal government and put him in jail, you can go into Alabama and take by the shirt collar the sheriff and make him abide by the rules which a federal congress has also laid down.

"I have been opposed to those propositions consistently because I know they strike at the very foundation of state sovereignty, and I believe we can only have a great federal union by having great individual sovereign states, and that when the latter are destroyed we may have a republic in name but we will never have a republic in fact.

"It is my belief that this type of bill would not prevent lynching. Lynching and that class of crimes can only be prevented by the education of the people, by building up public opinion against it and by bringing the people to the point where they will realize that it is to their detriment to have such crimes committed in their community.

"Without the moral support and the intellectual backing of the respective communities in which such occurences happen, the power of the federal government will be perfectly futile in undertaking to eradicate this kind of a crime."

Senator Costigan and Senator Wagner do not, of course, think in terms of state rights and they will be renewing their endeavor to bring the anti-lynching bill to a vote. Unless the Southern senators, recognizing that state rights do not begin with anti-lynching measures although the enactment of such as the Costigan-Wagner bill might very well put an end to them, may win over others to the state right doctrine the bill may be passed and become law. There are limits to the filibuster method. It can be defeated by cloture, if the senate so desires. And to make the United States one big state in other things is to make some such bill's enactment inevitable.

[redacted]
NEWS TRIBUNE
MAY 6 - 1935

LYNCHING CONSTITUTIONAL RIGHTS

THE defeat of the so-called anti-lynching bill in the Senate should put an end to the Republican practice of making a deeply deplorable tragedy a partisan political football.

Advocates of such measures as the anti-lynching bill must know that it embodies principles clearly at variance with the constitution, and that it serves merely to stir up racial and sectional feeling, and in the light of this knowledge the conclusion is inevitable that the purpose is to capitalize bad situation to the advantage of party.

These Republican advocates of an unconstitutional and dangerous course of procedure, see in their activity an appeal to the colored voters in doubtful states and are willing to sacrifice the Constitution to political expediency, and the course is a mistaken one.

In this connection, it is stimulating to observe that it was a Republican who, realizing the verities of the situation, broke the deadlock and defeated the proposal. Senator Borah was candid enough to declare the proposal unconstitutional and to throw his influence against it.

Senator Borah assailed lynching as brutal and inexcusable, as all thoughtful persons will agree, but he declared the pending bill would have "dealt a blow to our principle of government, the importance of which could not be overstated."

The bill, in effect, pretends to correct the lynching evil but actually is a lynch bill in itself, proposing to kill by illegal means certain fundamental rights that still belong to the states. It should be buried for all time. There should be no more proposals to lynch constitutional rights.

Labor Herald and Citizen
Dorchester [illegible]
MAY 4 1935

THE FACTS ABOUT LYNCHING

Southern Senators are threatening a filibuster to keep the anti-lynching bill from coming to a vote.

This measure, introduced by Senator Costigan of Colorado, with the cooperation of Senator Wagner of New York, is a thoughtful, carefully drawn bill designed to end one of the greatest disgraces of this Republic. It provides for the collection of civil penalties from the communities where lynchings occur and for criminal responsibility of local officials who do not combat such outrages. It gives Federal courts jurisdiction in such matters.

Yet Senator George of Georgia vows that such a law would be "unconstitutional," and Senator Smith of South Carolina indulges in a tirade, rather than an argument, against it. Georgia has had 459 lynchings since the year 1889. Seven of the mob victims were women and three were white men. Georgia holds the world's black medal for mob murder; and it is no accident that in the same state, a striker has no rights that the governor feels bound to respect. South Carolina has not climbed so high on that bad eminence; she has lynched "only" 140 people in the period named, of whom three were women and three white men. But South Caroline saw the murder of five unarmed workers last fall by armed guards at Honea Path, during the textile strike.

The usual excuse given for lynching is that it is necessary to prevent the crime of rape. That is utterly, grotesquely false. Of the 3,226 persons lynched in 13 southern states since 1889, only 552 were even charged with rape — 16 per cent, one out of six. Of the other victims, 1,253 were charged with murder, 810 with other felonies, while 641 — 119 more than were charged with rape — were lynched for petty offenses, including "jump-

ing a labor contract," and "disputing a white man's word."

Nor is lynching entirely a race matter, though in the South Negroes suffer most. But in the period covered, 372 white persons, 12 of them women, were lynched. Florida lynched 242 persons in the period named, 19 of them white. Arkansas had the same number of lynchings, but 34 of the Arkansas victims were white; while of the 205 Tennessee victims, 41 were white.

No complete list can be made of the number of innocent persons who have been lynched; but it must be large. In several cases men who were released by a court or whom the grand jury refused to indict were murdered by a mob.

Lynching is a reversion to savagery, and a pretty low order of savagery. It is a menace that can not be kept within bounds. Negroes are the commonest sufferers, but white workers who are not submissive to the boss probably come next. The Costigan-Wagner bill is a measure of common safety which should be passed.

New Hope Is Seen for Consideration of Lynching Bill

Costigan May Have Until July 15 to Maneuver for New Action.

F.D.'s MUST PROGRAM ONLY THING IN WAY

Re-election Campaigns Would Check Filibuster.

WASHINGTON—Senators Edward P. Costigan, of Colorado, and Robert F. Wagner, of New York, Democrats, probably have until the middle of July to maneuver to get the Senate to take up their anti-lynching bill, on which a vote to consider was recently blocked by a seven-day filibuster.

At a conference of Senate Democrats on Friday morning, a canvas of the legislative situation was taken. It indicated that the present session of Congress probably would continue to between July 1 and July 15.

New Deal Bills Still Pending

Some of the most controversial measures in the New Deal's reform program are yet to be dealt with. The Democratic leadership of the Senate hopes to take up the subject of extending the National Industry Recovery Act this week.

Senate Democrats have determined to support the resolution of Senator Bennett Champ Clark (Dem., Mo.), extending the act until April 1, 1936. The President wants the act extended for a full two-year period, as recommended by his chief recovery aide, Donald R. Richberg.

New Motion May Follow

Even if the NRA matter can be cleared up as quickly as expected, the "must" measures demanded by the President which remain to be acted upon will still include such controversial matters as the banking bill and legislation to abolish holding companies.

With the "must" legislation out of the way, Senator Costigan may again move that the Senate proceed to the consideration of the Costigan-Wagner bill, and supporters of that measure may settle down to an endurance test with Southern Senators in the event of another filibuster.

Terms of 32 Expire

If the motion to take up the bill is made at the end of the session, the filibuster is not likely to last very long.

The terms of one-third of the Senators wil lexpire in 1937. They must face elections in 1936 and it will be necessary for them to spend as much time as possible back in their states reparing for the 1936 elections.

Of the 32 Senators who face elections next year, 19 are Democrats and 13 are Republicans. They are as follows:

Democrats

Nathan L. Bachman, Tennessee; Josiah W. Bailey, North Carolina; John H. Bankhead, Alabama; William J. Bulow, South Dakota; James F. Byrnes, South Carolina; Marcus A. Coolidge, Massachusetts; Edward P. Costigan, Colorado; Carter Glass, Virginia; Thomas P. Gore, Oklahoma; Pat Harrison, Mississippi; Carl A. Hatch, New Mexico; J. Hamilton Lewis, Illinois; M. M. Logan, Kentucky; Huey P. Long, Louisiana; James E. Murray, Montana; Matthew M. Neely, West Virginia; Joseph T. Robinson, Arkansas; Richard B. Russell, Georgia; Morris Sheppard, Texas.

Republicans

W. Warren Barbour, New Jersey; William E. Borah, Idaho; Arthur Capper, Kansas; Robert D. Carey, Wyoming; James Couzens, Michigan; L. J. Dickinson, Iowa; Daniel O. Hastings, Delaware; Henry W. Keyes, New Hampshire; Charles L. McNary, Oregon; Jesse H. Metcalf, Rhode Island; George W. Norris, Nebraska; Thomas D. Schall, Minnesota; Wallace H. White, Jr., Maine.

LEWIS-MITCHELL ANTI-LYNCH BILL IS INTRODUCED

WASHINGTON, D. C., May 16—By request, Senator J. Hamilton Lewis, Democrat, of Illinois, introduced in the Senate last Friday the same antilynching bill introduced by Representative Arthur W. Mitchell, Democrat, of Illinois.

Unlike the Costigan-Wagner bill, the Lewis-Mitchell bill fails to define a mob. It presumes a denial of equal protection of the laws if any officer of a State or sub-division having a person in custody, without lawful justification or excuse, permits him to be taken away and injured or put to death or to be unlawfully injured or put to death while in his custody.

Proof that a person in custody of an officer was unlawfully injured or put to death, or unlawfully taken from custody and injured or put to death, is made prima facie evidence that the officer suffered or permitted the act.

Any officer who permits a person in his custody to be injured or put to death, or unlawfully taken from his custody and injured or put to death, under the terms of the Lewis-Mitchell bill, would be guilty of a felony and subject to a fine of not more than $5,000 or imprisonment for not more than five years, or both.

The Lewis-Mitchell bill would also make it a felony for any officer having a prisoner in his custody to conspire or confederate with any person to injure or put the prisoner to death or to permit the prisoner to be taken from his custody and injured or put to death. The penalty would be imprisonment for not less than two years or more than 10 years. The persons conspiring with the officer would also be guilty of a felony and subject to a like penalty.

The bill would make the county in which a person is taken from the custody of an officer and unlawfully injured or put to death liable to the injured person or his legal representatives in a sum of not less than $2,000 nor more than $10,000, which would be recoverable in civil action against the county in the United States district court for the district in which the victim is injured or put to death.

The Lewis-Mitchell bill was referred to the Senate Judiciary Committee.

GREENSBORO, N. C.
RECORD
MAY 6 1935

Anti-Lynching Proposal.

The proposed federal anti-lynching law (the defeated Wagner-Costigan bill) would have invaded the jurisdiction of state courts. It would have provided trial in federal courts for any state or local officers charged with blame in connection with mob violence. There are, of course, state laws to cover all such cases.

Perhaps, instead of busying themselves with such measures as the federal anti-lynching laws, the national legislators might better spend their time and effort in getting at the root of some of the evils of miscarriages of justice.

Why not go after with sharp sticks some of the crooked lawyers who connive with criminals in questionable cases? Why not seek elimination of the vicious interference of politics in the courts? Why not undertake to do something that will cut out useless red tape in courts and thus speed up the trial of cases? Anti-lynching laws might not be necessary if justice were quick and certain, in fact.

Miami, Fla., News
May 10, 1935

Southern senators filibustered the anti-lynching bill to death. The bill died. With or without the law, lynching is on its own death bed. From the year 1885 until 1901 there was only one year when the number of lynchings in the United States fell below 100. In 1892 the lynchings numbered 231.

Since 1901 the number of lynchings has not once reached above 100. Since 1923 the number has not once reached above 30. In 1932 it fell to the all-time low of eight. Lynching is passing out. America is getting tired of its most disgraceful institution. The Southern senators rallied to block the anti-lynching bill. The South will take more pains to keep its lynchings down in fear of future anti-lynching bills.

If the states are to be left any functions at all, the putting down of lynching might be one of these. States without the enlightened public opinion to put down lynching because they don't like lynching themselves can be caused to prevent lynching by the disgrace which lynching brings upon them in the eyes of the rest of the world.

Until the North is totally free of lynching it is estopped from pointing too scornful a finger at the South. The South produces most of the lynchings, but the most disgraceful lynching in recent years occurred in California, with the blessing of a California governor behind it.

NEW ORLEANS, LA
ITEM
MAY 7 1935

Regional Alignments

SOUTHERN opposition to the anti-lynching bill and some administration measures interpreted in the South as threatening the sovereignty of the States revives Northern talk of a new political alignment that would put the radical West on one side, and the more conservative South and East on the other. One observer remarks that many parts of the Deep South have always been more "Republican," on economic principles, than Democratic, and but for the Negro problem might have divided on party lines long ago.

The alignment suggested would be more logical than some that have been proposed recently, for example Father Coughlin's scheme for uniting farmers, labor, and the small-salaried class. The most populous and wealth parts of the South have been much concerned in high tariffs. The protection of Louisiana sugar and other Southern products has often forced Southern senators into alliances largely foreign to their traditional party principles. Because of other factors, the South has not been able to adopt wagescales as high as those prevailing in other parts.

We don't believe an East-South alignment against the West is anything for party leaders to worry about this season. Too many third-party-makers with other schemes in their heads have taken the field. These will confuse issues too much

Southern voters to ... why they should not do it at all ... Republicans. And ... mentioned for do... very good rea... average voter. Though tradition be un-go along with Eastern Republi... reasonable, that doesn't lessen its force. Aside from the reasons mentio... generation of education would be required ... it there are several very

Lynchings - 1935
Legislation Relating to.

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Anti-Lynch Law Favored by Body

ATLANTA, April 26 (AP)—For the first time in its 17-year history, the inter-racial commission today was on record as favoring a federal anti-lynch law.

The commission took its stand yesterday as Southern senators in Washington put on a filibuster against the proposed statute. Made up of 50 members from 11 states, the commission said it was "disappointed" in the record of state and local officials in lynching case.

In a resolution adopted unanimously the commission said it favored federal legislation "in the hope that federal agents and courts would be in better position to act fearlessly and effectively in the prosecution of participants in the crime of lynching."

Columbia, S. C. Record
April 26, 1935

Inviting Federal Interference

The weakness of the South's position on the Costigan-Wagner anti-lynching bill is to be traced back to its state rights surrender on other matters and issues.

"We in our sovereign capacity," Senator Ellison D. Smith, of South Carolina, tells the senate, "can battle with this problem. We do not invite interference of those who have not had the bitterness of the trials we have endured."

But it is not an exact statement of the facts as revealed by history. The South when it voted for federal prohibition invited interference by the federal government; it supplied the Costigans and Wagners with a precedent.

And prohibition does not offer the only example. South Carolina, for instance, invites federal interference in the business of growing cotton; it invites federal interference in its schools; it invites indeed all the federal interference in the form of cash that it can get its hands upon.

Greenville, S. C Piedmont
April 24, 1935

Boomerang

LYNCHINGS, in our opinion, would be increased by passage of the Costigan-Wagner anti-lynching bill.

This newspaper opposes the bill. It opposes lynchings.

Greenville, S. C. Piedmont
April 24, 1935

Poor Favor

WHEN United States Senator E. D. Smith inferentially condoned lynching in opposing the Costigan-Wagner anti-lynching bill on the Senate floor he did his state and the South a poor favor and probably increased the chances for the bill to pass.

Lynchings are unnecessary.

Greenville County for years has demonstrated that orderly, legal justice can be meted out promptly in offenses of the kind that some times provoke lynchings.

There is no reason for passage of the Costigan-Wagner bill—it would be another dead letter law and it would stir unwholesome resentment in many quarters and thus defeat its own purpose—but defending lynchings is no way to oppose it.

Anderson, S. C., Record
April 26, 1935

THE ANTI-LYNCHING LAW.

One is inclined to agree with the views of Senator Ellison D. Smith of South Carolina, in his fight against the Costigan anti-lynching law, which would impose upon peace officers a severe penalty for their failure to perform their duty.

Senator Smith observes that the South is doing everything in its power to curb mob violence and declared that "we have laws sufficient to punish anyone deserving it."

While abhorring lynch-law and deploring the record of some Southern states, including South Carolina, in connection with mob violence in the past, many Southerners will find themselves in complete sympathy with the attitude of Senator Smith. Mob violence is something that a handful of officers of the law cannot control. This has been demonstrated time and time again, and it is obvious that the proviisons of the Costigan measure are such that they would impose severe penalties upon innocent persons.

Wilmington, N. C. Morning Star
April 25, 1935

PROPOSED LYNCHING BILL

SENATOR SMITH, of South Carolina, that urbane gentleman who for years has fought for the cotton planters of the south, turns for the moment from his batles for the dirt farmer to register his opposition to the WAGNER-COSTIGAN bill, making lynching a federal offense.

Offhand, we are inclined to agree with the gentleman from Lynchburg that the proposed measure is hardly worth passage. Noble as may be the theory behind it, or righteous as may be the motives of the senators sponsoring the bill, it must be conceded that it is a sectional affair and constitutes a direct slap at the south.

This newspaper holds no brief for the mobster. It long ago took the stand that the lyncher should be exterminated and it applauds when one of the ilk is caught on the horns of justice and impaled. At the same time it cannot see where the proposed law will seriously effect the situation. Lynching in the eyes of the northerner occurs only when a negro meets violent and illegal death at the hands of a southern white. It fails to recognize that gang killings, hold-up murders and other such crimes must also be classified as lynchings under the implied meaning of the term.

We concede that law enforcement officers are handicapped in obtaining information which will link the average mobster with a crime of the kind concerned, but will a change from state to federal offense change the situation? We doubt it.

Macon, Ga., Telegraph
April 26, 1935

Dodging Anti-Lynching Bill

It might as well be made clear once for all that those senators and representatives from the South who are opposing the federal anti-lynching bill do not by any means voice the unanimous sentiment of the South and that a filibuster to prevent the enactment of this bill will be resented.

The changed attitude on this matter is shown by the organization of Southern women in Florida who have lined up solidly behind the bill and have pointed to the number of lynchings which have taken place in the South in recent years with practically no one brought to justice.

Perhaps there was a time when the Federal Government should have been told to keep its hands off the enforcement of the law in the states, but since that time it has been clearly shown that the states will not enforce the law when it comes to lynching.

Statistics show that only a small per cent of the lynchings which have taken place in the course of the past few years were for attacks upon women. The flimsiest pretexts have been used to mob Negroes when racial prejudices became inflamed. The cruelty and deliberation with which the latest of the more sensational lynchings have been pulled off, that near Marianna, Fla., beggars all description. Invitations to the gruesome affair were sent out over several counties. The tragedy was postponed until a vast crowd could assemble and the crime, deliberately committed, was accompanied by mutilation and horror which made the blood run cold.

In the course of consideration of the bill Wednesday on the floor of the House, Representative Black made the statement that it would give peace officers a "wonderful excuse" to molest strikers on the ground that such officers would be subject to penalties for not enforcing the law.

Where a strike is not accompanied by violence peace officers would not have the slightest excuse for interfering in the matter, while on the other hand if the mob spirit was about to get out of hand it would be the imperative duty of the sheriff to act, whether the mob had assembled to lynch a Negro or to lynch an industry. The fears expressed by Representative Black should not be allowed to influence a full and fair consideration of this bill.

While we have referred definitely to the organization of women in Florida which has taken a strong hand in favor of the federal anti-lynching bill—introduced by a good Democrat, incidentally—we have no doubt that the good women of other sections of the South feel very much the same way about it. They do not want to see their state disturbed by a breach of law and order, whether in Florida or any other state.

The old excuses for doing nothing about this thing of mob violence will not hold good any longer. The mob spirit is entirely too prevalent, and if this law will keep it in check, whether the occasion be a lynching such as we understand it or in any other case, it will serve a good purpose and should be passed.

Sanford, Fla. Herald
April 24, 1935

The Anti-Lynching Bill

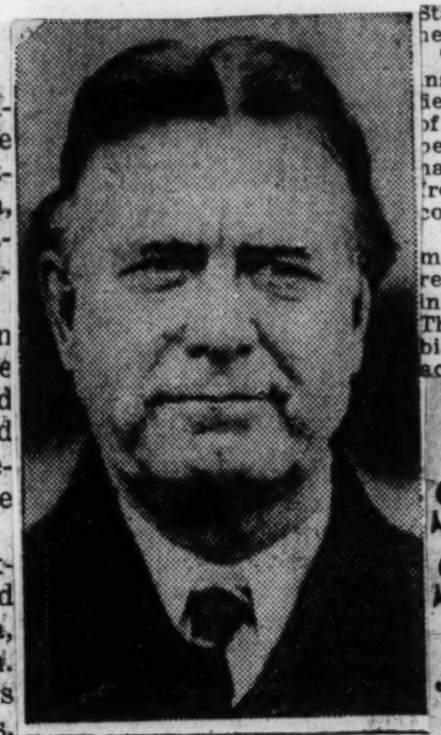
Stormy oposition is in sight for the Costigan anti-lynching bill, says the United States News. "Already the prelude to the battle has occurred. So furious was the attack launched by Senator Smith, (Dem.), of South Carolina, when the bill was brought up in the Senate for consideration that a postponement was deemed advisable by Administration leaders."

The Southern senator described the bill as "an open reflection upon the South, where we are faced with the humiliating necessity of going outside the law to safeguard our fireside and the sanctity of our womanhood. He said the bill implied that the South was 'barbarous,' and described his attitude as 'only a prelude to what will take place when this infamous bill comes before us.'

In reply, Senator Costigan, (Dem.), of Colorado, explained, according to the News, that the bill was drafted after the lynching of two white men at San Jose, California, in 1933, and was not intended as an attack upon the South. It would inflict heavy penalties on State or local officers who fail or refuse to protect prisoners from riotous mobs, making local communities subject to damages.

However, Senator George, (Dem.), of Georgia, declared "this whole scheme is unconstitutional and is not justified or authorized by anything in the Constitution. It would break every semblance of State sovereignty."

Whether curbing the scope of the bill will reduce the opposition to the measure when it comes up for consideration in the Senate at a later date is not known. The bill has already received the support of many high officials, the News says.



Associated Press Photo
SENATOR BORAH

states Senate as the Costigan-Wagner bill is debated.

The present antilynching bill was inspired by the mob's dance of death in one of the fairest cities of California. If Hauptmann had been acquitted would New Jersey have been able to protect him from mob vengeance? No one could be sure.

The power of the federal government ought to be mobilized to reinforce the power of the states in stamping out this national evil. The federal government under this bill would never be called upon to act if the states did their duty.

Anti-Ly[illegible]elved; Bonus Pl[illegible] in Senate

Successful Seven-day Filibuste by Southerners Ends as Borah Switches

WASHINGTON, May 1 (AP)—Smarting from a semi-serious presidential criticism of senatorial lethargy, Democratic leaders, aided by Republicans, today flung off the senate's anti-lynching bill filibuster in favor of the controversial bonus issue.

A move to adjourn which had failed on three previous occasions, finally carried 48 to 42 after several Republicans and Democrats had rallied to the southern cause and Senator Borah, Idaho Republican independent, had assailed from the floor the constitutionality of the Costigan-Wagner measure to give the federal government power in lynching cases.

Many senators credited Borah with breaking the deadlock.

This parliamentary tactic ended a seven-day successful southern filibuster against the motion of Senator Costigan (D., Col.), to take up the bill he and Senator Wagner (D. N. Y.), have been pressing.

It automatically displaced from its calendar position Costigan's motion and shortly afterward Vice President Garner recognized Senator Harrison (D., Miss.), who proposed that the bonus be taken up.

Bonus Discussion Put Off

The motion carried without a record vote. The bonus debate, however, was put off until tomorrow because Senator Robinson, Democratic leader, who had moved the temporary adjournment, decided to hack away at an accumulated list of secondary bills.

The adjournment motion was supported by 43 Democrats, 4 Republicans and the Farmer-Laborite, Shipstead. Fourteen Democrats, all from the North and West, 17 Republicans, and the Progressive, La Follette, answered "no."

Those switching from previous roll calls to the side of Robinson for adjournment included Senators Bachman, Clark, Murray and Truman, Democrats, and Borah, Couzens and Frazier, Republicans.

Borah assailed lynching as a "brutal" crime, but said the pending bill would have "dealt a blow to our principle of government, the importance of which could not be overstated."

"To my mind," Borah asserted, bringing smiles to the faces of the determined southern opposition group, "if this type of bill can be sustained by the supreme court, we have utterly broken down all state sovereignty. I can see no escape from that conclusion."

The fiery Idahoan, has long hair at times falling over his brow, also ripped into the AAA and NRA on constitutional grounds and in this he was assisted by the Virginia conservative Democrat, Carter Glass.

"If you can go to Iado and take a man by the nap of the neck and make him abide by the rules of the federal governments to his business" he said, "you can go to Alabama and seize the sheriff by the scruff of his shirt and compel him to abide by federal regulations governing lynching."

WATERBURY, CONN.
AMERICAN
MAY 1 1935

THE ANTILYNCHING BILL

(Springfield Republican)

Whenever a lynching occurs the nation, not merely a state, bears the odium of it. It is, as Sen. Costigan, says, a national disgrace. Throughout the world American civilization is measured by the American lynching record. Morally speaking, this is an effective answer to the cry of state's rights now raised again in the United

New York Evening Post
MAY 2 1935

Senate Just a Cave of Winds, Says Moore After Filibuster

Junior N. J. Member Pines for Oratory of Clay and Calhoun

WASHINGTON, May 2 (AP).—Seven days of filibustering on the anti-lynching bill have been too much for A. Harry Moore, Democrat, the junior Senator from New Jersey.

"I am disillusioned," he said, pacing the President's room of the Senate.

"As a boy I used to think about Daniel Webster swaying the Senate with his imagery of speech. I used to think, too, of Henry Clay and John C. Calhoun making stirring, emotion - tingling addresses that meant something.

"But what do I find? When a Senator makes a speech now everybody walks out. The place is just a cave of the winds. I am disillusioned.

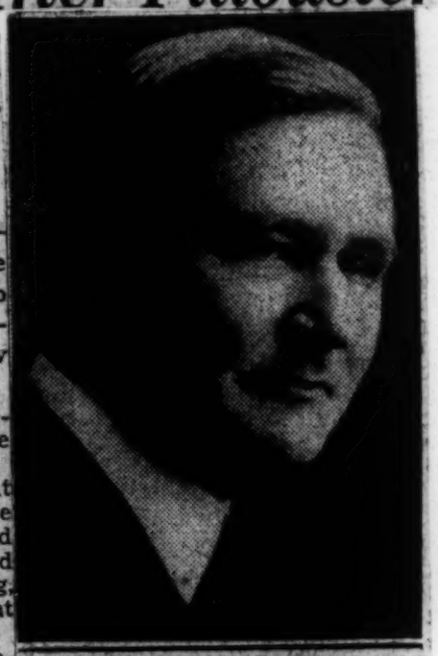
"Why, we could do what we've got to do within two weeks if we worked night and day.

"Of course, I may be wrong. I have been told this is a great place. Maybe having a chamber in which men can give full vent to their feelings without fear of punishment or anything else is good for the country.

"Perhaps it serves the same function as Hyde Park in London, or Columbus Circle in New York, by letting men get off steam.

"But this talk about men coming here with a mission or anything like that is just a lot of bunk; you know that.

"This filibuster on the anti-lynching bill carried speechmaking to what you might call the point of ad nauseam."



SENATOR MOORE

MINNESOTA BACKS ANTI-LYNCH BILL

ST. PAUL, Minn., Mar. 21.—Governor Floyd B. Olson signed a concurrent resolution Wednesday which passed the Minnesota State Legislature memorializing Congress to enact a Federal anti-lynching law.

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COLUMBIA, S. C.
RECORD

MAY 7 1935

Demonstration

There is another thing that ought to be note about the successful Southern filibuster against th Costigan-Wagner anti-lynching bill.

It was a demonstration of the fact that the South ern senators if they want to prevent a bill's enact ment can do something about it.

If they do not so band themselves together to prevent the enactment of some other bill by threatening to talk until the bill is withdrawn it does not mean that they could not carry out such a threat but that they do not care to oppose the bill.

WASHINGTON, D. C.
POST

MAY 4 1935

Lynching and States' Rights.

To the Editor of The Post—Sir:

At its meeting on April 30, the nterracial committee of the District of Columbia adopted the following minutes:

"That we view with astonishment and profound regret the attitude taken by The Washington Post toward the pending legislation against lynching.

"The argument of The Post that this crime should be left to the States to deal with is self-refuted. Only because it has been left so far to the States and the States have failed to suppress it have men and women sensible of this deep disgrace felt forced to appeal to the Federal power.

"We can not conceive of the editor of The Post as unaware that by his course he is strengthening the hands of the singular beings that in the fourth decade of the twentieth century do not hesitate publicly to assert mob murder as a right, sacred and unassailable. We remind him that 75 years ago the intellectual forerunners of these persons did not hesitate to assert similarly as sacred and unassailable a right of man to own his fellow man. We can not think the editor of The Post has failed to note this strange and sinister analogy.

"Knowledge of the unspeakable horrors of recent lynchings in this country has spread around the world, until mankind marvels that American civilization should lag so far behind the civilization of the Ashantees and the wild Papuans. We are weary of the intolerable stigma of this disgrace. That efforts to remove the foul blot in the only way whereby it can be removed do not seem to appeal to The Post is puzzling but not disheartening. We believe that elsewhere all good citizenship feels as we feel about it."

I was instructed by the meeting to lay this memorandum before you.

CHARLES EDWARD RUSSELL,
Chairman, Interracial Committee, District of Columbia.
Washington, May 1.

SANFORD, FLA.
HERALD

MAY 1 1935

The Lynching Problem

Not all Northerners take the same view of the anti-lynching bill which Senators Costigan and Wagner have shown in drafting it and in their remarks on it in the Senate. Many others, probably as seriously concerned over the lynching problem as the senators themselves, believe nevertheless that this form of lawlessness is purely a local problem and can be handled best by the local units of government. The New York Herald Tribune takes this broad-minded view of the attempt to federalize the punishment for lynching:

"Just now the Senate is in the throes of a passionate debate over the Costigan-Wagner bill. This measure would make it a federal-offense, heavily punishable, for local peace officers to refuse or fail to protect prisoners in their custody from mob violence. It would also provide for financial damages to the relatives of victims against the counties or cities, or both, in which lynchings are perpetrated, the damages to be collected in a federal court. In the main it follows the lines of the Dyer anti-lynching bill, which had Congress in a similar ferment thirteen years ago.

"Its opponents have called it unconstitutional, but mistakenly, we believe. Since the Fourteenth Amendment forbids any state to deny to any person within its jurisdiction the equal protection of the laws, excellent authority has held that Congress has the right to pass legislation penalizing failure to give such protection. Neither with the bill's objective nor with its constitutionality can there be serious quarrel. Nor need we join our Southern statesmen in shedding bitter tears over its implied insult to the South. As Senator Costigan has observed: 'Lynching has been practiced in every part of the nation. The evil is in no sense to be regarded as sectional.'

"However, the bill does raise a fundamental question of governmental policy. In the first place, a lynching is almost invariably a purely local crime. In this respect it differs radically from kidnaping, bank burglary, highway robbery and the like, with their attendant murders, whose perpetrators skip from jurisdiction to jurisdiction. There is not the same excuse to include it in the fast-growing list of offenses to be dealt with by the Federal authorities. In the second place, it is an evil that is on the wane. In 1892 there were 255 lynchings; last year there were 15. The curve, though it may waver a bit from year to year, has shown a marked downward tendency for nearly half a century, indicating very clearly the growing popular revision against the crime as well as the effectiveness of local statutes.

"Given the enormous diversity of customs and conditions in this country, one may always doubt the wisdom of calling upon the federal government to solve a local problem. Lynching is a local problem, however widespread may be its practice, and, unless the figures lie, it is being solved locally. The process may take longe than the short cut of federal interference, but in the end it is found to be the more wholesome and effective."

St. George, S. C., Eagle
May 2, 1935

THE ANTI-LYNCHING BILL

Senator Smith should receive the whole-hearted support of all the people of his state in his fight against the anti-lynching bill now before the senate. This bill is aimed directly at the south.

When a negro is killed in a Southern state it is called a lynching, but if it happens above the Mason and Dixon line he was killed in a riot. If the bill becomes a law every county in the Southern states in which a negro meets a violent death will be forced to pay a heavy penalty, while Northern counties will escape this penalty by labeling the cause of death by a different name.

While Senator Smith has been leading the fight against this bill, which threatens what little remains of states rights, the junior Senator from South Carolina, so far as we have been able to learn has remained strangely silent.

Another peculiar thing about the bill is that it is sponsored by a Democratic senate. This could be more easily understood if a Republican senate should try to force such a measure on the South.

We congratulate Senators Smith and Gla upon the fight they are making.

WASHINGTON, D. C.
POST

MAY 4 1935

Letters To The Editor

The Post welcomes letters from its readers. All communications must be signed with the writer's name and address. Upon publication initials or pen names will be used if requested. Letters are subject to condensation, and in no case should they exceed 250 words.

"The Lynching Business."

To the Editor of The Post—Sir: The most important bill before Congress now is the Costigan-Wagner anti-lynching bill. I say it is the most important because the present continued injustice to our colored population breeds class hatreds that might endanger our national existence in time of war.

The normal relationship between the whites and colored should at least be friendly for the interests of both. Southern planters profit by Negro labor to the extent of millions of dollars. In the North, the Negro has proved himself to be a man of honor and ability. He is able to respond fully to the opportunities and responsibilities put upon him. To deny him his right and a chance to advance his economic position is to make a criminal of him and endanger the peace of the whole Nation to say nothing of the glaring injustice.

Abe Lincoln said: "We can not endure as a Nation one-half free and one-half slave." Let me add that we can not endure and prosper as a Nation when one-half of the States nullify the Constitution for a large part of their peaceful citizens.

The worst part about the whole lynching business is that it creates a disrespect for all law and order. If mobs of people can disregard with impunity one article of the Constitution, why not any one? Lynching is a damning admission of a whole State and its citizens that they regard the law as a joke or of no importance.

Law is something built up through the ages and is built upon justice. The ideas of justice are a slow growth, an accretion of centuries and presupposes a theory of progress. If we discard the theory of progress and gradual improvement of the relations of mankind, we might just as well shut up shop and haul down the American flag. If the Stars and Stripes do not stand for equal and real justice for all citizens, rich and poor, black, white, red or any other color, it does not mean anything at all.

FAIR DEALER.

Washington, April 27.

Lack of Money Hampered Fight for Anti-Lynching Bill

NEW YORK—Lack of sufficient financial support from those who would profit most from the passage of the Costigan-Wagner anti-lynching bill was chiefly responsible for the temporary shelving of the controversial measure, according to a statement issued from the office of the NAACP.

According to this statement, many Northern Senators would have spoken in favor of the Costigan-Wagner bill had they been supplied with adequate detailed information and arguments, legal and otherwise, on lynching.

Speaking for the association, which is actively backing the bill, Walter White, its secretary, declared:

"Memoranda were prepared exposing the fallacy of the arguments about rape; on the states have in their laws provisions for financial damages against counties which permit lynching; detailed analyses of the lynchings in thirteen Southern states showing the triviality of the causes of many lynchings.

No Money for Research

"But not enough of these analyses were done," he continued, "nor sufficiently distributed in the Senate and among newspaper men, because the preparation of such memoranda requires much research by experts in the gathering, correlation, digesting and presenting of this material.

Stenographic services, printing, postage, mimeographing, multigraphing, traveling expenses and personal interviews with Senators to supply them with facts to answer the wild statements of the Ellison Smiths and other filibusterers, all these cost money. The association had no money for this work.

INSUFFICIENT FUNDS BLAMED FOR SHELVING ANTI-LYNCHING BILL BY N. A. A. C. P. SECRETARY

"NEWSPAPERS GAVE HEARTY SUPPORT," SAYS WALTER WHITE

Research And Other Work Lacking

NEW YORK, May 16.—Lack of sufficient financial support from those who would profit most from the passage of the Costigan-Wagner anti-lynching bill was chiefly responsible for the temporary shelving of the controversial measure, according to a statement issued today from the office of the National Association for the Advancement of Colored People.

According to this statement, many northern senators would have spoken in favor of the Costigan-Wagner bill had they been supplied with adequate detailed information and arguments, legal and otherwise, on lynching.

Speaking for the Association, which is actively backing the bill, Walter White, its secretary, declared: "Memoranda were prepared exposing the fallacy of the arguments about rape; on the states which have in their laws provisions for financial damages against counties which permit lynchings; detailed analyses of the lynchings in thirteen southern states showing the triviality of the causes of many lynchings; memoranda on how lynching is used as a means of terrorization through which economic, educational and other discrimination is perpetuated and increased."

No Money For Adequate Research Work

"But not enough of these analyses were done," he continued, "nor sufficiently distributed in the Senate and among newspaper men because the preparation of such memoranda requires much research by experts in the gathering, correlation, digesting and presenting of this material. Stenographic services, printing, postage, mimeographing, multigraphing, traveling expenses and personal interviews with senators to supply them with facts to answer the wild statements of the Ellison Smiths and other filibusterers, all these cost money. The Association had no money for this work.

"After each day's vote stenographic service should have been available immediately to send telegrams to key persons in states from which came senators who had been absent from the floor or who had voted for adjournment. It is only in this fashion that the political threat of revolt by Negro voters against senators who did not persistently and faithfully fight the filibuster to the limit could be properly exerted. Just as lobbies for selfish purposes are used effectively in Washington so must lobbies be used for humanitarian purposes, as in the fight against lynching.

Praises Support of Newspapers

"Of great importance," he continued, "and indicative of the growth of consciousness, has been the unparalleled support of the bill of the Negro press without exception. Our newspapers have devoted many columns of space and have uniformly taken an intelligent, broad gauge view of the significance of the fight."

Mr. White deplored the fact that most of the volunteer lobbying for the anti-lynching bill was done by white people, only a few colored people, even in Washington, being interested enough to help. "This is said not in criticism," he averred, "but as one of the weaknesses which must be corrected. A few Negroes rendered active, devoted and valuable service, without which the fight for the bill would have been more greatly handicapped than it was. But there should have been scores of volunteers."

"The Association," he said, "desired to establish an adequately-staffed office in Washington with sufficient budget to carry on an effective fight for the passage of the bill, but could only do so when colored people themselves supplied sufficient funds."

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NEWS
U. S.
Washington, D.C.
MAY 6 1935

The Anti-lynching Bill: Oratorical Fireworks in Senate

REMINISCENT was the Senate scene the past week of the "Fiery Epoch," when Calhoun, Toombs, Rhett and Davis made sparks fly clashing with Webster, Clay, Sumner and Seward on "State rights" and the "irrepressible conflict."

Stirring old arguments heard in ante-bellum and reconstruction days were heard again, amid much mere wind-milling against time, as a determined Southern bloc filibustered six and a half days and thwarted consideration of the Wagner-Costigan Federal anti-lynching bill.

SENATOR WAGNER (Dem.), of New York: The crime of lynching, which punishes without trial and without conviction, is * * * the most fundamental of all attacks upon our Government and our ideals of life. * * * Of the 28 victims of lynchings during 1933, 15 were charged with only minor offenses. Of the 16 names upon the roll of infamy last year only 10 were even accused, much less proven guilty, of major crimes. Five were tortured for such trivial departure from good taste as writing an insulting note, using opprobrious language, fist fighting, talking disrespectfully, and stealing.

The plea has been made that lynching can be ended by State action alone; but the plea crumbles under the weight of the fact that it must carry. There have been 5,071 lynchings in the United States since 1882, and 280 since 1922. Since the turn of the century only eight-tenths of 1 per cent of these crimes have been followed by prosecution, and in only 12 instances have convictions resulted.

This bill does not invade State rights. It interferes only with mob rule.

SENATOR CONNALLY (Dem.), of Texas: The bill * * * constitutes a wholly new departure from all our preconceived conceptions as to the responsibility of the States within their own proper sphere, and of the Federal Government. * * * Now and then it is a good thing for Senators to go back to the Constitution, read it, meditate upon it, and contemplate the possibilities and the limitations and the restrictions.

SENATOR LOGAN (Dem.), of Kentucky: It appears to me that when a Senator is for a bill he can always find something in the Constitution which will justify its enactment, and therefore he concludes it is constitutional. But if he is against the bill, he can always find something in the Constitution which he believes renders it unconstitutional, and therefore he is against the bill.

SENATOR CONNALLY: The Senator from Kentucky makes a very sweeping charge. * * * I am opposed to the whole bill. I am opposed to taking it up.

SENATOR GLASS (Dem.), of Virginia: I know my State has a very severe statute against lynching.

SENATOR CONNALLY: And a number of other states have.

SENATOR BARBOUR (Rep.), of New Jersey: Lynching * * * is an anarchistic assault on sovereignty and represents a temporary overthrow of the State government. President Wilson characterized lynching as vitally affecting the "honor of the Nation and the very character and integrity of our institutions." Under these circumstances, I believe the Federal government has a right, indeed, a duty to assure that the rights guaranteed under the Constitution shall be preserved.

I cannot bring myself to feel any sympathy in this instance for those who rest their opposition to the anti-lynching bill on the question of State rights. I believe that it is demonstrable that those States in which this issue is more frequently raised are the same States which are leaning most heavily on the Federal Government for financial assistance in meeting the ravages of the depression in their cases.

It seems to me that if these States are willing that the Federal Government should assume by far the greatest responsibility in taking care of their unfortunate, they should not be too insistent on denying the constitutional rights of court trial and ordered justice to their own citizens.

SENATOR BAILEY (Dem.), of North Carolina: The pending bill gives notification to the United States that there are those who intend to destroy the States and destroy local self-government. * * * Coercion is the most dangerous thing in all the life of the country. * * * Is it possible that we have reached the hour in America when it is proposed to ride us with whip and spur?

SENATOR CAPPER (Rep.), of Kansas: Everyone knows that this blot on our civilization, lynch law, is far too prevalent in the North as well as in the South, and neither its victims nor its executioners are confined to any one race. * * *

It is a shame and a humiliation and a disgrace to the name of America among the nations of the world; it holds us up to scorn, it sets at naught our protestations about democracy, justice, equality before the law. It cannot be tolerated for long if our Republic is to endure.

SENATOR BANKHEAD (Dem.), of Alabama: I know I am a better friend of the colored man than are * * * Senators who are insistent upon projecting this bill upon the statute books, thereby stirring up ill will, strife, and hatred among the races.

SENATOR McCARRAN (Dem.), of Nevada: The only time I have heard the question of race raised has been when it was raised by the learned Senators from the South.

SENATOR SMITH (Dem.), of South Carolina: The Senator has reached the point where he is willing to burn down the house to get rid of a rat. * * * We, as sovereign States, will settle our social questions for ourselves. * * * When shall you and I again * * * dare to raise our voices in behalf of the national Democratic party when it has betrayed us in the midst of an overwhelming so-called "Democratic Administration?" * * *

I, for one, here today declare that if this proposal, involving the destruction of State rights and the usurpation of local self-government, becomes a part and parcel of Democratic doctrine, I shall pay no further allegiance to such a party. * * *

I want to state to the Senator from Nevada that the thing which did more to precipitate the Civil War than anything else was just such unwarranted interference with our affairs as is now proposed.

SENATOR McCARRAN: I am not going to fight the Civil War all over again.

SENATOR SMITH: The Senator may have to do so, if he and his colleagues keep on with such measures as this.

SENATOR BORAH (Rep.), of Idaho: It is my belief that this type of bill would not prevent lynching. The class of crimes to which lynching belongs can only be prevented by the education of the people, by building up public opinion against it.

SENATOR NEELY (Dem.), of West Virginia: During the last eight days everything in the universe excepting the United States Senate has been in constant and persistent progression. * * * During these last eight days, how far has the United States Senate traveled, what service has it rendered the nation, what blessings has it bestowed upon the American people?

Let no one lay on his soul the flattering unction that the country has approved of his action in filibustering against the anti-lynching bill. The press of the East and the West, the North and the South, has almost unanimously condemned the Senate filibuster. * * *

In terrifying this body into silence on this subject with your specious argumentation you have, in defiance of Woodrow Wilson—one of the greatest men who has walked this earth since the morning stars sang together—made the Constitution of the United States a skeleton of fear.

HERALD
Raleigh, N.C.
MAY 2 1935

Lynching a Menace That Can't Be Kept Within Bounds

Southern senators strenuously opposed the anti-lynching bill and threatened a filibuster to keep it from coming to a vote.

This measure, introduced by Senator Costigan of Colorado, with the coöperation of Senator Wagner of New York, is a thoughtful, carefully drawn bill designed to end one of the greatest disgraces of this Republic. It provides for the collection of civil penalties from the communities where lynchings occur, and for criminal responsibility of local officials who do not combat such outrages. It gives Fed-

eral courts jurisdiction in such matters.

Yet Senator George of Georgia vows that such a law would be "unconstitutional," and Senator Smith of South Carolina indulges in a tirade, rather than an argument, against it. Georgia has had 459 lynchings since the year 1889. Seven of the mob victims were women and three were white men. Georgia holds the world's black medal for mob murder; and it is no accident that in the same State a striker has no rights that the governor feels bound to respect. South Carolina has not climbed so high on that bad eminence; she has lynched "only" 140 people in the peri named, of whom three were women a three white men. But South Carolina sa the murder of five unarmed workers la fall by armed guards at Honea Path, during the textile strike.

The usual excuse given for lynching is that it is necessary to prevent the crime of rape. That is to a great extent untrue. Of the 3,226 persons lynched in 13 Southern States since 1889, only 522 were charged with rape—16 per cent, one out of six. Of the other victims, 1,253 were charged with murder, 810 with other felonies, while 841 — 119 more than were charged with rape—were lynched for other offenses, including "jumping a labor contract" and "disputing a white man's word."

Nor is lynching entirely a race matter, though in the South Negroes suffer most. In the period covered 372 white persons, 12 of them women, were lynched. Florida lynched 242 persons in the period named, 19 of them white; Arkansas had the same number of lynchings, but 34 of the Arkansas victims were white; while of the 205 Tennessee victims, 41 were white.

No complete list can be made of the number of innocent persons who have been lynched; but it must be large. In several cases men who were released by a court or whom a grand jury refused to indict were murdered by mobs.

Lynching is a reversion to savagery, and a pretty low order of savagery. It is a menace that cannot be kept within bounds. Negroes are the commonest sufferers, but white workers who are not submissive to the boss probably come next. The Costigan-Wagner bill is a measure of common safety.

Lexington, Ky., Herald
May 14 1935.

The Anti-Lynching Bill

The Costigan-Wagner bill, now pending in congress, is a measure which was developed in the hope of ending lynching, which has been the South's shame since the War Between the States. The American Federation of Labor recently went on record as favoring this anti-lynching bill. The inter-racial committee of the Episcopal Church of Florida, state councils of the Association of Southern Women for the Prevention of Lynching, the southern division of the National Student Council of the Young Women's Christian Association, many southern newspapers and organizations as well as individuals, principally women, have gone on record as in favor of this measure. Senators Edward P. Costigan and Robert F. Wagner drafted the measure.

The subject of lynching has been before congress for the past fifteen years in one form or another. The Dyer anti-lynching bill passed the house of representatives in 1922 but did not come to a vote. Usually the senate has managed to kill anti-lynching bills. It is to be hoped that Senators Barkley and Logan will use their best efforts in behalf of this one.

The South long has realized the fact that local authorities could not cope with the problem of lynching but there has remained the old objection to federal encroachments upon the states. However, congress has passed the Lindbergh act, which makes kidnaping a federal offense if either the kidnaped person is carried across a state line or ransom negotiations are carried out from one state to another. Eventually federal laws must be enacted to reinforce the efforts of the state toward upholding the law in the very nature of the advancement that is taking place in communication, transportation and along all other lines.

The present measure provides that federal courts shall have jurisdiction to try any member of a lynching mob, but only if states are lax in prosecution or if jurors obtainable for service in a state court are manifestly opposed to punishment for the lynching. If within thirty days after a mob offense no effort has been made to apprehend, indict or prosecute guilty parties, such prerequisites are automatically considered to exist.

There is no question that lynching can be stopped if the peace officers, the courts and the citizens of a community are opposed to it. Lynching is contrary to the law and to the whole spirit of American government. Courts are set up in order to give protection, so that it will be unnecessary for citizens to take the law into their own hands.

The Costigan-Wagner bill gives an opportunity to write "the end" to the 5,068 lynchings that have been committed in the United States since 1882. Even the threat of the passage of such a measure served as a factor in the reduction of the number of lynchings from 28 in 1933 to 16 in 1934.

Read This, Clip It, Save It and Remember It When You Vote for Your Senator

WASHINGTON, D. C., May 17.—Among senators who voted either for adjournment during the seven-day filibuster of the Southern senators against the Costigan-Wagner anti-lynching bill last week so as to block its consideration or against adjournment so as to break the filibuster, who must face the voters next year in border and northern states where the colored vote counts are the following:

Senator Nathan L. Bachman, Democrat, of Tennessee, filling the unexpired term of Secretary of State Cordell Hull. An analysis of the four ballots taken on motions to adjourn shows that he voted against adjournment on the roll-calls of April 26 and 27, did not vote on April 29, but voted for adjournment on the rall-call of May 1 when the motion was adopted by a vote of 48 to 32.

Senator W. Warren Barbour, Republican, of New Jersey, who voted consistently against motions to adjourn except on the roll-call of April 27 when he did not vote. Senator Barbour spoke in behalf of the bill on April 25 and inserted into the Congressional Record figures show that the states whose representatives were most vigorously opposing the anti-lynching bill were receiving the largest proportion of Federal funds for emergency relief.

Senator Arthur Capper, Republican, of Kansas, voted against adjournment on all four motions. He also spoke in behalf of the bill.

Non-Committal

Senator Marcus A. Coolidge, Democrat, of Massachusetts, did not vote on any of the four motions. He was reported as unavoidably detained from the senate.

Senator Edward P. Costigan, Democrat, of Colorado, co-author of the bill with Senator Robert F. Wagner, Democrat, of New York, voted against adjournment on all four motions. He motioned that the senate proceed to the consideration of the bill on April 24, was the first speaker in behalf of the bill and participated in the debate until his motion was sidetracked.

Senator James Couzens, Republican, of Michigan, voted for adjournment on the roll-calls of April 26 and 27, but switched and voted against adjournment on the roll-call of April 29. He switched back and voted for adjournment on May 1.

Senator Thomas P. Gore, Democrat, of Oklahoma, voted for adjournment on all four roll-calls.

Senator Daniel O. Hastings, Republican, of Delaware, was not present when the vote was taken on April 26, but on the next three roll-calls voted against adjournment.

Senator [illegible] Hamilton Lewis, Democrat, of Illinois, voted against adjournment on the first two roll-calls. He did not vote on the roll-call of April 29. He voted for adjournment on the roll-call of May 1.

Opposition

Senator M. M. Logan, Democrat of Kentucky, voted against adjournment on the first two roll-calls. He did not vote on the roll-call of April 29. He announced on the roll-call of May 1 that he had a general pair with Senator James J. Davis, Republican, of Pennsylvania, but that if he were permitted to vote, he would vote "yes."

Senator Charles L. McNary, Republican of Oregon, voted against adjournment on all four motions.

Senator Jesse H. Metcalf, Republican, of Rhode Island, voted against adjournment on the first two roll-calls, but was absent and did not vote on the last two roll-calls.

Senator Matthew M. Neely, Democrat, of West Virginia, voted against adjournment on all four roll-calls.

Senator George W. Norris, Republican, of Nebraska, voted for adjournment on each roll-call except April 27 when he did not vote.

Senator Thomas D. Schall, Republican of Minnesota, voted against adjournment on all four roll-calls.

Lynchings - 1935.
Legislation Relating to.

5073

RENO, NEV.
GAZETTE

APR 26 1935

SOUTH IS AROUSED

WILLINGLY AS some of the Southern States have swallowed the New Deal measures which trespass upon their police powers they are falling back upon their old state's rights doctrine in their violent opposition to the Wagner-Costigan anti-lynching bill, which is being advocated in congress by Senator Wagner of New York and Senator Costigan of Colorado, both of whom, by the way, are Democrats. In angry language they have served notice that they will never allow the bill to pass, and there is every indication that they will defeat it even at the cost of a senate filibuster which will carry down with it every pending administration measure—if such a step should become necessary.

Drawn after the lines of the Dyer bill which passed the house some years ago the Wagner-Costigan bill would make lynching a federal offense and would also inflict heavy penalties upon counties and local officials permitting it. Wagner, according to reports, is particularly interested in the bill because of the large Negro voting population in New York state. Costigan, on the other hand, is a radical who has added lynching to his numerous legislative complexes.

In the opinion of the Southern senators the bill is aimed directly at the South and proposes an intolerable invasion of the states' police powers by the federal government. Both lynching and the offense for which it is inflicted, they maintain, are matters with which the states, alone, should deal, and one senator, Smith of South Carolina, frankly told the senate a few days ago that as the offense for which lynching is inflicted is "beyond the law" his state intends to punish it by a penalty equally beyond the law. In effect he advised the senate that South Carolina has adopted lynching as a part of its social and political code and does not propose to abandon it, regardless of any legislation that congress might enact.

The bill should be defeated, of course. The proper business of congress is to legislate upon national not upon state affairs. and

ynching, deplorable as it may be, is a matter properly to be dealt with by the states.

WATERLOO, IA.
COURIER

APR 28 1935

THE ATTITUDE OF THE SOUTH ON ANTI-LYNCHING LAWS.

Certain southern members of the United States senate are determined to prevent passage of a federal anti-lynching law.

One member of the senate even went so far recently as to defend lynching as a means of preserving the "sanctity of the fireside."

It is bigotry such as this that provides the best argument for a federal anti-lynching measure. States—notably the southern states—have not lived up to their responsibilities in curbing this form of crime.

The manner in which the governor of Alabama acquiesced in the decision of the United States supreme court that Negroes may not be systematically excluded from serving as jurors would indicate that there is some courageous leadership in the south. Unfortunately, the Alabama governor is an exception.

It is said that the federal government could not provide adequate protection against lynching. The states, however, have fallen down on the job and give no indication of administering justice more impartially in the future. The federal government certainly could not fail more miserably than the states have.

Athens, Ga. Times
May [illegible]

HONOR IN THE SENATE!

Jumping to his feet in the midst of a comparatively quiet session of the United States Senate Ellison Durant Smith, Senator from our neighboring state of South Carolina for the past 26 years brought his colleagues to the edge of their chairs with old-school eloquence when he proclaimed that lynching is necessary to "protect the sanctity of our womanhood."

This started an eight man filibuster to prevent consideration of the Costigan Anti-Lynching law.

Out of a roll-call of 5,071 lynch victims, fewer than one-sixth died for crimes involving women. Nearly 1,400 were white, 94 were women; 186 proved innocent of the charges against them after the lynchings. It was brought out that mobs have lynched men accused of drunkenness, disorderly conduct, gambling, fighting, and stealing livestock.

A mob, lead well, can do more damage to civilization than all the petty thieves in the United States.

An unruly mob, without good leadership, can run amuck at the slightest provocation and cause more damage than any number of racketeers. Mob violence is a powerful, obstinate thing, dangerous at all times and never desirable. A smooth glib-tongued orator can stir up a mob of people to the fighting point and then convince them that the most innocent bystander is fit only for hanging. When the dust and excitement has died there are many shocked and repentant members of the mob who see too late the terrible thing they have done . . . but it is too late . . . the damage is done . . . an innocent person is dead . . . the murderer is the smooth tongued leader . . . the weapon . . . the susceptibility of a mob to oratory of an inflamatory nature.

The Costigan Anti-Lynching bill would penalize sheriffs who fail to protect their prisoners from mobs. It would allow families of lynch victims to recover $2,000 to $10,000 from county governments. In the opinion of the Times this latter pro-

vision should be contingent upon the guilt or innocence of the victim. In case guilt is established, a more severe penalty would be in order.

Eight Senators fell in behind "Cotton Ed" in this filibuster and would give no ground. We wonder whether the fact that such a stand would be unusually popular in certain communities located in the states represented by these Senators might have had anything to do with the adamant attitude they took against such legislation. Certainly a majority of the Senate must have been favorable, or a filibuster to prevent debate and consideration of the bill would not have been in line.

Statistics based on fact would not budge the eight solons . . . plading would not prevail upon their sense of duty to the constituency to end the congressional session as soon as possible . . . to move on to recovery legislation . . . for five days these Senators debated on why the anti-lynching bill should not be considered by the Senate. It is safe to bet that the constituencies in these states represented by the "immovable eight" will hear much around election time of the stand against this "infringement on states rights" against which they so eloquently pleaded for five days. And some folks wonder why the House always finishes work before the Senate around adjournament time.

Some Results of the Big Seven-Day Filibuster

Senators Costigan and Wagner put up a valian fight for the anti-lynching bill in the Senate, last week.

They lost because a majority of the Senators, wh had voted with them for seven days, could not withstand the bitter personal abuse of the irreconcilable Southern minority from the rebel states.

Some there were also who felt that the President had bent the Constitution far enough and no measure further limiting states' rights should be passed.

Result of the seven-day filibuster has been to mark certain Senators in the North and West for defeat at the next election. The N.A.A.C.P., which sponsored the anti-lynching bill, must take up the campaign against these renegade Senators like Dieterich, of Illinois; Radcliffe, of Maryland, and several others. 5-11-35

Another result has been to disclose to Northern Democrats that the distance between themselves and the Confederate South is as great as it was in 1860.

Some of the Northern gentry are politicians first and gentlemen afterwards, but those seven days' filibuster convinced them that moral and political principles in the South have not gotten past the slave stage, and that in seventy years the South has forgotten who surrendered at Richmond, and who won the war.

On the other hand, Northern Democrats realized that there is not so much difference between themselves and the Northern Republicans.

For ourselves, this was another plain evidence of the force and effectiveness of the ballot. All of the loud-talking filibusterers came from disfranchisement states. Senators from no state where we have the ballot voted consistently against the bill.

TROY, N. Y.
EVENING RECORD
MAY 1 1935

THE ANTI-LYNCHING FILIBUSTER.

The filibuster Southern Senators are conducting against the anti-lynching bill is revealing. We have always been told that decent people below Mason and Dixon's Line were as out of patience with mob rule as the people in the North. We have been assured by Southern legislators that they wish something could be done to restrain angry lynchers.

But when an actual measure is proposed which would accomplish this very thing and would make Southern murderers responsible for their crimes, whether they work alone or in groups, Southern Senators unite in using the ancient rules of the Senate to prevent a vote.

The truth is that these legislators are against lynching only with their tongues. Their hearts approve. Or else they feel that their supporters favor mob murder and they themselves lack the courage to oppose it. In other words, they like their jobs better than a modern moral code. It is a pitiable exhibition.

Southern Women Here Support Lynching Bill

Katherine Anthony and Other Writers Urge Passage of Costigan-Wagner Legislation

While their sisters in the South were hedging on the Federal anti-lynching legislation, according to Julian Harris, Atlanta correspondent of The New York Times, three prominent Southern-born white women here yesterday announced their support of the Costigan-Wagner anti-lynching bill now pending in the Senate.

While their sisters in the South were hedging on the Federal anti-lynching legislation, according to Julian Harris, Atlanta correspondent of the New York Times, three prominent southern-born white women here yesterday announced their support of the Costigan-Wagner anti-lynching bill now pending in the Senate. 5-4-35

The women, all of them writers, were Miss Katherine Susan Anthony or Arkansas, author of "Catherine the Great," "Queen Elizabeth" and co-author of "Civilization in the United States"; Mrs. Sheila Craik Hibben, widow of Paxton Hibben, the biographer of Henry Ward Beecher and William Jennings Bryan, author, "The National Cook Book," and Mrs. Edwina Behre.

"I look upon the Costigan-Wagner bill as the most effective measure for suppressing the lynching evil," Miss Anthony told The Amsterdam News. "I shall be glad to urge its passage by the Senate."

The bill, Mrs. Hibben said, has "my entire approval and I have wired Senator Bankhead of my native state, Alabama, urging him to support the bill. There is absolutely no justification for lynching."

Such legislation, Mrs. Behre said, "is terribly needed." Mrs. Behre is from New Orleans.

Mr. Harris in a dispatch to The Times last Sunday quoted Mrs. Jessie Daniel Ames, executive director of the Association of Southern Women for the Prevention of Lynching, as opposed to the proposed legislation while favoring a suppression of the evil through education. "I am opposed to the Costigan-Wagner bill," she is quoted as having said.

Lynchings - 1935
Legislation Relating to.

5074

KNOXVILLE, TENN
JOURNAL

MAY 2 1935

The Costigan-Wagner Bill

The outworn and illogical attitude of some of the Southern Senators in regard to the anti-lynching bill now under disturbing consideration, has made the question, to a certain extent, a confused issue in the public mind.

The act is not opposed solely by those who considered it an insult to the South, as certain bombastic speeches have declared, nor the remedy of the trouble something that concerns a gentleman's honour as independent of outside interference.

It is opposed by people who think the South bears a big proportion of responsibility for the more or less countrywide act of barbarity that we call lynching, and who feel very deeply that this section has never fully met the measure of its responsibility.

Thus many of such people, no less strongly than the hot heads, oppose Federal action as unwise and impractical in the matter of a crime so intimate and local.

Editorial discussion of this position by the New York Times offers a very clear example of the reasoning which ends in opposition to the Costigan-Wagner bill in spite of unqualified horror of the offense against which it is directed, and of unqualified amazement at the type of people who sometimes abet and sometimes condone it.

"Of all forms of lawlessness that have disgraced America in the eyes of the civilized world," says the Times, "that of lynching is undoubtedly the most abominable.

"It is so for the simple reason that other comparable crimes are either the work of demented or depraved individuals or of gangs without the pale of organized society, while your lynching mob usually includes a fair proportion of citizens of the kind normally regarded as respectable.

"It is their betrayal of the state and of their own decency that gives the final hideous touch to the atrocious business."

Yet this paper realizes that the bill now under consideration does raise a question of fundamental government policy.

"In the first place," it reasons "a lynching is almost invariably a purely local crime.

"In this it differs radically from kidnaping, bank burglary highway robbery and the like with their attendant murders whose perpetrators skip from jurisdiction to jurisdiction. There is not the same excuse to include it in the fast-growing list of offenses to be dealt with by the federal authorities."

And so the argument goes.

Those opposed to the bill are by no means necessarily insensible to the crime it would seek to eradicate.

Their opposition comes from doubt of its full agreement with the fundamentals of our government.

For a second reason given for opposing so serious a thing as Federal authority in the matter, there is the reminder that the evil of lynching is on the wane and apparently not in need of the drastic handling proposed.

In 1892, according to the figures quoted, there were 255 lynchings.

GREENSBORO, N. C.
NEWS

MAY 1 1935

ONE MIGHT BE FOOLED.

Reading the report of Senator Bailey's talk in the senate about the dreadful possibilities of the anti-lynching bill one might get the idea that by authority of Congress, or report made by somebody who will be set to watch the conduct of the citizenry of the sovereign states, it would be arbitrarily determined whether a lynching had occurred in a locality and assessment for damages by way of compensation to the relatives of the deceased would arbitrarily run. It would not be supposed, if one took it in as the senator talks it, that there would be any court action, any procedure to determine in the courts of the United States and to prove to the satisfaction of a jury citizens of the accused, selected from the locale, that a killing such as specified in the act of Congress had occurred and that the injured persons were entitled to damages, as in such cases made and provided. One gets the impression from the senator's much speaking that all these matters would be arbitrarily fixed if the anti-lynching statute is enacted.

A smart lawyer like Senator Bailey, and he is one of the smartest in the state, is well versed in making the worse appear the better reason, black seem white or *vice versa*, for the confusion of juries. He was not talking to a jury that he expected to fool. There may be some senators who don't post themselves and accept whatever a leading senator with whose views they are in sympathy may say about it. But Senator Bailey was engaged in a filibuster and talking to take up time without reference to careful statement. His purpose was to stave off a vote that might be favorable to the bill he opposed. The senator wouldn't seriously pretend to persons who knew better that his talk meant what it seemed to mean. But if some of the citizenry down home should be misled by it that would be all to the good.

If the mere enactment of a statute providing ways and means to secure compensation for persons injured by a killing without the law and for the punishment of those who had not exerted themselves to prevent the killing would make unnecessary court procedure to determine the justice of the cause in a lawful action, the same might be done in a criminal prosecution of the members of the mob. But the senator didn't go that far. That would have been too raw, seeing that almost anybody knows that a grand jury, a trial court and trial jury are necessary to weigh such matters according to the evidence.

But lawyers justify themselves in attempting to confuse juries, seeing it is their job to win the case. Senators of the United States feel the same way about using imagination and exaggeration to confuse if they can help their side that way, and senators who are able lawyers can do the job better through long practice.

Charleston, S. C. News & Courier
April 25, 1935

The New "Reconstructionists"

In South Carolina are probably few persons who take seriously the articles of The News and Courier about the Costigan-Wagner bill. Were the purpose of the bill no more than to suppress lynching, it would cause no great concern to The News and Courier. Its larger aim is to break down the control by the Southern states of cases involving negroes by transferring them to United States courts.

It is a part of a general campaign, on various lines, to accomplish what the Fourteenth and Fifteenth amendments to the federal constitution failed to do. In the last two or three years the negro associations in the North, largely financed by a few wealthy white men and women, have assumed the aggressive and pressed forward to obtain "rights" for the Southern negroes. The campaign has somewhat suddenly become general, the attack on the white South is on a number of sectors. This paragraph is from an editorial in the Baltimore Evening Sun last Monday:

"The Negro who has brought suit to force his way into the law school of the University of Maryland may cost the State a lot of money before the thing is over. A similar suit brought in North Carolina resulted in the State's having to pay the tuition of the plaintiff at a Northern school."

The University of Missouri, we believe, has had experiences similar to that of North Carolina.

The Scottsboro cases have been used as a wedge to drive into the South. The new trials granted by the supreme court, with decisions commanding the Southern states to reform their jury practices, have been a victory of first magnitude for the Northern negro propagandists.

The decision against the negro seeking admission to the Democratic primary in Texas was a reverse, but not without encouragement implied to the negro's political allies. The Democratic parties in states are virtually told that they cannot give to their primaries regulation or recognition by law, that the parties must be no more than "gentlemen's agreements" if negroes are to be kept out of them.

If and as the federal government takes over, in part, support of Southern schools, it will assert the right of administration of them. We have no objection to giving the negroes just share of the school funds, we want them to have good schools, but federal administration, in time, would mean the breaking down of racial barriers within them. If the federal government shall uphold and perhaps insist upon mixed racial schools in Chicago, will it consent to separate schools, which would involve extra cost, in Columbia and Montgomery?

We say to you South Carolinians, you Southerners, that your Washington, your "Democratic", administration is without unlerstanding of "Southern questions." Secretary Perkins, who has talked about the "shoeless South," is an excellent woman, whose life has been devoted to "social problems" in a mighty city. Secretary Ickes, of Chicago, is of the same cloth. So are Dr. Tugwell, Mr. Frankfurter, Mr. Richberg, Mr. Hopkins, Mr. Moley, and they are running this country.

For the present James Farley, a practical politician, is a protection to the South, he is corralling the delegates for next year. We face no instanct and revolutionary change in the Southern handling of the race question in politics, but included in the "planning" is the complete reconstruction of the republic and in that is another "Reconstruction" of the South.

The men and women in control in Washington are proceeding, in a shrewder, wiser, gentler, far more unselfish and by no means dishonorable way, with substantially the same objective in mind that Thad Stevens, Oliver P. Morton, Ben Wade had. The Stevens gang failed because they insulted all decency. The new Reconstructionists are profiting by their blunder, but if they succeed the result to the South will be what it would have been had Stevens succeeded. The safety for the South is lodged in their state rights, and that is what your federal government now, openly, is destroying.

It may be that these people have the right on their side. The News and Courier has no heavenly revelation. We think they are wrong, and we do not want to live in the kind of "South" that they would fabricate and assimilate to their "culture."

They are advancing, and they are capturing sectors.

The longer the white South shall shut its eyes to the facts, the harder will be its next struggle for freedom.

KNOXVILLE, TENN.
NEWS SENTINEL

APR 28 1935

Not Dixie's Voice

A SMALL group of Southern senators threaten to filibuster the Costigan-Wagner anti-lynching bill just as a similar group killed the Dyer bill 12 years ago.

They may succeed. But if they do the country should know that their specious pleas in behalf of states' rights or chivalry do not echo the sentiments of the whole South.

Organizations representing some 42,000,000 Americans urge passage of this

bill. How much of this support comes from south of the Mason-Dixon line may be judged from its approval by many of Dixie's leading papers.

"Its (the Costigan-Wagner bill's) invasion of states' rights should cause no Southern heartburning," says The Norfolk (Va.) Pilot. "There is no such thing morally speaking, as a reserved right to deal in our own way with a form of collective murder which our own way has uniformly failed to punish."

"It may be," says The Newport News (Va.) Press, "that the anti-lynching bill will not be adopted by the Congress now in session. But if it is not, and lynchings do not stop, it will be adopted by some other Congress; in fact, must be adopted if the machinery of justice is to function."

"Apparently," says The Macon (Ga.) Telegraph, "the mere threat of the Federal anti-lynching bill has a wholesome effect, and the time has come when even the South would vote for such a bill."

Southern women, too, have been quick to resent Senator Smith's quaint argument that "lynchings are necessary for womanhood's protection." Scores of letters, telegrams and resolutions from Southern women's religious, welfare and club organizations have repudiated the preposterous claim that the South's law is helpless to protect the South's women.

Proponents of this measure claim 59 Senate votes from all over the country and a big majority in the House. Only 20 senators are called irreconcilables. It is neither just nor gallant of them to filibuster against this popular national movement.

Montgomery, Ala., Advertiser
May 5, 1935

LYNCHING

Newspaper accounts of the Senate's action on the Wagner-Costigan bill termed by its proponents as a law to wipe out lynching, were misleading.

In the first place Southern Senators did not conduct a filibuster, at least not in the sense that filibusters are normally conducted. Senator Bailey, of South Carolina, did not carry out his threat to read "the whole Book of Deuteronomy," nor did any other Senators resort to reading extraneous matter at length.

What the Senators intent on halting a further invasion of State's sovereignty did, as a reading of the Congressional Record will show, was to attempt to defeat the bill on its merits.

Senators Bankhead and Black, of Alabama, played a conspicuous part in the debate of the Wagner-Costigan bill, the former holding the floor for several days. Senator Bankhead, furthermore, yielded the floor temporarily, when requested, to permit the backers of the bill to present their side whenever they chose. Both held their ground gallantly.

Credit for breaking the deadlock has been given to Senator Borah who in his forceful manner assailed the bill on constitutional grounds. However, the opposition to the bill had previously stated that it was unconstitutional a number of times. Due to Senator Borah's standing as a liberal and his reputation on constitutional questions his attitude was probably responsible for breaking down the Wagner-Costigan forces.

Did anyone ever hear the final outcome of the "is she, ain't she" controversy over Mae West?

It is unfortunate that the strength of a majority of those who abhor lynching was wasted on the Wagner-Costigan bill. It could have been used to greater advantage along other lines.

The theory that an evil can be eradicated by simply passing a Federal law against it is one that plays too important a part in American thought today. This was amply demonstrated by the failure of the Eighteenth Amendment which was the result of the concerted efforts of the prohibitionists over a period of years. With the ratification of the amendment the prohibitionists for 14 years forgot completely to teach temperance, and the break-down of their temple followed. The passage of a Federal law aimed at lynching might have met with the same results.

The decline in lynching in the past generation should serve to demonstrate that a Federal law was not necessary. Lynching has declined to a point where in the last two-year period there were only 22 murders of this kind.

At present lynching is looked upon by all thinking people as one of the most infamous crimes of civilization. Yet our Puritan ancestors once burned witches far more frequently than suspected criminals are lynched today.

No Federal law was necessary to stop witch-burning. There was a change in public opinion, a change in the hearts and minds of men.

Apart from the fact that the Wagner-Costigan bill would have been a rank invasion of State's rights, it would have had no influence in curbing lynching. The occurrence in Shelbyville, Tenn., in which the county courthouse was destroyed by mob violence, should be adequate proof that mob spirit halts at no cost in its reckless spirit of vengeance. The destruction of the courthouse cost the citizens of the county many times more than a Federal fine of $10,000 as provided by the Wagner-Costigan bill would have.

Two plausible methods of eradicating lynching have been advanced. One, advanced by H. L. Mencken, to provide brass bands for all communities in which lynchings were liable to occur; the other, for the people to elect sheriffs willing to shoot to protect prisoners.

All the time and energy wasted in behalf of the Wagner-Costigan bill would have been ample to provide the first. The second is the responsibility of citizens. Neither can ever be brought about by Federal law.

Charleston, S. C. News & Courier
May 2, 1935

Anti-Southern, Anti-Rural

The Costigan-Wagner bill is not only an anti-Southern but anti-rural measure. It is the product of the city mind ignorant of and unsympathetic with rural problems.

In New York, Senator Wagner's home, and in Denver, where Senator Costigan lives, a lynching would be next to impossible—though in New York attempts to lynch negroes are not uncommon.

The cities are elaborately policed. If a disturbance starts or a crowd gathers, 100 or 1,000 policemen can be brought to the spot in five or twenty minutes. The intended victim of the mob invariably is snatched from it and hurried to a jail that is a fortress. The same conditions are to be found in Denver, Mr. Costigan's home town. Of its 280,000 people 273,000 are white. It also has a numerous police force and fortress-like jails.

There is no excuse for lynchings anywhere or at any time, but they do not occur in cities because they are stopped by the police. Not in the City of Charleston has been a lynching in more than a century if ever and we have never heard of one in Columbia. A white man was taken from jail in Spartanburg and hanged by a mob about fifty-five years ago and a desperate effort was made to lynch a negro in that town about twenty-five years ago. The jail was new and strong and Sheriff White successfully defended it. Attempts to take prisoners from the Greenville jail, as we recall, always have failed.

In rural districts the feeble policing is provocative of lynching and makes it comparatively easy. There is a sense of loneliness and defenselessness unknown to the city dweller. If the people of South Carolina were not generally opposed to this kind of lawlessness it would be ten times more frequent than it is. The truth is that the public opinion of our people has all but suppressed it.

Since 1919 have been only three or four lynchings in South Carolina, and of our population 46 per cent are negroes. Senator Costigan dwells in a city (excellently policed). Less than 3 per cent of the people in Denver are of non-white races. What does he know of conditions in Alabama, Mississippi, South Carolina?

Yet he, a Democrat, would have a federal law whereby a country sheriff and his deputies could be dragged into a federal court and punished. Have we come to the point that a sheriff elected by the people of Marion or Pickens shall be responsible to federal judges and juries for the performance of their duties?

It seems so. Senators Wagner and Costigan are Democrats. The president is a Democrat. Many of his fellow Democrats from the Northern and Western states are voting for the anti-Southern bill. He has not said that he would veto it if it were passed.

Has the South a dependable friend in the White House when a Southern question arises?

The Costigan-Wagner bill is a persecution bill.

City sheriffs would never be affected by it.

ROCKFORD, ILL.
REGISTER REPUBLIC

MAY 6 1935

AN UNPROMISING PROPOSAL.

It is highly questionable whether the Costigan-Wagner anti-lynching measure provides the solution for the difficult situation which it is intended to correct. There are indications in the face of the stubborn filibuster which has been launched against it that about the only effect the measure will have is the obstruction of the work of congress.

The measure is a punitive one. It becomes cooperative only after a lynching and does not set up any protection to prevent mob violence. We doubt whether even knowledge of the severe penalties involved would provide any potent deterrent to mob violence in the old south.

The bill does give relatives of a lynching victim the right to a civil trial for damages in federal court from officials, against whom, however, dereliction of duty must be proved. It is difficult to understand just how the threat of property loss would strengthen the hands of local officials in dealing with an overwhelming mob. It would also be extremely difficult to secure a jury award of damages in communities where lynch law is condoned.

Southern senators have been frank in their discussion of the measure. They resent interference of the north and west in their problem. Those who have not lived in the south know little of the bitterness of the trials that section has gone through in dealing with this particular problem.

It is a situation which must be left to the south to work out itself. It is even now being attacked with vigor in many of the states below the imaginary Mason and Dixon line. Southern newspapers and southern p[illegible]ors are crystalizing sentiment against lynch law in the sections where it is most often employed. Repeated successful efforts of the best type of southern officials make their work harder by passing a law which courageously resisting infuriated mobs are objectwould only have the effect of making them lessons even more potent than laws, preach-lable to suits for failures which they are trying nents from the pulpits, or scathing editorials. their level best to avoid.

The passage of a federal law would not have the effect of stiffening the south's sense of responsibility. This responsibility is on the whole keenly felt by local officials in the southern

Lynchings-1935
Legislation Relating to.

5075

Ingratitude

The vote of George McGill on the Costigan-Wagner anti-lynching bill is directly contrary to the expressed will of the people who elected him to the U. S. senate. Kansas has an anti-mob law. It is of long standing. Call

The senior Kansas senator, Arthur W. Capper, has been outspoken for the bill. He expresses both his own personal opinion and the people's preference, and loses nothing by his position. Senator McGill did not have to oppose an anti-lynching measure. 5-10-35

Senator McGill shows that he has no intention of repaying Negroes for the support they gave him, which enabled him to win over Henry J. Allen. This anti-lynching bill is Negroes' one pet measure, yet he joins with southern members of Congress in making the filibuster against it successful. As senator, Henry J. Allen's only offense against Negroes was that he led President Hoover's fight to put J. J. Parker on the supreme bench. At most Parker was only a potential threat. Negroes are being lynched steadily, 5,000 of them in recent years. The mob is a daily threat to them, yet McGill has not the gratitude to help them save their lives though they helped him to office. Kansas City

McGill has no excuse. Both Senators Costigan and Wagner, co-sponsors of the anti-lynching bill, are Democrats. Many Democratic senators supported the bill. There is no party caucus demanding that he oppose it.

The claim advanced by opponents that a federal law against mobs is an invasion of state rights is preposterous in the light of the many ways in which the federal government is now working within states. George McGill, senator from Kansas, free Kansas which has always been a land of stalwarts, became one of the gang that defeated the Costigan-Wagner bill, not by exposing its demerits, but by parliamentary tactics which were as cowardly as the mobs it was designed to prevent. This anti-lynching bill has done one thing, it has proven what men in public office really believe the law should be supreme.

Maybe McGill thinks he knows more than the people who elected him. But however wise he thinks himself, he is a poor politician. The next time the people of Kansas elect a senator, they are likely to chose someone who wants to represent them.

THE SOUTH AND MOB LAW.

Commenting on the apparent defeat of the Costigan-Wagner Anti-lynching Bill at this session of Congress, a reader of The New York Age writes: Age

By conducting a filibuster against the anti-lynching measure Senators from the South have doomed once again Federal legislation to stamp out mob violence which is a national disgrace and makes Americans appear as barbarians before the civilized world. My sincere belief is that there is but one effective method of putting fear into the heart of the mobster, and that is to give him a dose of his own medicine. A lyncher is a coward at heart. He burns down the homes of the defenseless, attacks innocent men, women and children. He feels a sense of a security by comitting these dastardly outrages in a crowd heavily armed. Years ago in New Orleans a Negro by the name of Charles distinguished himself by sending to their graves a number of lynchers before he met death. If half a dozen or more heroic figures as Charles would materialize today and go to their death by taking others, it would mark the end of the reign of mob law. 5-11-35

The sentiment in the foregoing is typical of what is being thought and expressed by many Negroes throughout the United States. They are in an ugly frame of mind over the obstructive tactics of Southern Senators who are extremely sensitive on the subject of the invasion of State's rights when a Federal anti-lynching bill is proposed, but openly seek and favor Federal cooperation and supervision when their fancy and personal considerations so will. The general public is fully aware that the lament and shedding of crocodile tears against the Costigan-Wagner Bill on "constitutional grounds" is sheer hypocrisy. If these same Senators are so sincerely concerned about the Constitution why do they thumb their noses at the Fourteenth and Fifteenth Amendments?

It long had been the opinion of The New York Age that the most powerful antidote for lynching was by educating public sentiment to observe law and order under any and all circumstances. Perhaps, after all, this was too idealistic a view to take. It is in the blood of many white men in the South that a Negro has no rights that they are bound to respect. So far as they are concerned, the Dred Scott decision is as effectual to day as when rendered. The records show that the number of Negroes lynched merely "charged" with rape is negligible. Any self-respecting Negro living in the North and unused to Southern customs would be a potential victim of mob law were he to visit some sections of Dixie. All necessary for him to get into serious trouble would be to take offense at some real insult. Then he would be characterized a "fresh nigger who does not know his place" and eligible either for a hanging or a good beating.

Since emancipation, the poor white has been educated by professional politicians in the South to hate the Negro and to regard him as his enemey politically, socially and economically. Having for over half a century instilled in the whites of "Tobacco Road" species the false idea about race supremacy and the mob spirit, it is now solemnly proposed that the lyncher be cured of bestiaity by "education." How long will it take?

Opponents of the Costigan-Wagner Bill make much about the invasion of the police powers of the State by the Federal Govern-

ment. But what about communities where the law has broken down and the authorities, both State and local, are powerless to protect the lives and property of individuals as guaranteed by the Constitution? Why is it that if a foreigner is lynched in the United States his relatives can secure redress through the American Government, and yet if a citizen of this country meets a similar fate, official Washington can take no action?

As long as mobsters are responsible for the election of judges, sheriffs and other officials little is to be expected of educational processes putting the lyncher to flight. In nine cases out of ten either the sheriff actively takes part in the lynching bee or give acquiesence to the removal of the prisoner from jail and his lynching or burning at stake. How many of the Senators who conducted the filibuster have spoken out against mob law and criticized sheriffs for failure to do their sworn duty?

Arguments were made in the United States Senate that a Federal anti-lynching bill will not suppress mob law. Maybe not. However the fact that not one lynching occurred during the debate of the measure is highly significant, indicating that the mobster respects and fears Uncle Sam when he does not respect or fear the peace officers of his State, county or town.

It is the wish of the South that it be permitted to prove it can put down the lyncher. Give it another chance. Maybe it will be more successful in the future than in the past. If it fails in the attempt the Negro has no other alternative than to do what any other human being would do—protect at all hazards his life, that of his family and his home, which is his castle. Perhaps too long the mobster has been allowed to be on the offensive.

States Rights

UPON the specious argument of states rights a small group in the Senate prevented the COSTIGAN-WAGNER anti-lynching bill from coming to a vote. This group admitted that if the motion had been permitted to come to a vote it would have passed.

The states that are represented by the group that temporarily set-back federal anti-lynching legislation are zealous about state rights when it comes to:

Preventing the enactment of child labor laws.

Preventing the adoption of laws providing federal aid to education.

Preventing the unionization of labor, black with white, and black and white.

Preventing the enactment of legislation intended to relieve the tenant and sharecropper, white and black. (Witness the opposition to the pending Bankhead bill.)

Preserving the right to substitute peonage for legalized slavery.

Preserving the right to pass sumptuary laws regulating the habits and appetities of human beings.

Preserving the right to restrict wages to the point that reduces the wage earner, white and black, to economic serfdom.

Preserving the right to maintain a scandalous subterfuge for an educational system that should provide equal opportunity for all to obtain at least an elementary education.

Preserving the right to deny to a class of citizens equal rights before the law.

Preserving the right to lynch with impunity. The right to employ extra-legal forms of punishment and reprisal as a means of intimidation.

Preserving the right to perpetuate a political oligarchy, the spearheads of which are demagogues.

After the above listed reservations have been made secure, the average representative in Congress of the states in question—we say average, because there are some, a substantial number, who rate a higher classification—the average of the group, and the planters, politicians, bankers, industrialists and chiselers they represent do not give a damn about the doctrine of states rights, and moreover, know nothing about it.

ROME, GA.
NEWS TRIBUNE
APR 26 1935

VICIOUS BILL AIMED AT SOUTH

DEPLORABLE as the truth may appear the lynch spirit is not entirely absent among those ardent persons who recently have been attempting to have enacted an anti-lynch bill in the Congress.

One may admire and laud the purpose which these gentlemen seek to accomplish but no thoughtful person, in calmer and more deliberate moments, possibly can subscribe to the theory that an entire community should be lynched because of an outburst of mob violence. Yet this, in substance, is what these gentlemen seek to accomplish.

They make the same mistake that is made by the mob, reashing the erroneous conclusion that one wrong may be cured by another.

The bill would make any community in which a lynching occurred submit to a fine of from $2,000 to $10,000 enforcable by federal authority, which is equivalent to passing a law making all members of a family equally guilty should one member be guilty of transgessing the law. It also would cause an unwarranted and unconstitutional intrusion of independent states by the general government.

The bill also would give to the general government authority to prosecute cases that probably are within the jurisdiction of the states, and otherwise would do violence to all the theories of state rights that are assumed to be protected under the federal Constitution.

The bill is aimed at the South, though lynchings have become common enough in other quarters, and its spirit is neither legalistic or wise or free from the spirit of animus. It represents a flare-back to the vicious carpet-bag era and should not be permitted to dominate.

The South is conscious of the mob evil, just as New York should be following recent outbreaks of unrestrained lawlessness in Harlem, and as numerous other communities in the North, East and West should be with their long records of violence, and here earnest efforts are being made to correct the evil.

These efforts ultimately will achieve results far more gratifying than may possibly be expected of Congressional acts prompted by the lynch spirit, and the wise thing is to let the South handle its problems—with the North, East and West doing the same thing and showing greater diligence than they have in the past.

SAVANNAH, GA.
PRESS
APR 23 1935

SHEAR OPINION

THE CHARLESTON NEWS AND COURIER voices a Southern sentiment:

Mark, you Southern Democrats, the Costigan-Wagner "anti-lynching bill" (so they are pleased to call it however its passage would incite to lynching) is not a Republican measure. It is not introduced by a Republican like Dyer who represented a negro district of St. Louis. Two Democratic senators, Costigan of Colorado and Wagner of New York, sponsor it. "The Democrats" have overwhelming majorities in the Senate and in the House. The President is a Democrat. The office holders in Washington (they are probably twice as many as they were ten years ago) are "Democrats." Yet with this bill aimed straight at the white South, in this Democratic administration, we hear the suggestion that a Southern senator, George, of Georgia, to defeat it may as a last resort "filibuster" against it! * * * Has it come to this, that Southern senators may have to filibuster to stop the passage of an anti-Southern bill introduced and pressed by Democrats in a Congress controlled by Democrats? Why does not Franklin Roosevelt, President, speak out against this measure menacing to the South even if it is not the offspring of an indifference to the convictions of Southern white men that is equivalent to malice? Why does he not denounce it? Why has he so long neglected to say that he will veto it if it be passed? * * * Wade Hampton and B. R. Tillman, opposites as they were, both would have "deserted" a "Democratic" party that failed to kill the Costigan-Wagner bill.

Madison, Fla., Recorder
May 3, 1935

The anti-lynching bill is clearly an invasion of states' rights, if there are any states' rights left, and we seriously question whether it could be construed as constitutional. While many think it is directed at lynchings occurring in the South, we believe it would apply equally to the numerous racket slayings in Northern cities. We question the fairness in punishing the innocent along with the guilty in counties where a lynching might occur, as stipulated in the bill. We do not think it would be a bad thing for the Senate just to drop the bill.

At the same time, we do not approve of lynchings. We have our laws and our courts. If they do not function properly, we are at fault in not making them so function. If we had been careful in seeing that they functioned properly, there would not now be the effort to enact a federal anti-lynching law that there is.

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WASHINGTON, D. C.
POST

MAY 5 1935

Defeat Of Lynching Bill

Pastor Declares Negroes Are Being Driven Into Ranks Of Communist Groups By Politicians.

To the Editor of The Post—Sir: The hearts of 12,000,000 Negroes sank within them yesterday when it became known that the Costigan-Wagner antilynch bill had been sidetracked and perhaps sent to oblivion. Millions of others who are interested in social justice were sorely disappointed to see a Congress at such a time as this take a backward step.

Those who are interested in a bright and better day and are fighting with courage and faith to build on the wreck and ruin caused by the mistakes and blunders of unscrupulous and self-centered leaders have been disappointed to say the least, in not getting help and encouragement from those sources from which we expected most.

The moral justification of the Costigan-Wagner bill is too obvious for debate. Its opponents fell back on the traditional argument of State rights, which may be a constitutional technicality. But if it does violate the letter of the Constitution, protecting citizens of the United States, it does not violate its spirit. The hundreds of citizens who have died at the hands of mob violence without legal sanction within the last 25 years, justifies a strong hand on the part of the Federal Government.

Many of us last Sunday night listened with bated breath as the President gave his fireside talk to the Nation. With increasing eagerness we listened as he pleaded for the passage of his social security program. But alas, not one word was uttered, either directly or indirectly, in the interest of the Costigan-Wagner bill, which at that very moment hung in the balance. The supreme opportunity presented itself. The high moment had come. But millions sent away disappointed, knowing that the spirit had not triumphed, but that partisan politics was still in the saddle.

Again, we have watched and listened, as the battle has waged on the Senate floor for and against this bill the story was finally told when the Senate voted 48 to 32 on an adjournment motion, which set aside this bill perhaps never to be brought up again at this Congress. Our great disappointment came, however, not so much on the defeat of the bill, as in the socratic irony and inconsistency of Senator William E. Borah, of Idaho. For years Senator Borah has been the champion of human rights and social justice. He is an avowed enemy of war. He has fought tenaciously against the League of Nations and the World Court, because he feared the treacherous alliance of foreign politics. When Judge John J. Parker came up for the Supreme Bench in 1930, Senator Borah's voice was heard eloquently defending labor, and Judge Parker was defeated. In 1932, when prohibition became one of the main issues of the national campaign, and public sentiment was overwhelmingly in favor of the repeal of the Eighteenth Amendment, Senator Borah remained true to his conviction that prohibition was best for the Nation.

For millions today, Senator Borah is no longer the champion of human rights. He has become in their estimation, not an international statesman, but a provincial politician not the crusader of this generation for social justice, but an exchanger of political principle for present expedients. If he had defended the bill as ably as he denounced it, it still might have been lost, but the faith of millions would have been conserved.

One-tenth of the population of this Nation has little to look to or expect from the politicians of this generation. The Negro is being deliberately driven into the folds of the International Labor Defense, Communist groups, and such un-American organizations, which offer temporary relief and permanent freedom from the tryanny of injustice and oppression. The interests of all submerged peoples are identical. Inevitably they will find common ground. If America fails, who is to blame?

REV. R. W. BROOKS.
Pastor, Lincoln Congregational Temple, vice chairman, interracial committee, Washington Federation of Churches.
Washington.

New York
Journal of Commerce

MAY 2 1935

End of Filibuster

The week's filibuster of Southern members against consideration of the Costigan-Wagner anti-lynching bill ended when they succeeded in forcing it off the Senate calendar and the compromise bonus bill became the order of business. Before it was broken Senator Borah attacked the bill's constitutionality. The fiery Carter Glass also participated with an attack on the New Deal for trying to impose Federal regulations on the States. He criticized recent Supreme Court decisions upholding some parts of N. R. A. and A. A. A.

Negroes Charge Laxity Against Department of Justice

Christian Century

5522-33

THE Costigan-Wagner anti-lynching bill has been defeated, a victim of the filibuster conducted by certain southern senators. The Christian Century deeply regrets this defeat. At the same time, doubts persist as to whether the bill, if enacted, would have accomplished as much toward doing away with this national disgrace as its sponsors hoped. It seems reasonable to believe that federal authorities might prove more determined than local officers in dealing with lynching mobs, but until the experiment has actually been tried skepticism will linger. In the meantime, the National association for the advancement of colored people comes forward, through its secretary, Mr. Walter White, to point out that the federal authorities have shown no readiness to employ such laws as now exist for the punishment of mobs which have lynched Negroes. The amended Lindbergh act, enacted on June 22, 1934, makes a federal offense of transporting across state lines any person who is "held for ransom or reward or otherwise." In a memorandum supporting this amendment before the senate judiciary committee, Attorney General Cummins said that the reason for adding the words, "or otherwise," to the bill as originally passed was to make the law cover kidnaping "not only for ward but for any other reason." The N.A.A.C.P. has br[illegible]ht to the attention of Mr. Cummins three lynchings, one of which presumptively and the two other certainly involved the kidnaping of the Negro victim across state lines, and has asked action by the federal department of justice under the Lindbergh act. The attorney general, however, now rules that the amended law has no application to kidnapings which eventuate in lynchings. And the department of justice refuses to lift a finger. What this means is, of course, that a democratic administration has no intention of making trouble for itself in democratic states, if it can be helped. But the relation to the theory behind the Costigan-Wagner bill cannot be overlooked.

TOLEDO, O.
NEWS BEE

APR 29 1935

Not Dixie's Voice

A SMALL group of southern senators threaten to filibuster the Costigan-Wagner anti-lynching bill just as a similar group killed the Dyer bill 12 years ago.

They may succeed. But if they do the country should know that their specious pleas in behalf of states' rights or chivalry do not echo the sentiments of the whole South.

Organizations representing some 42,000,000 Americans urge passage of this bill. How much of this support comes from south of the Mason-Dixon line may be judged from its approval by many of Dixie's leading papers.

"Its (the Costigan-Wagner bill's) invasion of stat's' rights should cause no southern heartburning," say The Norfolk (Va.) Pilot. "There is no such thing, morally speaking, as a reserved right to deal in our own way with a form of collective murder which our own way has uniformly failed to punish."

"It may be," says The Newport News (Va.) Press, "that the anti-lynching bill will not be adopted by the Congress now in session. But if it is not, and lynchings do not stop it will be adopted by some other Congress; in fact, must be adopted if the machinery of justice is to function."

"Apparently," says The Macon (Ga.) Telegraph, "the mere threat of the federal anti-lynching bill has a wholesome effect, and the time has come when the South would vote for such a bill."

Southern women, too, have been quick to resent Senator Smith's quaint argument that "lynchings are necessary for womanhood's protection."

Proponents of this measure claim 59 Senate votes from all over the country and a big majority in the House. Only 20 senators are called irreconcilables. It is neither just nor gallant of them to filibuster against this national movement.

PHILADELPHIA, PA.
RECORD

MAY 4 1935

Moral Courage Misplaced

Senator Borah picks strange occasions on which to exercise moral courage.

It took moral courage for an outstanding liberal and friend of human rights to stand up and speak against the Wagner-Costigan anti-lynching bill. But it was moral courage misplaced and misused.

Senator Borah says Federal action against lynching is unconstitutional and violates States' rights. Senator Borah is a great constitutional lawyer. But Senator Borah has forgotten his Constitution.

The Fourteenth amendment says: "No State shall . . . deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Passage of the Fourteenth amendment made a major change in the relations between the Federal Government and the States. Unfortunately its use has been made a protection of corporations — often on the flimsiest grounds — rather than of persons.

Does the colored man in the South have "the equal protection of the laws"? He does not.

Senator Borah is thinking of political abstractions hanging in the great void of theory.

We are thinking of flesh and blood hanging from trees.

N. Y. Wall St. Journal
(MORNING EDITION)

MAY 2 1935

SENATE—

Filibuster won a victory yesterday. The southern senators' holdout of a week against the anti-lynching bill was successful as the Senate, by a 48 to 32 vote, set aside this controversial measure. The bonus bill was then brought up as the unfinished business to be considered until disposed of.

The Senate adopted a conference report on the Interior Department appropriation bill and the Norris resolution calling for a Federal Power Commission report on the expense to municipalities caused by delay in power development projects resulting from court litigation instituted by utility companies. The material will be used by Senator Norris in his support of the utility holding company bill.

The finance committee reported a joint resolution extending NRA to April 1, 1936, and providing for elimination of price fixing and intrastate code jurisdiction.

ATLANTIC, IA.
NEWS TELEGRAPH

MAY 2 1935

Why Pick on the South?

The federal anti-lynching bill, which recently was the bone o contention in the national congress and against which southern mem bers of the senate launched a determined filibuster several days ago of course was aimed at lynching the country over. But naturally th legislation was taken by the southern members of congress to be par ticularly aimed at them, for down below the Mason and Dixon lin their summary dealing of punishment to black men who are guilty of crimes, particularly against women, is well known. But why pic on the south? Our recollection is that as close to Atlantic as Mary ville, Mo., and Charles City, Ia., and other points not below the Maso and Dixon line they have lynched Negroes for the same offense. A San Jose, Cal., two white men were lynched for killing a young kidnap victim. The southerners have no monoploy on the lynching habit It is to be condemned from every viewpoint and is in no sense compatible with our American idea of justice and fair play, but it must be admitted there are times when human indignation gets out of bounds and when outraged citizens are not willing to let the law take its cumbersome and circumlocuted course. Really human nature is just about the same, whether it be in the south, the north, the east or the west. The southerners should not take it so seriously, either. It is not their monopoly.

THE ANTI-LYNCHING BILL

The Anti-Lynching Bill was defeated in Washington last week, but in the face of that defeat, a calm review of the history of the struggle for an anti-lynch law reveals that progress is being made.

During all the Republican administrations, the Anti-Lynch Bill never made the progress that the Costigan-Wagner Bill made in the present Congress. The ground work was laid permanently by Messrs. Costigan and Wagner, ably assisted by other white people who, down in their hearts, know that crime is no respecter of persons. Like smallpox, the germ of crime will move from community to community and attack any and everybody regardless of race, creed or color. The practice of lynching began with Negroes as the victims, but it now extends to white people, and the more the practice is tolerated, the more white people will be lynched. The white people of this country, North and South, expressed a desire to see the Costigan-Wagner Bill made the law of the land. A few reactionary Senators from the South stopped the program of the Bill. They have accepted full responsibility for the defeat of the Bill. They did not seem to realize it, but they were jockeyed in the position of blocking the legislation, desired by the President of the United States, and they accepted that position fully aware of their predicament. It was not so much a demand from their constituents that compelled the Southern Senators to vote against the Bill; it was their own personal conviction, due to the age in which they were born. The grandsons of these same Senators will frown upon the records of their forefathers. They will wear the scarlet letter in years to come, because future generations will point to them as the sons and daughters of grandfathers who went on record for lawlessness and for lynching.

What care these Senators now about their grandchildren? They live only for today. They think in terms of today and not tomorrow. They are making it dreadfully hard for their children and their children's children, but what care they for their offspring? Shortsighted men like these are expected to oppose progressive legislation, but we are making progress. These same men will face a constituency opposed to lawlessness and lynching. The intelligent people of the South will stop sending Senators like Bailey, Bankhead, Black, Byrnes and Smith to the Senate, because the South prefers to be classified on a par with any other section of the country, and the South will yet rise up against its reactionary Senators and retire them to the corn fields and shade trees—forgotten, forsaken and unsung.

This involves time, but what is a decade in the progress of a race or of a nation? What is a decade against rights and privileges, guaranteed for life? The fight is well worth the sacrifice, and the American people everywhere are quite satisfied that, within a few years, the obstructionists of the South will constitute forgotten men who lived for themselves and a tradition, and nothing more.

The Negro must keep his head up, keep his spirit, save his money, and be prepared for that larger life which is sure to come, even in the United States of America.

CENTERVILLE, IA.
IOWEGIAN-CITIZEN

APR 30 1935

THE ANTI-LYNCHING LAW

The congress of the United States has been in a quandary what to do with the anti-lynching law. The south is bitterly against it. The north, or the south either for that matter, if it follows the course being set by the administration to its conclusion, must make the federal government supreme rather than the states in providing protection for citizens. The south contends it has the right to regulate these things within the borders of its states. The bill before the senate provides that when a locality fails to provide the protection within its power those guilty may be prosecuted under the federal laws. It is the argument over again of state's rights. But the south is fighting a losing fight in view of all this administration has done to make the states mere puppets of the federal government. They may be able to hold off the anti-lynching law. But the theory on which it is founded has become so entrenched in legislation and administrative action that the government has plenty of precedent for contending that it can step in and tell the states what to do.

Lynchings—1935.
Legislation Relating To.

5077

MONROE, LA.
WORLD
MAY 1

THREAT OF FILIBUSTER

Southern senators generally resent the sectional reflection in the Costigan-Wagner anti-lynching bill on the ability and willingness of their states to enforce their statutes in the face of mob terrorism. Some of these senators personally deplore lynchings even for "the unmentionable crime." Privately they might admit that official laxness is, in many instances, making lynchings possible. But against a bill that would lay heavy fiscal and prison penalties on lax officialdom in the south they are adamant.

The threat of a prolonged filibuster against this measure at a time when the senate is in a legislative jam with the bonus, the banking bill, social securities legislation and other measures yet to be acted upon is a serious thing. It rests upon a condition, not a theory. That condition is deeply imbedded sectional pride.

It is beside the question to argue with opponents of the bill that resolute law enforcement by any state will preclude the operation there of an anti-lynching law. Though most of its opponents believe the bill is unconstitutional, and if it became law would be thrown out by the highest court, they are determined that no senate vote shall be taken to discredit their section.

In such an impasse Senator Costigan will be unwise to press his bill. It would invite a filibuster that would run for weeks or months unless the bill were withdrawn. Participating in the filibuster to protect the repute of the south would be found some senators otherwise eager to go along with the administration's program. However meritorious the measure may seem to its supporters in the light of weak surrenders to the mob spirit in many sections of the south, defeat of major legislation at this time is too great a price to pay for a persistence that cannot win in any event.

DENVER, COLO.
POST
APR 30 1935

SENATOR COSTIGAN'S "antilynching" bill is the monkey wrench which has been stalling the congressional machinery for several days now. Costigan was elected to represent Colorado in the upper house of congress. He spent the early part of his term representing the Cuban sugar interests and the Wall street bankers who have large investments in Cuban sugar. Having succeeded in enslaving Colorado and other American sugar beet growers, Senator Costigan now is defending the murderers, rapists and kidnapers of the nation. He wants to empower the federal government to collect damages from the taxpayers of any county in which a suspected or confessed fiend is lynched or injured in any way by a mob.

The strangest thing about Senator Costigan's theory of discouraging lynching is that it would not be effective until a person is suspected of and arrested for a crime. A woman attacked by a degenerate fiend could not collect damages from the county for its failure to protect her. But if her assailant were injured or lynched by a mob, then Uncle Sam would have to step in and collect damages from the taxpayers of the county for failure to protect the criminal.

AUSTIN, TEX
AMERICAN
MAY 3 1935

Connally Leads Fight on Anti-Lynching Bill

Ten years ago a measure was introduced by United States senators calling for the enactment of a nationwide anti-lynching bill. This measure has been smouldering in ashes or embers ever since. Now it has the backing of Sen. Robert Wagner of New York and Sen. Costigan of Colorado as well as many republican members of the senate. It has the violent opposition of all southern senators and the senators from the southwestern states. Its critics say that "it robs the state of its police power." This is true. Sen. Connally is a lifelong advocate of the rights of the state. It is his firm belief, as well as rockrooted conviction that a state should punish its own criminals in its own courts when the aforesaid criminals are found guilty by jurors of violating the criminal statutes of a commonwealth.

Sen. Costigan of Colorado is of Virginia origin. He is a lawmaker of great ability but he does not appear to be a states rights democrat. He admits he is a devoted follower of Thomas Jefferson but Jefferson ever championed state sovereignty and the absolute right of the people of a commonwealth to make their own statutory laws and elect their own judges and other officials for the enforcement of the laws they make and the procedure guaranteed to them by the makers of the federal constitution. It is a nasty bit of politics at this time, regardless of its sponsors or its senatorial backers.

There is a negro district in the city of Chicago. A majority of its voters are of the black race. Its congressional representative is a negro democrat. He was elected by the democratic voters of this widely known black belt. He was educated in the school of Booker Washington. He was born in the South. He is a leader of his people. Two years ago they defeated a republican leader and placed a democrat of his own color at the head of the winning ticket.

There is a famous so-called black belt in the city of New York. Another in the city of Philadelphia. These two congressional districts elected members of the house of representatives on a New Deal ticket. Racial hates and creed prejudices, like the ghost of Banquo, are ever bobbing up in these days of experimentation on the part of the New Dealers who are following the flag of that messiah who was elected by a tremendous majority in the third revolution at the polls in the year 1932.

COLUMBIA, S. C
RECORD
APR 26 1935

Inviting Federal Interference

The weakness of the South's position on the Costigan-Wagner anti-lynching bill is to be traced back to its state rights surrender on other matters and issues.

"We in our sovereign capacity," Senator Ellison D. Smith, of South Carolina, tells the senate, "can battle with this problem. We do not invite interference of those who have not had the bitterness of the trials we have endured."

But it is not an exact statement of the facts as revealed by history. The South when it voted for federal prohibition invited interference by the federal government; it supplied the Costigans and Wagners with a precedent.

And prohibition does not offer the only example. South Carolina, for instance, invites federal interference in the business of growing cotton; it invites federal interference in its schools; it invites indeed all the federal interference in the form of cash that it can get its hands upon.

BOSTON, MASS.
CHRISTIAN SCIENCE
MONITOR
MAY 2 1935

Methods of Combating Lynching

THE Senate filibuster against the Costigan-Wagner antilynching bill, which has now shelved the bill, has been in one respect an exception among filibusters. The addresses of the southern Senators opposing this bill have been lengthy, but in the main they have stuck to the subject, have discussed it seriously and have contributed, along with the speeches of the advocates of the bill, to public information on the problem.

There is no question but that the object sought in the Costigan-Wagner bill is a wholly commendable one. The suppression of what President Roosevelt has called a "vile form of collective murder" and the establishment of orderly proc-

esses of criminal justice are aims in which most citizens instinctively co-operate. Yet honest opinions may differ as to the most effective methods.

No greater injustice could be done to many leaders in the South than to assume that because they oppose a federal anti-lynching bill they condone and defend lynching. Tremendous strides have been made by the South in recent years in building up a sentiment against mob lawlessness and toward reducing lynching. This has been done by dealing with the subject as a state and local question.

Senator Edward L. Costigan has done well to emphasize that his bill is not aimed at any section of the United States. The facts are that a considerable proportion of lynchings have taken place outside the South in recent years. It is also a fact that in whatever locality it occurs such a travesty on justice is a smirch on the national reputation and hence to some extent a national concern.

How properly to couple this national interest with local and state sentiment for law and order without antagonizing and vitiating that local sentiment—on which, in the last analysis, the suppression of lynching depends—is the crux of the problem.

"'I realize," said Senator Hugo L. Black of Alabama, "that it may be impossible to appeal to those who think they know more about the problem than those who live with it. People have always been anxious to impress the ideas of those who live a thousand miles away upon the local habits, manners and customs of those whom they do not know."

Eleven states of the Union have laws laying financial responsibility upon the city or county in which a lynching occurs, as it is proposed to do federally. Critics of the federal bill hold that more will be accomplished by application and extension of these state laws than by raising the bogey of federal interference.

Unmistakably the bringing up of the Costigan-Wagner bill for debate has had a useful effect in focusing the attention of the country on this problem. When and if its enactment would represent a genuine agreement of public purpose, including a substantial portion of southern sentiment and a realistic determination of northern states to deal with the same manifestations in their own borders, it may well become law. But it is of the utmost importance meanwhile to preserve that local and state sentiment which is now exerting the most effective pressure against lynching.

SAVANNAH, GA.
PRESS
MAY 2 1935

THE DEADLOCK BROKEN.

The deadlock which is engineered by Southern senators to oppose the anti-lynching bill has been broken and the bill now takes its place at the foot of the calendar, which means it will not be considered.

Southern senators have been on guard ever since the bill appeared and blocked the business of the Senate. There was too much business pending to have proceedings held up. It seems that Senator Borah of Idaho had assailed the constitutionality of the measure to give the federal government power in lynching cases. Senator Borah simply endorsed the position of the Southern senators and has the credit of breaking the seven-day Southern filibuster.

The national anti-lynching bill has always been successfully opposed. There is no use to repeat the arguments now as the national anti-lynching bill is a thing of the past.

BEAUMONT, TEX.
ENTERPRISE
APR 28 1935

A FEDERAL CURB ON LYNCHING

In a senate discussion of the Costigan anti lynching bill, Senator Hugo Black of Alabama asked if the bill's provisions would apply to labor disturbances, such as often happen in the Alabama coal fields. Senator Costigan assured the Alabama senator that organized labor need have no fear that the bill would be used to curb strikers. The Costigan statement was not convincing, however.

A lynching may take a variety of forms. The term might be conceivably applied to almost any kind of mass violence. If a body of miners should have a clash with strike-breakers or deputies, and there was loss of life, what would prevent the federal government, under the terms of the Costigan bill, from classing this disorder as a lynching? As Senator Black said, if a law is passed by which the federal government may penalize state peace officers for not doing their duty, such officials will have a pretext for molesting strikers.

A federal anti-lynching law, once put on the statute books, could be used as an excuse for harassing strikers and preventing organized labor from assembling to discuss its grievances, on the ground that such gatherings are likely to lead to mob violence.

A federal anti-lynching law is chiefly opposed by southern members of congress because such legislation would be a violation of state sovereignty. It would be still another "opening wedge" for the federal government to take over functions that should be exercised in their discretion by the states and not by any central authority in Washington that might be thousands of miles from the scene of a mob outbreak.

New York Herald-Tribune
MAY 3 1935

State Rights to the Fore

The Senate has shelved the anti-lynching bill, thanks, it is reported, to Senator Borah who finally clarified his stand on the measure by declaring it unconstitutional. One need not be an apologist for the hideous practice of mob murder to welcome the news. The bill, as Mr. Borah told its sponsors, had no chance of coming to a vote at this session. In the mean time it threatened to hold up the legislative program indefinitely and to prolong the sitting of Congress far into the summer.

More important still, it embodied another encroachment on state rights added to the long list of such encroachments enacted under the New Deal. We differ with Senator Borah and the Southern opposition on the point of its constitutionality. There is excellent authority for believing that it would have come within the provisions of the Fourteenth Amendment. But that is no answer to the charge that it proposed a definite limitation on the police power of the states in the case of a crime almost always intrastate in character. The real issue raised was one of governmental policy. Lynching reached its peak in the '90s. Since then it has shown a remarkable decline. Last year there were fifteen lynchings, as compared with 255 in 1892. Outraged public opinion, reinforced by local statutes, has been having its effect. Why, then, at this late date should the solution of the evil be handed over to the Federal authorities, at the sacrifice of principles and traditions fundamental to the American system?

The vote to lay aside the Costigan-Wagner bill was in line with that on the N. R. A. renewal resolution which would restrict Federal regulation of industries to those in interstate commerce. Together they indicate a growing tendency in Congress to return the country to its classic foundation of carefully separated jurisdictions. To be sure, a wealth of inconsistency is attending the process. Who, for example, would have looked for a champion of state rights in Senator Borah, the uncompromising prohibitionist? It was his delight not so long ago to swallow with relish the egregious usurpation of state sovereignty inherent in the Eighteenth Amendment and the Volstead law. Senator Wagner, on the other hand, was wont to thunder against national prohibition for the same reasons that have been used so successfully against his anti-lynching bill. How typical of the political intellect!

New York Evening Post
MAY 3 1935

MORAL COURAGE MISPLACED

Senator Borah picks strange occasions on which to exercise moral courage.

It took moral courage for an outstanding liberal and friend of human rights to stand up and speak against the Wagner-Costigan anti-lynching bill. But it was moral courage misplaced and misused.

Senator Borah says Federal action against lynching is unconstitutional and violates States' rights. Senator Borah is a great constitutional lawyer. But Senator Borah has forgotten his Constitution.

The Fourteenth Amendment says: "No State shall . . . deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Passage of the Fourteenth Amendment made a major change in the relations between the Federal Government and the States. Unfortunately its use has been made a protection of corporations—often on the flimsiest grounds—rather than of persons.

Does the colored man in the South have "the equal protection of the laws"? He does not.

Senator Borah is thinking of political abstractions hanging in the great void of theory.

We are thinking of flesh and blood hanging from trees.

Selma, Ala. Times
May 7, 1935

LYNCHINGS DECREASE

The south has cause to rejoice that their senators were successful in filibustering the Costigan-Wagner anti-lynching out of consideration for this session at least.

All right-thinking individuals oppose mob violence in any form. Lynching is murder. It violates the law of God and man.

We agree with Senator Byrnes who declared on the senate floor that he believed the enactment of the anti-lynching bill would increase rather than decrease lynchings.

Lynchings have declined from 231 in 1892 to a total of only 15 in 1934, while that is 15 lynchings too many, yet the trend is definitely away from them and officers of the law are doing more effective work than ever in preventing mob action. This means that the viewpoint of the people on lynchings is changing and that the day will come when lynching will be as dead as dueling, which at one time had such a hold upon the people.

The passage of an anti-lynching bill would undoubtedly delay the fine progress being made toward wiping out entirely the evil of lynching.—Vicksburg Post-Herald.

Lynchings—1935
Legislation Relating to.

5078

Columbus, Miss. Dispatch
May 2, 1935

ANTI-LYNCHING BILL

THE Senate has put the infamous anti-lynching bill to sleep.

It took seven days of filibustering to shelve the bill insofar as this session is concerned.

The bill was a direct slap at the South.

And yet infamous crimes and outrageous criminal upheavels in the North are far worse than lynchings in the South.

The South has ample and adequate laws against lynching, and no federal law is going to help the situation.

The South has handled the negro pretty well—far better than the North has ever treated him.

There are two kinds of people that we have contempt for—negro-lovers and negro-haters.

The people of the South will continue to live with the negro and treat him fairly and justly—though there are exceptions here and there and extremes both ways—and here in the Southland he has found and will continue to find his best friends.

If the time ever comes when the federal government begins to take a hand in racial relations, as was attempted by the Wagner-Costigan anti-lynching bill, trouble, and serious trouble at that, is going to ensue.

Southern members of the Senate are to be commended for blocking consideration of the anti-lynching bill.

They acted in the interest and welfare of both races.

Borah Is Defiant About Vote on the Anti-Lynch Bill

Afro-American

Tells AFRO He Would Not Change Vote if Seeking Presidency.

5-11-35

Baltimore, Md.

EDUCATION ONLY SOLUTION, HE SAYS

Solon Not Worried about Colored Vote.

(AFRO Bureau)

WASHINGTON — Senator William E. Borah, advised that the desertion of the Progressive Senators led by him had certainly killed all chances of winning the colored vote in the border, near-West and Eastern states, shot back:

"If you're here to peddle votes you'd better get your credentials!"

Told that the AFRO was representing and forming opinion and not peddling votes, the veteran legislator snapped:

Would Vote the Same

"I have absolutely no Presidential aspirations, but if I had my vote would be exactly the same!"

Reminded that he had talked at length, last week, on respect for the Constitution, states' rights and the unconstitutionality of the Costigan-Wagner anti-lynching bill the Senator agreed that citizens also had a right to life, liberty and trial by jury.

Asked how he would suggest that these rights be secured, since according to his opinion, they should not be secured through Federal intervention, and it was evident that they could not be secured through the states, Mr. Borah argued:

Can't Halt Lynching

"You are assuming that a Federal anti-lynching bill will stop lynching. That is a violent assumption. You can't stop lynching any more than you can stop murder. They have murders on Federal territory just as they have on state territory.

"Besides, why should I be held responsible for a lynching when I may be ten miles away from it?"

Reminded that although he might be ten miles away at the time of a lynching, he still helped elect the officials guilty of negligence, he replied that all that was needed was a little positive leadership.

Help Free Mob Victim

"Why I helped take a man away from a mob myself, when I was younger," he exclaimed, "I and another man, after the jail had been almost torn down by the mob. But legislation can't do anything."

"What would get results in your opinion since you are sure that legislation won't?" he was asked.

The Senator's reply was that education through the schools and churches was the only solution.

It was pointed out to the Senator that mobs had been led by white preachers, on occasion, and was further told that a recent article in a Catholic periodical called attention to the fact that the bill just passed in New York State, excluding schools practicing discrimination from tax exemption, would probably open through fear of penalties, the doors of Catholic schools which had remained persistently shut in the face of appeals to Christianity.

It was suggested to the Senator that the penalty clause in the Costigan-Wagner bill might be counted on to have a like effect on lynching. Mr. Borah thought not.

Called Unconstitutional

"It is unconstitutional; it couldn't last," he protested.

"So is disfranchisement in the Southern states," he was reminded. "It's lasting."

"Oh, well, look what you people did when you controlled the legislatures in the South," he retorted.

"Who was responsible for Reconstruction conditions?" he was asked. "Weren't your white carpet-baggers the controlling force?"

"Yes, and it was the white carpet-baggers who set you free," he hung back, adding hastily, "if I thought a Federal anti-lynching bill would really stop lynching, I'd go along with you. But it won't, and I'm not going to violate my oath."

Columbus, Ga. Enquirer-Sun
May 2, 1935

ANTI-LYNCHING BILL

Business and the public generally are anxious that congress pass the measures on the president's program and get through as soon as possible. If its session is unnecessarily prolonged, business marks time and does not advance as it should because of uncertainties as to what will be done.

It is such absurdities as the Costigan-Wagner anti-lynch bill which are retarding the business of congress. The bill is nothing but sectional politics, its sponsors answering the demands of a group of meddlers who wish to advance their own interests by taking the law out of the hands of the states and placing it in the federal courts.

There are laws already on the books of all states to cover the crime of lynching—and few are the states which have not been disgraced by the crime, and deeply deplored it.

However, this bill is aimed particularly at the South with an intention of humiliating us, when a condition exists which those who are behind the bill have never encountered and cannot understand.

In no section is the act of lynching more deplored than it is in the South. The racketeer murders and kidnapings of the north are as badly in need of correction as lynchings. Up there they have laws against such disposals of human life as there are laws already in existence against lynching.

The anti-lynch law is nothing more than one of those instruments to delay the passing of those measures which will advance the administration's recovery policy. It has little chance of becoming a law but it well serves the purposes of the obstructionists.

UNION, S. C.
TIMES

APR 26 1935

IT WILL HURT, NOT HELP

The anti-lynching bill now before congress, and one of the authors of which is Senator Wagner of New York, has been denounced by Senator Bailey of North Carolina and Senator Smith of South Carolina.

Periodically that question is brought up and it is one that will always arouse the people of the South, for they feel, and justly too, that it is a direct threat at the South. It is probably true that instead of putting an end to lynch law, it would multiply lynchings. The problem is not a problem of the South alone, but of the entire nation, but it can best be met by each individual state. If the anti-lynch law is made a federal law with teeth in it, we predict a vast increase in the number of lynchings.

Governor Talmadge of Georgia, long supported by The Constitution, is now under attacks by that newspaper. Without any profession of exact knowledge in the matter, but from outside observation, we can but feel sympathy for Governor Talmadge, for he must see, as many others see, that we are drifting far afield in the matter of States Rights. Many of us believe that we have unconsciously drifted into socialism and are no longer upholding democracy.

To show that Governor Talmadge is not alone in this belief, you have but to realize what happened at The American Newspaper Publishers Association a day or two ago. The association unanimously approved a resolution of its traffic committee by adopting a resolution which expressed "unalterable" opposition to government ownership of railroads or any other form of transportation. And Bainbridge Colby warned the publishers of federal laws inimical to a free press. He sees great danger to the freedom of the press. He said before the conven-

tion:

"As to the trend of legislation affecting newspapers today, there seems to be a feeling that the press of the country constitutes, in a sense, a danger to the successful progress of half-baked theories and ill considered and somewhat hastily proposed reforms."

And this editor unequivocally takes the same view. We go further: We have come to the parting of the ways; we must choose between socialism and democracy. And we are honestly of the opinion that to choose socialism will mean the ultimate loss of about all that makes life worth living.

WASHINGTON, D. C.
NEWS

APR 26 1935

NOT DIXIE'S VOICE

A SMALL group of southern senators threaten to filibuster the Costigan-Wagner anti-lynching bill just as a similar group killed the Dyer bill 12 years ago.

They may succeed. But if they do the country should know that their specious pleas in behalf of states' rights or chivalry do not echo the sentiments of the whole South.

Organizations representing some 42,000,000 Americans urge passage of this bill. How much of this support comes from south of the Mason-Dixon line may be judged from its approval by many of Dixie's leading papers.

"Its (the Costigan-Wagner bill's) invasion of states' rights should cause no southern heartburning," says The Norfolk (Va.) Virginian-Pilot. "There is no such thing, morally speaking, as a reserved right to deal in our own way with a form of collective murder which our own way has uniformly failed to punish."

"It may be," says The Newport News (Va.) Press, "that the anti-lynching bill will not be adopted by the Congress now in session. But if it is not, and lynchings do not stop, it will be adopted by some other Congress; in fact, must be adopted if the machinery of justice is to function."

"Apparently," says The Macon (Ga.) Telegraph, "the mere threat of the Federal anti-lynching bill has a wholesome effect, and the time has come when even the South would vote for such a bill."

Southern women, too, have been quick to resent Sen. Smith's quaint argument that "lynchings are necessary for womanhood's protection." Scores of letters, telegrams and resolutions from southern women's religious, welfare and club organizations have repudiated the preposterous claim that the South's law is helpless to protect the South's women.

Proponents of this measure claim 59 Senate votes from all over the country and a big majority in the House. Only 20 senators are called irreconcilables. It is neither just nor gallant of them to filibuster against this popular national movement.

NEW YORK TIMES

MAY 6 1935

How Members From This Area Voted in Congress Last Week

Special to THE NEW YORK TIMES.

WASHINGTON, May 5.—The votes by the delegations from New York, New Jersey and Connecticut on important roll-calls in Congress last week are given in the following tabulation:

The Senate.

On the Robinson motion to adjourn, while the Costigan-Wagner Anti-Lynching Bill was under consideration (thereby sidetracking its consideration), adopted 48 to 32:

YEAS.

Lonergan (D.), Conn.

NAYS.

Copeland (D.), N. Y.	Barbour (R.), N. J.
Wagner (D.), N. Y.	

NOT VOTING.

Moore (D.), N. J. Maloney (D.), Conn.

On the Thomas amendment (to the Vinson Bonus Bill) providing for direct appropriation of the money necessary to meet the payments under the proposed act, adopted, 57 to 23:

YEAS.

Copeland (D.), N. Y.

NAYS.

Moore (D.), N. J. Lonergan (D.), Conn.

NOT VOTING.

Wagner (D.), N. Y.	Maloney (D.), Conn.
Barbour (R.), N. J.	

The House.

On the Cooper motion to table the Treadway resolution (directing the Secretary of State to furnish the House a list of the articles, both foreign and domestic, the names of which are on file in the State Department for changes in rates of tariff in reciprocal trade agreements now under negotiation), adopted, 252 to 91:

YEAS.

Beiter (D.), N. Y.	Pfeifer (D.), N. Y.
Bloom (D.), N. Y.	Rudd (D.), N. Y.
Boylan (D.), N. Y.	Sirovich (D.), N. Y.
Brunner (D.), N. Y.	Sisson (D.), N. Y.
Corning (D.), N. Y.	Sullivan (D.), N. Y.
Cullen (D.), N. Y.	Tonry (D.), N. Y.
Delaney (D.), N. Y.	Hart (D.), N. J.
Duffy (D.), N. Y.	Kenney (D.), N. J.
Evans (D.), N. Y.	Sutphin (D.), N. J.
Fitzpatrick (D.), N. Y.	Citron (D.), Conn.
Gavagan (D.), N. Y.	Kopplemann (D.), Conn.
Merritt (D.), N. Y.	Shanley (D.), Conn.
O'Connor (D.), N. Y.	Smith (D.), Conn.
O'Day (D.), N. Y.	
O'Leary (D.), N. Y.	

NAYS.

Andrews (R.), N. Y.	Bacharach (R.), N. J.
Bacon (R.), N. Y.	Cavicchia (R.), N. J.
Cole (R.), N. Y.	Eaton (R.), N. J.
Crowther (R.), N. Y.	Lehlbach (R.), N. J.
Goodwin (R.), N. Y.	McLean (R.), N. J.
Lord (R.), N. Y.	Powers (R.), N. J.
Reed (R.), N. Y.	Wolverton (R.), N. J.
Snell (R.), N. Y.	Merritt (R.), Conn.
Taber (R.), N. Y.	

NOT VOTING.

Buckley (D.), N. Y.	Marcantonio (R.), N. Y.
Celler (D.), N. Y.	
Dickstein (D.), N. Y.	Millard (R.), N. Y.
Kennedy (D.), N. Y.	Thomas (R.), N. Y.
Mead (D.), N. Y.	Wadsworth (R.), N. Y.
Peyser (D.), N. Y.	Norton (D.), N. J.
Somers (D.), N. Y.	Hartley (R.), N. J.
Sullkin (R.), N. Y.	Perkins (R.), N. J.
Fish (R.), N. Y.	Seger (R.), N. J.
Hancock (R.), N. Y.	Higgins (R.), Conn.

On the Taylor motion that the House concur in the Senate amendment (to the $60,000,000 Interior Department Annual Appropriation Bill) providing for the creation of the office of Under-Secretary of the Interior at $10,000 a year, adopted, 243 to 92:

YEAS.

Beiter (D.), N. Y.	O'Connor (D.), N. Y.
Boylan (D.), N. Y.	O'Day (D.), N. Y.
Brunner (D.), N. Y.	O'Leary (D.), N. Y.
Celler (D.), N. Y.	Sirovich (D.), N. Y.
Cullen (D.), N. Y.	Tonry (D.), N. Y.
Delaney (D.), N. Y.	Hart (D.), N. J.
Dickstein (D.), N. Y.	Kenney (D.), N. J.
Duffy (D.), N. Y.	Norton (D.), N. J.
Evans (D.), N. Y.	Sutphin (D.), N. J.
Fitzpatrick (D.), N. Y.	Wolverton (R.), N. J.
Mead (D.), N. Y.	Citron (D.), Conn.
Merritt (D.), N. Y.	Shanley (D.), Conn.
	Smith (D.), Conn.

NAYS.

Andrews (R.), N. Y.	Snell (R.), N. Y.
Bacon (R.), N. Y.	Taber (R.), N. Y.
Cole (R.), N. Y.	Bacharach (R.), N. J.
Crowther (R.), N. Y.	Cavicchia (R.), N. J.
Fish (R.), N. Y.	Eaton (R.), N. J.
Goodwin (R.), N. Y.	Lehlbach (R.), N. J.
Hancock (R.), N. Y.	McLean (R.), N. J.
Lord (R.), N. Y.	Powers (R.), N. J.
Millard (R.), N. Y.	Seger (R.), N. J.
Reed (R.), N. Y.	Merritt (R.), Conn.

NOT VOTING.

Bloom (D.), N. Y.	Culkin (R.), N. Y.
Buckley (D.), N. Y.	Marcantonio (R.), N. Y.
Corning (D.), N. Y.	Thomas (R.), N. Y.
Gavagan (D.), N. Y.	Wadsworth (R.), N. Y.
Kennedy (D.), N. Y.	Peyser (D.), N. Y.
Pfeifer (D.), N. Y.	Hartley (R.), N. J.
Rudd (D.), N. Y.	Perkins (R.), N. J.
Sisson (D.), N. Y.	Kopplemann (D.), Conn.
Somers (D.), N. Y.	
Sullivan (D.), N. Y.	Higgins (R.), Conn.

The Anti-Lynching Bill

North and South combined to defeat the Wagner-Costigan anti-lynching bill. It is the same old story. The South tells the North what it wants to have done about the rights of Negroes, and the North, after performing a few face-saving antics, usually succumbs to the South's demands. We must remember that it was Senator Borah who delivered the telling blow which sent the bill down to its defeat.

But Northern Negroes do not seem to get the point. They fail to realize that whatever happens to ten million Negroes in the South, will ultimately happen to two million in the North. There are some notable exceptions. The truth is that all American Negroes in the last analysis stand upon the same footing. Either we all go up together, or we all go down separately.

THE ANTI-LYNCH BILL

The Democratic Party has again shown its cloven foot, insofar as Negroes are concerned, by blocking a vote on the Costigan-Wagner anti-lynch bill. Following rapidly behind the Texas lily-white primary decision it is difficult to understand how some Negroes advocate support of a party which would deny Negroes every right enjoyed by other citizens under the constitution, and remain inert when their lives, liberties and property are threatened and destroyed.

While due recognition must be given to the services rendered in behalf of the measure by the co-patrons of the bill, Senators Costigan and Wagner and the other Democratic senators who supported the bill, it is an indisputable fact that the responsibility for the failure of the measure rests heavily upon the shoulders of Franklin D. Roosevelt, Democratic president of the United States. His whip hand used so effectively on the Democratic Congress in other legislation apparently became paralyzed when his Dixie Party associates, including his majority leader thwarted the will of the Senate and forced at least a temporary abandonment of the bill.

Mr. Roosevelt has been described as a man of great courage but it impresses us that it does not take much courage to become strangely dumb when confronted with a small group of wilful men.

Thousands of radios will be silent the next time he ventures to expound his "New Deal" doctrines in a fireside talk.

Lynchings- 1935
Legislation Relating to

5079

BRILLIANT PROFESSOR AT SCARRITT COLLEGE SHOWS UP INCONSISTENCY OF FAMED ZEALOT OF PROHIBITION

Nashvillian Courageously Upholds Right of States To Seek National Government Aid to Maintain Law and Order

Editor's Note: Dr. Albert E. Barnett, member of the faculty of Scarritt College, and leader of a great and growing host of Southern white men and women who are waging war on lynching, very effectively, we think championed the cause he represents against the sophistry of Bishop James Cannon in the following article which appeared in the April 18 issue of the Christian Advocate, official organ of the Methodist Episcopal Church, South. Dr. Barnett is a Christian leader, wholly without guile, who teaches both by precept and example the gospel of the Brotherhood of Man. We commend the article here published as worthy of being read and treasured:

THE COSTIGAN-WAGNER ANTI-LYNCHING BILL

By Albert E. Barnett

In the **Christian Advocate** of March 29, 1935, there appeared an article by Bishop James Cannon, Jr., in which the pending Costigan-Wagner anti-lynching bill is opposed as a piece of "inadvisable legislation." The basic argument which the article makes against the bill seems to be "that the principle of the independence of the states in the execution of their criminal laws is of too great importance to be abrogated because some officials have failed to keep their oaths of office or because it may be surmised or 'though probable that certain forms of crime cannot be adequately punished in certain localities.'" This familiar "state rights" argument against lynching legislation sounds strange from the pen of a man who has fought valiantly and suffered heroically for the cause of national prohibition. The writer has always agreed with Bishop Cannon in his fight for federal prohibition legislation, and the repeal of the Eighteenth Amendment has confirmed rather than weakened his convictions in that direction. Agreement there makes disagreement in the case of the stand against federal anti-lynching legislation natural.

One might infer from the statement above quoted that the punishment of lynchers in state courts is usual. The facts indicate otherwise. In 1919 Dr. Plato Durham, a North Carolinian and a professor of Church History in Emory University, stated to a class which the writer was a member that over a period of thirty years there had been an average of a lynching a month in the state of Georgia alone without a single effective prosecution of lynchers in the state courts. For the period 1889-1932 there were, according to the most conservative records, 3,753 lynchings in the United States. Out of this number, there were only twelve instances of conviction of lynchers, or an equivalent of eight-tenths of one per cent! The sentences of those convicted were entirely nominal and were more frequently suspended than served. It is not a matter of "some officials" who have "failed to keep their oaths of office," but rather a refusal over a period of forty-odd years to take serious legal cognizance of a crime that has disgraced our nation and embarrassed the cause of Christian missions among the colored races round the world.

As to the "state rights" idea, the words that eminent constitutional lawyer, Mr. Elihu Root, would seem to apply: "It is useless for the advocates of state rights to inveigh against the supremacy of the constitutional law of the United States, or against the extension of national authority in the fields of necessary control, where the states themselves fail in the necessary performance of their duty." It is this failure of the states themselves "in the necessary performance of their duty" that causes the writer, himself an Alabamian, educated in Georgia, and for the past decade a resident of Tennessee, to advocate the passage of the Costigan-Wagner bill. It is this same consideration that has moved the editor of the Macon (Ga.) **Telegraph** to advocate the passage of the bill and to say in a magnificent editorial on February 15, 1935: "There will be a certain amount of opposition to this bill here in the South, but it is a fair question to ask, What else are we to do? Lynching goes on year after year, and punishment for the crime is practically unknown .....This brutality simply cannot go on. The states have had ample opportunity through the years to do something to prevent this barbaric crime. The time has come when something must be done, and the federal anti-lynching bill appears to be the answer."

Rev. M. Ashby Jones, eminent Southern Baptist clergyman, discussing the bearing of this "state rights" argument on federal anti-lynching legislation, said in the Atlanta (Ga.) **Constitution** of February 11, 1934: "We have talked a great deal.....about 'states' rights. We mean the right of the state to govern within certain political areas. But the right to govern carries with it the responsibility of government. The right to arraign and try a citizen accused of a crime carries with it the sacred responsibility to see that the citizen does secure a fair trial, and is punished only by 'due process of law.' It seems to me ethically clear that the failure to meet the responsibility of government forfeits the right to govern. When we are talking about the rights of a state, it will be fatal if we forget the rights of the citizen.....When we read the long, bloody record of these mob murders, usually ignored by the state authorities, and with scarcely a conviction recorded for this revolting crime, we must raise the question if the states have not forfeited their right of jurisdiction by their failure to meet their responsibility of jurisdiction."

Bishop Cannon states that without the passage of the Costigan-Wagner bill "the federal court will automatically have jurisdiction" wherever "a lynching has any interstate features." This statement is out of accord with recent rulings of the Federal Department of justice in the lynching of Claud Neal, who was taken from the jail at Brewton, Alabama, on the night of October 26, 1934, and lynched near Marianna, Fla., the following day. Nor is it borne out in the case of Ab Young, taken by a mob at Rossville, Tenn., on March 12, 1935, and lynched near Slayden, Miss. Let those who will try to get federal action under existing statutes in these two recent lynchings, both involving "interstate features," and he will wonder at the statement that in such cases "the federal court will automatically have jurisdiction."

The question of the constitutionality of the Costigan-Wagner bill is doubted. It is to be said in this connection that the bill was drawn by a professor of constitutional law in one of the leading universities of the country, and that its proponents, Hon. Edward P. Costigan and Hon. Robert F. Wagner, are both able constitutional lawyers and Democrats. The writer was present at the hearings before the Senate Judiciary Committee in February, 1934, and heard the able constitutional arguments for the Costigan-Wagner bill. These arguments appealed to him as entirely convincing. The Senate Judiciary Committee itself is apparently convinced also, since it has recently given favorable recommendation to the bill. Of course the Supreme Court will finally determine the matter of constitutionality. In advance of such a decision, in view of the preponderance of legal opinion that the bill is constitutional, objection to its passage on the basis suggested in Bishop Cannon's article is hardly warranted.

Bishop Cannon describes the bill as "a violent transference of jurisdiction from the state to the federal court." That statement is misleading for persons not fully familiar with the text of the bill, and it raises questions in this writer's mind of Bishop Cannon's familiarity with the bill. Actually, instead of taking over the jurisdiction of the state, the whole purpose and effect of the bill is to bring pressure on the local political unit to perform its duty by its citizens. It does this by waiting thirty days for local officials to act and it provides that the Federal District Court is to assume jurisdiction only when it has become evident that local authorities do not intend to proceed.

Bishop Cannon objects to the financial liability imposed on the county where a lynching takes place. The bill makes it possible to recover from $2,000 to $10,000 from a county in which a lynching has occurred, by civil action against the county in the United States District Court, the amount recovered to be paid to the lynched person or his heirs. The logic of this provision is that people who have to help indemnify the victims of mob violence will be less likely to lose their memories or their powers of speech when called on to testify against lynchers in court. It is furthermore right that those who allow lynching share in its guilt. Passivity on the part of the citizenship of a democracy deserves the financial penalty represented in the liquidated damages for which this provision of the bill calls. As a taxpayer I want to help indemnify the families of the victims of mob action, and I want all other citizens to feel and actually to be thus obligated. Until people bestir themselves sufficiently to stop lynching, they should be required to pay, at least in a financial way, for their tolerance of lawlessness. It is no more of an injustice to tax people in order to indemnify a victim of mob violence than it is to tax all citizens for the purpose of maintaining a jail. It is no more of an injustice to impose this financial responsibility on a county than it is to impose on an employer of labor the obligation to carry liability insurance on those in his employment.

Already in eleven states the county where a lynching occurs is held financially liable. The effectiveness with which this financial aspect of state laws has operated caused its inclusion in the Costigan-Wagner bill. Regarding the effectiveness of this imposition of financial liability on the county as a deterrent to lynching, Professor Chadbourn, of the law faculty of the University of North Carolina, speaking of the experience with the South Carolina statute, says (**Lynching and the Law**, page 51): "Each county which has been fined has had no more lynchings, and the average number of lynchings per year in the state has declined sharply after the infliction of each penalty." This indicates that if we are interested primarily in preventing lynchings, one of the most effective ways of doing so is to make the county where a lynching occurs financially liable.

Doubt is expressed with reference to the superior effectiveness of federal over state courts. Of course one cannot dogmatize on this matter, since such cases have never been tried in federal courts. However, it is interesting to note that the lynchings in 1934 all occurred during the second half of the year when the Costigan-Wagner bill had been temporarily killed in committee, and that a judge in Mississippi is reported to have prevented a lynching by warning the mob that if they lynched the man it would probably result in the passage of the Costigan-Wagner anti-lynching bill. The writer's

feeling in this matter is that the weakness of the state court in dealing with lynching inheres in its purely local character, and that a federal court, by its independence of local political pressure, is a better court in which to try lynchers.

Bishop Cannon mentions a group of twenty persons that were inclined to favor the Costigan-Wagner bill, but whom he deterred from taking favorable action because only four of them had read the bill. The preferable course would have been to supply these persons with the easily obtainable copies of the bill and let them act as they were inclined to do when fully informed. The writer of this article has on the desk here as he types a stack of one hundred mimeographed copies of the Costigan-Wagner bill. Anyone who desires a copy may have it by sending me a stamped and addressed envelope.

Scarritt College, Nashville, Tenn.

NEW HAVEN, CONN
REGISTER
APR 28 1935

VARIATIONS OF LYNCHING.

The stir in the Congress again this year over the proposal of a Federal anti-lynching law is not much different from the stir in previous Congresses over similar proposals. The measure is in general about the same as the subject of the famous battle of 1923. The threat of a bitter-end filibuster by southern senators is familiar. And the movement is not expected by many observers to get much farther than it ever got before. It apparently has little support from the Administration—so vocal in respect to other matters in which the humanitarian angle can be advanced. Yet the Administration can hardly be blamed for that, considering its present difficulty in keeping its lukewarm supporters from the South satisfied.

As a matter of fact, even though the proposal were completely justified, even though lynching were unquestionably a national instead of a local crime, one committed in such a way that State borders and separation of enforcement agencies prevented apprehension and quick punishment of the perpetrators as in the case of kidnaping and other crimes which have been brought under Federal jurisdiction, the time is hardly appropriate for such Federal action.

In past months there has been going on in Washington promiscuous "lynching" of character. It is hard to recall a single one of the special fishing expeditions which have been inaugurated in order to build up an emotional case for various pieces of extreme legislation in which the character and the position of defendants have not been "lynched." No established, responsible court of justice would tolerate some of the spectacles there presented. To speak in opposition to some measures proposed, oftentimes instigated or so handled as obviously to appeal to class prejudice, was to find oneself delivered into the hands of the mob.

Last year some of the leaders of the agricultural adjustment experiment sought licensing power which would give them power virtually to "lynch" processing or distributing concerns which failed to comply with regulations which the administrators, not established law, might issue. Such power was sought again this year. The leading proponents of the Federal electric power development scheme are wild because courts have stepped in with injunctions to prevent virtual "lynching" of private operating companies. There are more kinds of "lynching" than that involving the hanging of a murder suspect prevented by mere force of numbers or by transitory hysteria from defending himself. Contempt for them can be found just as strong as for that of the sort coming within the commonly accepted meaning of the term.

WATERTOWN, S. D.
PUBLIC OPINION
APR 26 1935

THE LYNCHING BILL

It looks as though the Costigan-Wagner anti-lynching bill might be in for some rough sledding in the United States senate. A bunch of southern senators have organized it said for the most determined filibuster in years and take the position that the bill shall pass only over their dead bodies, or votes.

This isn't so surprising although it is to be feared that some rather mixed arguments will be raised before the debate is over.

The bill, of course, is primarily aimed at the south. That fact is pretty well acknowledged. Hence, it may, to that extent be regarded as a slur against the section from which the defiant senators hail and so to be opposed accordingly.

But it is equally well known that lynching in the south is a comparatively safe outdoor sport always providing that the lynchee happens to be a person of color. Experience has shown pretty clearly that to expect southern local or state authorities to inflict any severe punishment for negro lynchings is about as vain as to expect the same officials to allow the said negroes to vote.

So if lynchings are to be stopped it is going to take a federal law, enforced by federal officials to do it.

It may be maintained, of course, that under the circumstances which exist in many southern communities lynching is frequently justified, or at least morally excusable.

The same argument is raised in favor of homicide under several other conditions. But such arguments have never been approved legally and to accept such a theory would be to throw the door open to far worse evils.

If the southern senators honestly regard lynching as desirable, and very possibly some of them do, they cannot be blamed too severely for opposing the proposed bill. But if it is admitted that a stop should be put to the practice, it must be conceded that it will need the federal government to do it.

LANCASTER, PA.
NEW ERA
APR 24 1935

Anti-Lynching Law

Senator Smith, of South Carolina, who has manifested vehement opposition to the Costigan-Wagner anti-lynching bill, exhibits a strange attitude for a man who sits in such an august body as the United States Senate. The prospect of a filibuster by Southern senators against the measure illustrates a curious warp in the minds of men who should understand that lynching is murder and every member of a mob who actively participates in killing a person by such summary methods incurs guilt.

There are courts of law and police departments for the trial of all who are accused of offences against the law. We are the most lawless people in the world. We tolerate conditions which would not be endured for a moment in any other civilized nation on the globe. We are shocked occasionally by a particularly atrocious crime, but we soon forget and go our indifferent ways, heedless of the danger to government and society.

While lynching is commoner in the South, it is a national problem. A rigid statute, which will deter unthinking mobs from violence and officials from half-hearted efforts to prevent such outlawry, is needed. It is a strange mental quirk which inspires men who sit in the Senate to attempt to thwart a law designed to stop murder by mobs.

Wilmington, N. C. News
April 25, 1935

PROPOSED LYNCHING BILL

SENATOR SMITH, of South Carolina, that urbane gentleman who for years has fought for the cotton planters of the south, turns for the moment from his batles for the dirt farmer to register his opposition to the WAGNER-COSTIGAN bill, making lynching a federal offense.

Offhand, we are inclined to agree with the gentleman from Lynchburg that the proposed measure is hardly worth passage. Noble as may be the theory behind it, or righteous as may be the motives of the senators sponsoring the bill, it must be conceded that it is a sectional affair and constitutes a direct slap at the south.

This newspaper holds no brief for the mobster. It long ago took the stand that the lyncher should be exterminated and it applauds when one of the ilk is caught on the horns of justice and impaled. At the same time it cannot see where the proposed law will seriously effect the situation. Lynching in the eyes of the northerner occurs only when a negro meets violent and illegal death at the hands of a southern white. It fails to recognize that gang killings, hold-up murders and other such crimes must also be classified as lynchings under the implied meaning of the term.

We concede that law enforcement officers are handicapped in obtaining information which will link the average mobster with a crime of the kind concerned, but will a change from state to federal offense change the situation? We doubt it.

Brooklyn, N. Y. Citizen
APR 25 1935

THE ANTI-LYNCHING BILL

Senator Costigan's anti-lynching bill has not come to a vote yet, because of the fear of Administration leaders that Southern Senators might engage in a filibuster which would prevent adoption of many of the Administration's bills.

Senator Costigan himself is desirous of bringing the matter to a vote, and recently he submitted editorials from Southern newspapers and resolutions adopted by Southern women's clubs to show that the objections of Senators George of Georgia, Smith of South Carolina and Reynolds of North Carolina did not reflect unanimous Southern sentiment.

The burden of their objection was that lynching was necessary to protect the virtue of Southern women. The answer of the Southern women's clubs, as reported by Senator Costigan, was that Southern white women are perfectly able to protect their own virtue.

The Costigan bill gives the Federal Government the right to proceed against lynching mobs in every State in the Union. Although the Southern States have laws against lynching, they are never enforced.

Lynchings- 1935
Legislation Relating to.

5680

SHREVEPORT, LA.
JOURNAL
MAY 6 1935

No Antilynch Law This Session.

When the United States senate, by a vote of 48 to 32, displaced the Costigan-Wagner antilynching bill from its preferred position on the calendar Wednesday afternoon, all prospect for passage of this iniquitous measure at the present session of congress went a-glimmering. The proceeding was rather simple, the senators simply applying a parliamentary rule and voting to "adjourn" instead of "recess" for half an hour; twice within a week efforts of a devoted little band of Southern senators to bring about this situation had failed, but on Wednesday the filibuster won a signal victory.

The measure devised by Senators Costigan of Colorado and Wagner of New York, and which has been pushed vigorously since congress met in January, is the same old bill which has been before the congress a dozen times within recent years, though appearing at this session in slightly changed garb. It sought to turn over to the federal courts prosecution of all criminal and civil actions resulting from the application of "lynch law," and to make responsible in damages the county in which a lynching might occur; although its sponsors claimed the bill was nonsectional, since it was operative in all parts of the country, there could be little doubt that primarily, it was aimed at the South.

Wherefore, a gallant band of Southern senators, dubbed the "battalion of death," have been engaged in a determined battle for weeks to prevent the bill coming to a rcord vote. They have been led by Bailey of North Carolina and Black of Alabama with occasional help from Bilbo of Mississippi, Trammell of Florida, Smith of South Calorina and Connally of Texas; the two senators from Louisiana have not taken any part in the fight, so far as we have been able to discover, but temporary victory, at least, has been won without them. And it might be remarked in passing, the men who contended so bravely against the Costigan-Wagner bill are entitled to the thanks of every dweller in Dixieland.

There was never any truth in the argument of the sponsors of this bill that it was designed to benefit the negro race; on the contrary, it was fraught with potential harm. They, Senators Costigan and Wagner, have no first-hand acquaintance with the problem they sought to solve, and it is a satisfaction to know the senate finally accepted the advice of those Southern senators who do know the solution. It is an evil, as every one will admit, but it is an evil that can not be corrected by such laws as the Costigan-Wagner bill.

Fayetteville, N. C., Observer
May 2. 1935

ANTI-LYNCH BILL HAS LITTLE TO DO WITH LYNCHING.

Just as its effect on child labor is the least objectionable thing about the proposed Child Labor Amendment, so its effect on lynching was the least objectionable feature of the Anti-Lynching bill which the Senate of the United States has finally discarded.

Both the Child Labor and the Anti-Lynching measures had for their goal the removal from the several States of the Union what little power still remained in what were at the beginning thirteen sovereign nations.

The Anti-Lynching bill made it a Federal offense for the law officer of any county to fail to prevent any mob action—and a mob was described as three or more persons engaged in an unlawful act.

It also permitted the Federal Government to levy a fine against the county in which any mob action took place, for the purpose of reimbursing the family of the victim of the mob action.

Under a strained interpretation of the Anti-Lynching bill—if it had been passed—it would have been possible for the wholesale house which was robbed here last week to start an action against Cumberland county for failing to prevent the robbery and to have the United States fine Cumberland county for the benefit of the robbed concern.

And the precedent of the interpretation of Federal laws is that they do become strained in just such a manner.

Passage of the Anti-Lynching bill would have meant the passing of just about the last shred of local autonomy.

That's why the Southern States fought it so strenuously. They were once more than mere States. They were once nations, governments unto themselves, each of them. They were not created out of bought or conquered territories but they carved their own freedom by might and main from Great Britain. They are the McCoy. The Mid-western and Western States, with the exception of Texas, never knew nationhood. They have always been just "states." They look to Washington and not to themselves for guidance.

Meantime, the Southern States see the powers as nations which they once enjoyed one by one being taken from them by the Federal Government.

This—not any desire to promote lynching—was the cause of the Southern fight on the Anti-Lynching measure.

Valdosta, Ga., Times
April 27, 1935

ANTI-LYNCHING BILL

For several years there has been spasmodic agitation in the United States looking toward the passage of legislation which would place a penalty on counties where lynchings occur. The latest bill before the senate is the Costigan-Wagner bill and recently there has been considerable discussion of this measure. Thus far opponents have prevented a vote and in many circles it is predicted that the bill will never be enacted into law.

Commenting on this bill, the Athens Banner-Herald says:

"Of interest to the people of the South is the 'anti-lynching' bill introduced by Senators Wagner of New York and Costigan of Colorado. Both senators are Democrats, but the bill in principles is about the same as the famous anti-Dyer lynching bill introduced some years ago. This bill was finally killed. Dyer, a Republican, hailed from a negro district in St. Louis. Nothing better could have been expected of him. but when Democrats resort to such methods, whether from Maine or California, such action is inexcusable and without justification.

"However, due to the opposition to the bill by Senator George, it is not believed that it will receive enough consideration to be brought to a vote. The bill, if enacted into law, would incite to lynchings rather than diminish the outrages that rarely ever occur in this section of the country. The people of the South are not of a lawless nature, nor do they condone such violations of the law, but with the passage of this proposed 'anti-lynching' law there is no telling what might be the results, not only in this section of the country, but in other sections as well.

"The bill provides, that in counties where lynchings occur, a penalty be imposed on the county for a certain sum to be paid to the immediate members of the family of the deceased. This is no time to be resurrecting sectional strife the conditions in the South do not warrant an anti-lynching' law, especially when it is being introduced for the purpose of coercion more than for the enforcement of the law, or for the betterment of society."

Columbia, S. C. Record
May 1. 1935

IT IS UP TO THE STATES.

The defeat of the Costigan-Wagner anti-lynching bill may, it seems, be taken for granted.

The doctrine of state rights, sound doctrine by the way, may be forgotten by Southern senators when other things, like federal aid or prohibition, are under consideration, but when the anti-lynching bills come up they remember everything they have heard about it and sometimes a little more. On this line, they are willing to fight and with other business demanding attention they will probably again get what they want—evasion of the issue—by simply threatening to talk long enough to prevent the enactment of anything else if the anti-lynching bill is to be taken up.

But the weakness of the Southern position is also obvious. The South hopes to win by making a vote impossible; it has little or no hope of being able to win if the bill is brought to a vote. The majority of both house and senate—a Democratic majority—is against it. It has only one argument against the bill—the state rights argument, weakened by the South's abandonment of it on other issues.

And some day, if things go on as they have been the anti-lynching bill will come to a vote and be passed—the Dyer anti-lynching bill in 1922 passed the house 231 to 119, filibusters being, of no especial effect in the house. The Southern victory if it may be termed a victory, will give the opponents of anti-lynching bills merely a respite. Those states that are concerned about it—and sometimes it would appear that few states actually are concerned about it—will, if they are wise, use the time to demonstrate that the states can take care of the lynching problem themselves, that they can enforce their own laws and will. It is the only way to avoid the otherwise inevitable enactment of a federal lynching bill, which if it will not prevent lynching—and that seems obvious enough—will at least take away from the states the responsibility for law enforcement which can be used to making lynchings dangerous and therefore unpopular.

Senator Ellison D. Smith, of South Carolina, fulminates against it and Senator Bailey, of North Carolina, delivers a studied attack upon it as con-

trary to the doctrine of state rights, and to the United States constitution. And Byrnes, of South Carolina, and Black, of Alabama, oppose it and so on. But they are in the minority and no minority may indefinitely expect to defeat the majority—even in the United States senate.

Some gains have of course been made in the war on lynching. In 1892 3.4 persons per million of population in the United States were lynched. In 1934 only 0.1 persons per million of population were mob victims. But not enough has been done and there is still too much condoning of lynching, as witness some of the senators' arguments, as witness the few if any convictions following lynchings. More must be done and it must be done by the states.

"And so," R. Charlton Wright, former editor of The Record, concludes an interesting discussion of the question—there is sound stuff in it—printed on this page today, "though it affords me no pleasure to say it, candor compels me to the conclusion that if the South wants to avoid the penalties and disgrace of an anti-lynching 'force bill,' the remedy is in the hands of its legislators, governors, sheriffs, judges, prosecutors and citizens in general. A few lynchers, convicted and hung 'high as Haman,' would turn the trick."

MOLINE, ILL.
DISPATCH

APR 27 1935

Law to Enforce a Law.

Southern legislators at Washington are opposing bitterly a bill to make it illegal to lynch criminals. Their opposition is not based on the idea that they favor lynching. At least all of them say they oppose such violence. They are fighting the bill because it would give the federal government a chance to go into southern states to enforce laws that already exist in those states.

States of the south already have statutes prohibiting assault and battery, kidnaping, and murder in any form. Yet lynchings occur consistently.

In some communities of the south the colored population outnumbers the whites two to one or even more. In these places many of the whites feel that the supposedly unemotional processes of law are not sufficient to afford proper security. They desire to provide object lessons based upon horror and frightfulness.

The problem is not merely a matter of lynching or not lynching. Such a bill, if enacted into law probably would complicate matters in the deep south and cure no evil. There can be no defense of lynching, and the highest class of whites in the south deplores it. Among these responsible persons, lynching is only a small part of a gigantic problem that should be attacked in its entirety, not piecemeal.

Meanwhile the hapless negro in the so-called black belt of the south is having serious troubles of his own. The depression has hit him harder than any other class or race in the United States. Those on farms have been reduced to an even lower standard than the low standard endured before. Those in cities are in even worse condition because they performed duties of a menial capacity for whites, and when hard times came, they lost their jobs to their own employers.

Communists have attempted to stir up revolution among them, but as a race they have remained true to the system under which they were brought up.

MINNEAPOLIS, MINN.
EVENING TRIBUNE

MAY 4 1935

Nonsense From the South.

Senator Barbour of New Jersey is not much impressed by the charge that the passage of the Costigan-Wagner anti-lynching bill would result in an intolerable invasion of state rights. He is particularly unimpressed by it, apparently, because it is made by southern senators whose states are chronic moochers on the federal treasury.

Mr. Barbour observes that in nine southern states, during the first two months of this year, the federal government supplied more than 95 per cent of all the relief money expended. In two other southern states, it provided more than 90 per cent of the relief funds distributed in that period. The senator might have added that in 1934 such sturdy champions of state rights as Florida, North Carolina, Louisiana and Mississippi received respectively 99.9, 98.6, 97.9 and 98.1 per cent of all their relief moneys from Washington.

Such a record, of course, has nothing whatsoever to do with the merits or demerits of the Wagner-Costigan bill. Whether the federal government should take a hand in the prosecution of lynchers is a question entirely apart, and it is one on which honest differences of opinion are possible.

Mr. Barbour, however, seems to have pinked the southern senators in a rather tender spot. It is noteworthy, at least, that while they are howling to high heaven about the threatened invasion of state rights in the field of lynching, their states are not at all alarmed by the virtual monopoly which the federal government has established in the field of relief. The south, as a matter of fact, has been doing less for itself in the way of relief, and has been sponging more enthusiastically on the federal treasury, than any other section of the country.

From this we conclude that any invasion of state rights which is accompanied by the generous outpouring of federal funds is entirely acceptable to the south, and that any invasion of state rights which might tend to curb mob murder constitutes a gross affront to it. The right of the southern senators to oppose the Costigan-Wagner bill we cheerfully concede, but when they raise the anguished cry of state rights, while the south panhandles for federal millions, they merely make themselves ridiculous.

PEORIA, ILL.
TRANSCRIPT

APR 26 1935

THE ANTI-LYNCHING BILL

Northern newspapers generally have been urging passage of the Costigan-Wagner bill which would give federal police agencies control of investigations of lynching and other mob violence. Southern papers, on the other hand, have looked upon the bill as a direct insult to the south and are threatening to make it a political issue.

While the purpose of the bill is laudable, it might be better for all concerned to give it a quiet burial. The bill smacks too much of the old prohibition law which made it possible for federal agents to go into any community and start a reign of terror of their own. It is direct repudiation of state sovereignty and local self-government.

One of the worst results would be the psychological reaction of southern law enforcement officers. They probably would take the attitude which many local officials did during prohibition and sit back and let federal officers take full responsibility for all lynchings.

In recent years, many southern officials have tried to stamp out the lynching evil. County officials, often at their own peril, have protected their prisoners against angry mobs. Society women of the south have banded together to discourage lynching. The record shows that lynching is steadily declining.

The Costigan-Wagner bill probably would undo all this good work. An affronted south would sit calmly by and let mobs operate at will. Sheriffs and other police officers would feel no responsibility if lynching were a federal crime. It would be up to Uncle Sam to control the mobs.

To cope with possible mob violence, the government would need an army of agents greater than that required to enforce prohibition. Even if these units were highly mobile, they could not possibly get to the scene of trouble until too late to prevent lynchings.

Investigation of lynchings will not prevent mob violence. Southern officials are taking preventative steps and should not be hindered by unwarranted federal interference.

BUFFALO, N. Y.
TIMES

APR 29 1935

NOT DIXIE'S VOICE

A SMALL group of southern senators threaten to filibuster the Costigan-Wagner anti-lynching bill, just as a similar group killed the Dyer bill 12 years ago. They may succeed. But if they do the country should know that their specious pleas in behalf of states' rights or chivalry do not echo the sentiments of the whole South.

Organizations representing some 42,000,000 Americans urge passage of this bill. How much of this support comes from south of the Mason-Dixon line may be judged from its approval by many of Dixie's leading papers.

"Its (the Costigan-Wagner bill's) invasion of states' rights should cause no southern heartburning," says The Norfolk (Va.) Pilot. "There is no such thing, morally speaking, as a reserved right to deal in our own way with a form of collective murder which our own way has uniformly failed to punish."

"It may be," says The Newport News (Va.) Press, "that the anti-lynching bill will not be adopted by the Congress now in session. But if it is not, and lynchings do not stop, it will be adopted by some other Congress; in fact, must be adopted if the machinery of justice is to function."

"Apparently," says The Macon (Ga.) Telegraph, "the mere threat of the Federal anti-lynching bill has a wholesome effect, and the time has come when the South would vote for such a bill."

Southern women, too, have been quick to resent Senator Smith's quaint argument that "lynchings are necessary for womanhood's protection." Scores of letters, telegrams and resolutions from southern women's religious, welfare and club organizations have repudiated the preposterous claim that the South's law is helpless to protect the South's women.

Proponents of this measure claim 59 Senate votes from all over the country and a big majority in the House. Only 20 senators are called irreconcilables. It is neither just nor gallant of them to filibuster against this popular national movement.

Lynchings - 1935
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5081

How Not to Stop Lynching

By WILLIAM SEAGLE

THE determined filibuster of a group of Southern Senators against the Wagner-Costigan anti-lynching bill has apparently killed that measure in the present session of Congress. A federal anti-lynching bill has been a recurrent item on the Congressional agenda for the past thirteen years. Actually passed by the House in 1922 but stopped by a filibuster in the Senate, it has lingered as a standing issue. But while the original Dyer bill at least had the merit of attempting to outlaw lynching, the present bill is largely a sham, a fact which makes the filibuster all the more ironical.

The test of the honesty of any federal anti-lynching bill lies in its definition of a mob. Thus the bill introduced in the Seventy-third Congress defined a mob "as an assemblage composed of three or more persons acting in concert without authority of law, *for the purpose of depriving any person of his life, or doing him physical injury.*" In the course of its transit through the Committee on the Judiciary, however, the words in italics were removed from the bill and in their place were substituted "to kill or injure any person in the custody of any peace officer, with the purpose or consequence of depriving such person of due process of law or the equal protection of the laws." This change in the bill deprived it of half its effectiveness. For the federal government to be able to intervene it would have to be established that the lynched person was in the custody of a peace officer. But obviously a great many of the men who are lynched never come within the "protecting" arm of the law. The available figures show that of the 254 persons lynched from 1921 to 1929, 112, or 44.1 per cent, were never in the custody of the law. An additional 74, or 29.1 per cent, were taken from peace officers outside the jail, while the remaining 68, or 26.8 per cent, were taken from the jail.

Apparently the sponsors of the present bill recognized the extremely limited scope of an anti-lynching law which protects only persons in the custody of peace officers. At least the terms of the bill have been somewhat broadened. A mob is now defined not only as an assemblage of persons attacking another in custody of a peace officer, but as an assemblage of persons attacking one who is charged with or suspected of the commission of a crime. But this still stops short of really establishing a federal crime of lynching. Many Negroes lynched have not only not enjoyed the advantages of legal custody but have been neither charged with nor suspected of any crime. Of 3,693 mob victims between 1889 and 1929, it is stated by Roper that 66, or 1.8 per cent. were accused of "insult to white person," and that 894, or 24.2 per cent, were accused of other offenses. The list of these other offenses included such heinous acts as bringing suit against a white man, trying to act like a white man, refusing to pay a note, seeking employment in a restaurant, making boastful remarks, denouncing a sailor's part in a Chicago race riot, speaking disrespectfully against President Wilson, expressing sympathy with a lynched Negro, engaging in conjuring.

It is true that a summary of the National Association for the Advancement of Colored People states that in only 5.6 per cent of the lynching cases between 1889 and 1918 was there no crime charged. But the Roper figures, which cover the last decade also, indicate that this type of lynching is increasing. Nor can the present figures be considered an exact measure of the mischief which might result if the proposed formula were retained. It would be possible to deny the real reason for a lynching. Members of mobs might insist that they simply didn't like the victim's looks. They might even say that they intended to lynch somebody else. For if it turned out that the wrong man had been lynched, it could be held that the federal statute had not been violated.

The weaknesses in the lynching bill may possibly be defended on the ground that they are intended to make it constitutionally more palatable. The injection of the issues of custody and criminality may, it is true, establish more clearly the element of state action which is the basis of federal interference under the Fourteenth Amendment. But the state has a duty to protect all its citizens against violence at all times, and it is suggested in many cases that the failure to take action may also constitute a denial of due process under the Fourteenth Amendment.

At best a federal anti-lynching bill would be only a weak and uncertain weapon. The federal government may provide criminal penalties for the individual members of a mob as well as seek to assess damages against counties in which lynchings have occurred. But even a federal trial must take place in the locality in which a lynching has occurred. In other words, it must still be held before Southern juries, which will be no more ready to convict than under state anti-lynching statutes. In view of this inherent weakness of any federal anti-lynching statute, any attempt to restrict its scope must be regarded as an attempt to remove its last vestige of usefulness. The Southern gentlemen in the Senate might just as well have spared their throats.

Muckraking in Judgeship Fight Halted Anti-Lynch Measure

Dr. Thompkins Says Whites Killed Bill When Negroes Began to Attack Each Other in Battle for Seat on Municipal Bench

Charges against candidates for the Municipal Court judgeship were largely responsible for the defeat of the Costigan-Wagner Antilynching Bill, said Dr. William J. Thompkins, recorder of deeds, in an address Sunuday at a men's day program at the First Baptist Church, Georgetown.

Dr. Thompkins said every charge from rape to roiting was sent to the Department of Justice by "second rate politicians." The speaker said one charge against a candidate involved association with white women. He said that when the "white people downtown saw these charges against the candidates the Anti-lynching Bill was doomed."

Stopped Bill Passage

Dr. Thompkins characterized the campaign against the various judicial candidates as dastardly and contemptible. He said that when southern white men were told what "our men are doing to white women it stopped the passage of the bill."

The speaker reiterated his plan to establish well baby stations in various sections of the city, Sc as to instruct mothers and prospective mothers in the care of young children. He stated that 500 babies died here last year for lack of proper care.

These stations will be under the supervision o fa nurse who will visit the homes in her sections two or three times each week ana give advice to mothers on the care of babies and young children.

Worse Health Program

Dr. Thompkins said Washington has the worse health program of any city near its size in the United States. He also advocated a separate hospital for the care of colored persons. "Since we have segregation it is better to have our own plant maintained by a Negro staff than to be wired off and humiliated in white institutions, he said.

Anti-cussing Campaign

Dr. Thompkins urged a campaign to stop unnecessary and loud talking in residential districts at night. He suggested that liated in white instituted," he launched.

Phil C. Reed, presided at the meeting. Others to take part in the program included William B. Harris, the Rev. M. N. Newsome, Joseph N. Lawson. Clifton Burrell and L. S. Jefferson.

VOTE ON THE ANTI-LYNCHING BILL

The Costigan-Wagner anti-lynching bill *(S. 24)* was again introduced in the Senate this year. The violent filibuster of Southern Senators has forced this bill to be recommitted to the Judiciary Committee. The bill provides that if a state neglects to furnish protection for the life of a person within its jurisdiction against a mob, such state shall be deemed to have denied such person both due process of law and the equal protection of the laws guaranteed by the United States Constitution. The bill further provides for the punishment by the federal government of state or county officials who either actively or passively coöperate with a lynch mob.

SAVANNAH, GA.
PRESS

MAR 6 1935

ANTI-LYNCHING BILL.

The grand jury of the Superior Court of Butts county has expressed an opinion upon a topic about which most Georgia grand juries are keeping silent. The surprise is not that Butts county has voiced the sentiment it has but that the grand juries in other counties in Georgia and states throughout the South have had nothing to say about it.

We refer to the denunciation of the Wagner-Costigan anti-lynching bill which is now before the United States Senate. This is a measure that has the support not alone of Republicans but of a number of Democrats in Northern states. We are not advised as to the attitude of the two Georgia senators upon the measure, which is of so much importance to this section.

The grand jury which made its presentments to the judge of the Superior Court of Butts county left no doubt as to what it thought of the plan to pass a law taking the lynching problem away from the states and turning it over to the federal government. It says in this connection:

Resolved, That while we deplore lynchings and have no disposition to condone or excuse the same, still we feel this proposed bill is a direct violation and invasion of state's rights. We point with pride to our county's record in this regard, and feel we can safely rely upon our officers to do their duty in the future as they have in the past, in protecting all prisoners and affording them a fair and legal trial in our county. We also call specific attention to the unfairness and, in our opinion, unconstitutionality, of a measure which makes a county liable for such large damages, whether the citizens of that county participated in the lynching or not; and can easily imagine the many injustices that might be engendered thereby. Further

Resolved, we call upon our senators and representatives in Congress to vote in the negative and to use their influence in every possible way to prevent the passage of this unfair bill, which we feel is an unwarranted aspersion upon our officers and courts.

WASHINGTON, D. C.
STAR

MAR 11 1935

ANTI-LYNCHING BILL O. K.'D BY COMMITTEE

Van Nuys Will Write Report to Senate on Costigan-Wagner Measure.

A favorable report on the Costigan-Wagner anti-lynching bill was voted today by the Senate Judiciary Committee. No opposition developed in the committee meeting, and Senator Van Nuys, Democrat of Indiana, was authorized to draw up the report.

In an effort to reduce cases of mob violence against prisoners taken into custody, the bill seeks to establish two preventive steps. First, it would make enforcement officers of any State or county subject to prosecution if they failed "to make all diligent efforts" to protect prisoners from mobs, or if they did not make diligent efforts to apprehend members of a mob. In such cases officers would be charged with a felony and, upon conviction, could be fined up to $5,000 or imprisoned up to five years or both.

Second, it would make States, counties or cities in which persons are lynched subject to suit for damages to be paid to the families of the victims.

Gulfport, Miss. Herald
May 3, 1935

ANTI-LYNCH BILL DEAD?

We hear that a tactical movement virtually or practically killed the anti-lynching bill fathered by Senator Wagner of New York, who had the advice and aid of certain persons in his city and State, and Senator Costigan of Colorado. Both are Democrats, and this gave the bill more 'presence' than if it had been, as traditionally, from the Republican side of the Senate. Senator Lodge started with one when a young Congressman fresh from a high New England College. It was called the 'force bill'. It was defeated in the Senate by Senator James Z. George and others. Senator George made a masterly speech. The bill came up again, and the Southerners, who have had a tremendous and tremendously grave and delicate problem on their hands at home—more difficult than that of any other section of the country, were forced to the firing line, using defensive tactics and the very fundamental necessities of the case. Again it was beaten. Senator Lodge, when he began to become known as a historian, which gave him great pride, abandoned his position and admitted that he had been wrong. We could cite the time, place and audience (one Southern man) to prove that, but we assume it to be unnecessary. One of his remarks was, when his auditor expressed astonishment at his change of attitude: "Well, I was a politician then; now that I am writing history, I am faced with the necessity of writing truth", —or words to that effect.

The tide turned in the Senate on the latest bill when Senator Borah, who has repute as an able constitutional lawyer in the Senate, declared that the bill was unconstitutional, just as he had declared its predecessor unconstitutional.

In the fight, however, we find Senator Ashurst of Arizona, a Democrat, favoring the bill, when he was fresh from race riots with Japanese in his State, which, at a very delicate time, might have brought the country into conflict with Japan. And we were surprised at Western Democrats, especially, who have had a serious race condition, a shadow, over them for a long time, the seriousness of which caused the passage of the Asiatic Exclusion legislation.

But here, we have the question ever with us, about us, and in front of us; and with it at home, we have to fight in the halls of congress, not only on this specific matter, but to prevent a law which would put the Federal Goernment into a State, administering a police law, which belongs only to the State.

Blue Grassers Vote for Anti-Lynch Law

CLEVELAND — Shortly before closing their two-day meeting Tuesday, the "blue grass" convention of Republicans from six states adopted a plank endorsing a Federal anti-lynching law after heated arguments over the constitutionality of such a law.

Just as the platform was up for final approval, Councilman John E. Hubbard called for the plank. Perry B. Jackson, assistant police prosecutor here, seconded the Hubbard resolution. Chester K. Gillespie, former State representative, asked the convention to "stop those devils in the South with a Federal law."

The plank was opposed by William S. McDowell, of the resolutions committee, and Thomas J. Barrett, of West Virginia, chairman of the platform committee, both white, who declared that the measure was unconstitutional. Hobson Reynolds, of Philadelphia, said that 50,000 votes lost in Philadelphia would not be regained if the plank did not pass.

MISSISSIPPI LYNCHES AGAIN

Now that the Costigan-Wagner Federal anti-lynching bill seems well out of the way, thanks to the lethargy of our race patriots, Mississippi, holder of the Lynch Pennant stages another mob murder.

Wiggins, Stone County, one of the most remote and primitive in a State noted for its primitiveness, was the scene of the crime. R. D. McGee, 25-year-old Negro, was lynched last Saturday after being "questioned" all night Friday. He was allegedly guilty of attempting to attack a little white girl. Three hundred men of the "superior" race did the job. Afterward some of the lynchers, camouflaged as a coroner's jury, declared that McGee "came to his death at the hands of unknown parties." One would like to know by whom the parties are unknown, as almost every able-bodied white man in the county seems to have been present at the lynching. They all know each other down there.

Sheriff J. A. Simpson, who possesses a grim sense of humor, reports that the mob hid the hapless Negro from him and his officers until the lynching was over. These Mississippi sheriffs are notorious for their ostrich tactics. They can't see right in the midst of a lynching mob and never recognize any of the lynchers, not even themselves.

If there were a Federal anti-lynching law (as there would have been if Negro voters had really wanted one), Stone County officials and lynchers would soon be on their way to prison and the county would have to fork over $2,500 to the relatives of R. D. McGee. But there is no law, so Mississippi and the other Lynch States go their way, terrorizing the Negro in order to rob him more effectively.

We are going to keep up the fight until something is

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Atlanta, Ga. Journal
April 24, 1935

NEXT, AFTER the tenant-farmer bill, comes another hyphenated measure, alliteratively labeled "anti-lynching legislation," and, you can take it from me, Senator Russell has the medicine for this vicious proposal.

Although he doubts the constitutionality of the bill and condemns its object, Senator Russell believes that gang rule is as bad or worse, than mob law, and he proposes to amend the Wagner-Costigan measure by broadening its scope to include gang killings, gangster warfare, kidnapings and other forms of racketeering, for which both New York and Denver, not to mention many other cities, enjoy fame.

"If it is to be made the policy of the government to penalize the counties in which lynchings occur, why shouldn't the government go all the way and penalize the communities in which gangsters and racketeers run riot?" asks the Georgian.

"I am drawing an amendment to the bill, which I will offer at the proper time, to include unrestrained crimes of violence in all communities. Why play favorites in this matter of federal interference with the police powers of the states?

"The crimes of gangsters, racketeers, kidnapers are cold blooded, premeditated, malicious, prompted by lust, or hate, or fear, and they are on the increase, whereas lynchings are on the decline. If communities are to be made to pay indemnity to the heirs of the victims of mob law in the south, certainly they should be made to reimburse victims of gang killings and kidnapings in the north, east and west."

* * *

THE ANTI-LYNCHING BILL, you know, takes such cases out of the hands of state authorities, and provides (quoting the language) "any county in which a person is seriously injured or put to death, by a mob of riotous assembly (three or more constitute such a mob) . . . shall be liable to the injured person or the legal representative of such person, or the estate of such deceased person, for a sum of not less than $2,000 nor more than $10,000 as liquidated damages. . . ."

* * *

BUT DON'T GET ALARMED, friends, the anti-lynching bill isn't going to become a law, not at this session of congress, anyhow. . . . Nothing will come of it—nothing save its service as a buffer in the senate until a more meritorius measure is ready for consideration.

Which sounds, admittedly, a bit contemptuous toward the pet measure of Senators Wagner, of New York, and Costigan, of Colorado, laboring under the delusion that they can force their bill through the senate, what with more'n enough votes in sight.

But Senators Wagner and Costigan have a rude awakening coming to them. It is, indeed, extremely doubtful if they succeed in making their measure the unfinished business of the senate. . . . You see, motions to take up bills in the senate are debatable, and once a debate gets under way there's no stopping it, except by unanimous consent or enforced cloture. Neither of these is possible of obtainment so long as the anti-lynching bill threatens. . . . Unanimous consent requires just what the words imply, and cloture takes a two-thirds vote!

* * *

MOST OF THE BIG SHOTS of the senate, intellectually and oratorically, are opposed to the Costigan-Wagner bill—George, Bailey, Russell, Smith, Byrns, Reynolds, Connally, Sheppard, Clark, Byrd, Harrison, Bilbo, Bankhead, Black, McKellar, Gore, et al. All of them are primed and ready to go. There's no telling how long they could, and will, talk if needs be, nor is there any anticipating the parliamentary moves of which they are capable—amendments, roll-calls and straight talk, relieved occasionally by the clerks of the senate reading "germane" subjects, from newspapers, magazines, law books and novels.

I figure that after they get an earful of what's happening to them, Senators Costigan and Wagner will lose some of their hope, if not ardor for the legislation they are pressing, and welcome an opportunity to abandon their objective.

Should there be a slip, however, and the anti-lynching bill get before the senate on its merits, or demerits, you'll read of a sho-nuff filibuster that'll continue until the snow flies, if necessary, which, of course, is out of the question.

Atlanta, Ga. Journal
April 24, 1935

NEGRO THREAT

THERE has been more dexterous behind-the-scenes strategy to prevent a vote on the anti-lynching bill than on any other measure this session.

Reason is that it splits the Democratic side of the senate wide open. Also it widens the split between Roosevelt and his party leaders.

Roosevelt is opposed to lynching. So he called Joe Robinson, Democratic floor leader, to the White House, told him to put the bill on the calendar.

Joe Robinson comes from the state of Arkansas, not known for too gentle treatment of negroes. But he obeyed orders—that is, up to a point. He told Colorado's Costigan, co-author of the bill, that he could bring it up next day.

But when Costigan made this motion, he found that Robinson privately had passed out the word to Senator Wheeler to get his motor bus bill on the calendar first. The same word was passed out to Senator Bankhead concerning his bill for the tenant farmer.

So Costigan and his anti-lynch bill waited on the sidelines.

NOTE: Senator Robinson recently has had the heat turned on him by Walter White, head of the National Association for the Advancement of Colored People. Joe long has cast a longing eye upon the Supreme Court. But now White promises to do what colored influence helped do to anti-negro Judge John J. Parker when Hoover nominated him for the Supreme Court. Colored protests aided in defeating him.

Now if Joe gets his Supreme Court appointment, White is swearing vengeance.

ANTI-LYNCH BILL WINS IN SKIRMISH

Senate Defies Filibuster Threat in Refusal to Sidetrack Costigan Plan

WASHINGTON, April 27 (AP)—Endless, monotonous talk—the kind known only to filibustering senators—was the open threat hurled by Southerners today into the face of an apparent senate determination to vote on considering the Costigan anti-lynching bill.

With a Bible on his desk, Senator Bailey (D., N. C.) said he was prepared to read "the whole book of Deuteronomy" if that should become necessary to prevent a vote.

Adjournment Refused

This warning, ominous to a big administration legislative program, was given after the senate for a second time refused to sidetrack the bill. By a vote of 37 to 28 it defeated a motion to adjourn, which, had it carried, would have displaced Senator Costigan's (D., Colo.) motion to make his anti-lynching bill the business of the senate.

Then the senators voted, 50 to 10, to recess, leaving the Costigan proposal at the head of its order of business. On Monday an effort will be made, is was done today, to have the senate consider instead the Harrison bonus payment plan, with the Southerners hoping the popularity of that issue would swing enough votes to make it the chamber's unfinished business.

However, under the senate parliamentarian's interpretation of the rules, the bonus can not be substituted without a vote on Senator Costigan's pending motion to take up the anti-lynching measure. And there the situation was deadlocked by the Southern filibuster.

Senator Robinson of Kansas, the Democratic leader, said he accepted the vote of today's adjournment motion, which he offered himself, as a definite indication of sentiment for and against the anti-lynching bill and an expression in favor of an opportunity to vote upon it.

MOB BILL FIGHT CLOSE AND HOT

One-Vote Margin Gives Proponents Advantage Which Foes Say Will Be Fleeting

WASHINGTON, April 26 (AP)—Senate advocates of a federal curb on lynching today scored a one-vote victory, a victory hailed by those who met defeat as destined to be as short-lived as it was close.

By 34 to 33, Northern and Southern senators beat down a motion to adjourn, which, had it carried, would automatically have sidetracked the Costigan-Wagner anti-lynching bill. The vote, which in the instance of some senators was influenced by plans for considering the question of paying the soldiers' bonus, capped three days of filibustering by a determined group of Southerners.

Senator Robinson of Arkansas, the Democratic leader, offered the adjournment motion.

Defeated, Robinson moved that the senate recess until tomorrow. This was done.

Bonus Bill Is in Line

The significance of all the parliamentary jockeying was, principally, that had the advocates of the lynching bill lost on the adjournment motion the bill would not necessarily have retained top place on the senate calendar.

On Monday, at the latest, the senate will be offered a choice between going on with the lynching question or on taking up the bonus bill. Heavy odds were on a decision for the latter.

Prior to the vote Robinson had threatened to keep in session all day tomorrow in an effort to break the parliamentary deadlock. The ballot when it did come, found the Southerners, with two exceptions voting solidly for adjournment. Logan of Kentucky and Bachmann of Tennessee broke away from their colleagues to vote "no."

The bill would provide severe penalties for local officers for conspiring to turn prisoners over to lynch mobs, or for failing to give their prisoners proper protection. Counties would be made liable for damages to the dependents of persons lynched.

Shortly before, Senator Costigan presented a handfull of telegrams encouraging him to continue the battle for the bill, one dated Atlanta, Ga., and sent by the members of the Commission on Inter-Racial Co-operation.

Charleston, S. C. News & Courier
April 23, 1935

South Threatened by Democrats

Mark, you Southern Democrats, the Costigan-Wagner "anti-lynching bill" (so they are pleased to call it however its passage would incite to lynching) is not a Republican measure. It is not introduced by a Republican like Dyer who represented a negro district of St. Louis.

Two Democratic senators, Costigan, of Colorado, and Wagner, of New York, sponsor it.

"The "Democrats" have overwhelming majorities in the senate and in the House.

The president is a Democrat.

The office-holders in Washington (they are probably twice as many as they were ten years ago) are "Democrats."

Yet with this bill aimed straight at the white South, in this Democratic administration, we hear the suggestion that a Southern senator, George, of Georgia, to defeat it may as a last resort "filibuster" against it!

In 1888 Democrats had to filibuster to save the South from the Lodge "force bill." They were a minority, and the South was saved by Don Cameron and a few other Republicans who came to the South's rescue.

Has it come to this, that Southern senators may have to filibuster to stop the passage of an anti-Southern bill introduced and pressed by Democrats in a congress controlled by Democrats?

Why does not Franklin Roosevelt, president, speak out against this measure menacing to the South even if it is not the offspring of an indifference to the convictions of Southern white men that is equivalent to malice?

Why does he not denounce it?

Why has he so long neglected to say that he will veto it if it be passed?

Yet the hints are beginning to be whispered that Southerners who do not tamely submit to these things, who would not send delegates to a national convention and abide by its decrees, aye though it were known in advance that it would endorse the Costigan-Wagner bill, are to be cast out of the party, branded as not "Democrats," as "Third partyites," deserters.

Wade Hampton and B. R. Tillman, opposites as they were, both would have "deserted" a "Democratic" party that failed to kill the Costigan-Wagner bill.

New York World Telegram

MAY 2 1935

SO THIS IS DEMOCRACY.

A LARGE majority in Congress wants to enact a federal anti-lynching law. A large majority of the citizens of the country favor such a law. This has been so for many years. Then why isn't there a law? Since this is a democracy, in which Congress is elected by popular majorities and in which Congress itself acts by majority rule, how could the Senate yesterday throw out the anti-lynching bill and prevent majority rule?

Well, it seems that ours is a democracy in text books and Fourth of July orations but not in the Senate. There, periodically, it is possible to rule by minority dictatorship. The method is not the one of stuffing the ballot box, or of kidnaping or terrorizing the majority, so that the minority can palm itself off as the majority. The method is much simpler. The minority merely decrees that there shall be no vote at all. This is achieved under the rule of unlimited debate by which the minority talks a measure to death. It forces the majority to turn to other emergency legislation acceptable to the minority dictators.

While congratulating the Southern Senators on the effectiveness of their dictatorship, we venture to raise this question for their consideration:—Is it wise, from their point of view, to kick democracy in the face quite so publicly at this particular time?

Granting that they have got away with it for many years, hasn't there been a recent change in the public temper which makes this sort of thing somewhat dangerous? Wouldn't it have been wiser, from their point of view, for instance, to give the Negro lynch victim the nominal protection of federal law and then nullified the law as they nullify the Negro's constitutional right to vote?

We are interested in this question because we understand that these Southern Senators are very fearful of the spread of radicalism, especially among Negroes. The radicals are said to be telling the Negroes and the poor white sharecroppers and mill hands of the South that democracy is a fake, that there is no such thing as representative government in this country, that democracy is only camouflage for dictatorship by their enemies. Aren't those radical agitators just mean enough to prove this point in the minds of ignorant Negroes and whites by citing the dictatorship of those few Southern Senators thwarting the mass democratic will of the American people and of the majority of Congress?

Admitting, from the point of these Southern Senators, that Negroes must continue to be robbed of constitutional rights, couldn't they find a safer method? After all, the Negroes are one-tenth of the national population, and in many places they are a majority. With all this talk of radicalism and some of the oppressed actually demanding their rights, perhaps it would be safer for the country to hold out enough hope of democracy to them to discourage more violent weapons.

Anyway, it may be a matter worth thinking about while these Southern Senators are patting themselves on the back, secure in their dictatorship—secure for the moment.

BOSTON, MASS.
HERALD

MAY 1 1935

"... UNTIL DOOMSDAY"

That august body, the Senate of the United States, has spent the greater part of six days debating the question whether or not it will agree that a certain bill shall be debated. Up to Saturday night the discussion had filled 52 of the huge pages of the Congressional Record, yet the bill itself has not technically been discussed at all.

The "real filibuster" has not begun. If by some strategem the friends of the bill should manage to carry the pending motion, then there would indeed be a filibuster. Its foes have a whole arsenal of munitions in reserve. Their desks are piled with documents and books, the Bible among them. One member declares "we'll stay here until doomsday if necessary." In trembling accents, the senator from North Carolina, Mr. Bailey, affirms that the bill "strikes directly at the heart of American civilization."

The bill is the Costigan-Wagner Anti-Lynching measure, which would make it a federal offense, subject to heavy penalties, for local peace officers to refuse or fail to protect prisoners in their custody. The federal courts would have power to collect damages from cities or counties or both in which lynchings take place, the money to go to the relatives of the victim. Senator Costigan of Colorado holds that his measure is national in its scope; the South sees it as a sectional measure and intends not only to prevent passage but even to block consideration.

The situation is not only so disgraceful as to be disgusting, but it is very curious. The pending question is simply, "Shall the Senate proceed to the consideration" of the bill. Having conducted an indirect filibuster for several days by holding the Bankhead Farm-Tenant bill in the chamber, the southern Democrats now for six days have prevented even the consideration of a bill they think obnoxious. They will not even allow an affirmative vote under a pledge that immediately afterwards the Senate shall pass a vote to lay the bill aside. A motion to adjourn, if passed, would kill the motion, but the Costigan forces in turn prevent that action. So, the Senate recesses from day to day. On a square vote the bill would prevail. Under the Senate rules the minority are in position to prevent such a vote.

These rules apparently are the most sacred thing in Washington. The members refuse to adopt any system of effective cloture. Members who are outraged today by the tactics of a minority know that they themselves may want to invoke the same tactics on some other occasion. The most unbusinesslike body in the country is this United States Senate.

U. S. News
Washington D.C.
APR 29 1935

Punishment for Lynching; State or Federal Issue?

Bill Before Senate Opposed As Invasion Of Police Powers and Advocated As A Step In Crime Suppression

THE BOGEY of State rights and the issue of constitutionality ran through the debate in the Senate in the past week in an unsuccessful effort "to proceed to immediate consideration" of the Costigan-Wagner anti-lynching bill.

The discussion, including a filibuster and lively colloquies between Senators, was before crowded gallaries.

Senators Costigan (Dem.), of Colorado, and Wagner (Dem.), of New York, the bill's sponsors, led the oratorical battle to bring up the bill. Senators Connally (Dem.), of Texas, and Bailey (Dem.), of North Carolina, led the fight against consideration. Others participated.

LYNCH MOB DEFINED

The bill (S. 24) defines a mob as "a riotous assemblage of three or more persons, acting in concert without authority of law, to kill or injure any person in the custody of a peace officer, or charged with, suspected or convicted of crime."

It would make lynching a Federal offense, Federal courts taking jurisdiction, whenever State officials neglect to give prisoners the protection of due process of law guaranteed by the Constitution.

It also would prescribe penalties on officers allowing prisoners to be taken from them by mobs and would make counties where lynchings occur liable to recovery of damages.

Senator Costigan told the Senate there have been 5,071 men and women unlawfully seized and put to death since 1882. He quoted the Supreme Court of the United States and a report of the House Committee on Judiciary in substantiation of the constitutionality of the bill.

Senator Wagner, in his speech, said the 5,071 lynchings since 1882 included 280 since 1922.

"Since the turn of the century," he said, "only eight-tenths of 1 per cent of these lynchings have been followed by prosecutions and in only 12 instances have convictions followed."

Mr. Wagner declared that the bill does not invade State rights and said "there is ample precedent for Federal intervention when State officers deny constitutional rights."

OPPOSITION VIEWS

Senator Connally said lynching is murder whether committed by three persons or by one, that it is a matter for the States, and that he challenged the constitutionality of the proposal.

Senator Bailey opposed the bill as an extension of the Federal power over the State administration of criminal laws. He said his State like some other States has anti-lynching laws and suggested that Senators Wagner and Costigan, from States having no anti-lynching laws, "should sweep before their own doors before they undertake to bring a Federal mob across the threshold of the courts of justice of North Carolina."

Senator Smith (Dem.), of South Carolina, opposed the bill as "aimed at the Southern States." Senator Bailey wound up the debate by declaring the bill is "a legislative interpretation of the Constitution to make the United States the judge of the States and the counties."

And so the debate left the anti-lynching bill unacted upon, with a

Lynchings-1935
Legislation Relating to.

5083

Senate Adjourns As Anti-Lynch Bill Is Set Aside

Advertiser

Borah Wins Most Credit For Breaking Filibuster That Blocked All Action

5-2-35

Victory For South

Montgomery Ala.

Measure Called Illegal In Giving The Government Right To Invade States

WASHINGTON, May 1.—(AP)—Smarting from a semi-serious presidential criticism of senatorial lethargy, Democratic leaders aided by Republicans, today flung off the Senate's anti-lynching bill filibuster in favor of the controversial bonus issue.

A move to adjourn which had failed on three previous occasions, finally carried 48 to 32 after several Republicans and Democrats had rallied to the Southern cause and Senator Borah, Idaho Republican independent, had assailed from the floor the constitutionality of the Costigan-Wagner measure to give the Federal Government power in lynching cases.

Borah Breaks Deadlock

Many senators credited Borah with breaking the deadlock.

This parliamentary tactic ended a seven-day successful Southern filibuster against the motion of Senator Costigan (D), Colorado, to take up the bill he and Senator Wagner (D), New York, have been pressing.

It automatically displaced from its calendar position Costigan's motion and shortly afterward Vice-President Garner recognized Senator Harrison (D), Mississippi, who proposed that the bonus be taken up.

The motion carried without a record vote. The bonus debate, however, was put off until tomorrow because Senator Robinson, Democratic leader who had moved the temporary adjournment, decided to hack away at an accumulated list of secondary bills.

The adjournment motion was supported by 43 Democrats, 4 Republicans and the Farmer-Laborite, Shipstead. Fourteen Democrats, all from the north and west; 17 Republicans, and the Progressive, LaFollette, answered "no." (Both Alabama senators voted to adjourn).

Asked by Senator Costigan for his opinion of the 1922 Dyer anti-lynching bill, which also met a similar fate by the filibuster route, Senator Borah, noted for his constitutional arguments, swung into one of his famous speeches.

He assailed lynching as a "brutal" crime, but said the pending bill, as well as the Dyer proposal, would have "dealt a blow to our principle of government, the importance of wihch could not be overstated."

Defends State Sovereignty

"To my mind," Borah asserted, bringing smiles to the faces of the determined Southern opposition group, "if this type of bill can be sustained by the Supreme Court, we have utterly broken down all State sovereignty. I can see no escape from that conclusion."

The fiery Idahoan, his long hair at times falling over his brow, also ripped into the AAA and NRA on constitutional grounds and in this he was assisted by the Virginia conservative Democrat, Carter Glass.

"If you can go to Idaho and take a man by the nap of the neck and make him abide by the rules of the Federal Government as to his business," he said, "you can go to Alabama and seize the sheriff by the scruff of his shirt and compel him to abide by Federal regulations governing lynching."

Wagner, replying to Borah, said he was persuaded that the bill was "not only constitutional, but that there is a constitutional mandate to carry out the constitutional provision by appropriate legislation."

"The Federal Government," the New Yorker added, "must see that equal protection of the law is accorded to all citizens. It is our duty to enact legislation to that end and this bill is proposed on that theory."

Senator Bankhead, Alabama Democrat with a fringe of white hair, took the floor at the outset today to continue his all-day speech of yesterday, but he hardly had to speak a word. Others kept interrupting and during Borah's long constitutional reply to Costigan, the Alabamian slipped into a nearby cloakroom and partook of a hurried sandwich lunch.

A Senate order for an inquiry into relief spending capped a series of developments as President Roosevelt gathered the material to give official life to his $4,000,000,000 work creation.

Among the chief happenings:

Mr. Roosevelt issued an order giving the rural resettlement division, with Rexford Guy Tugwell as administrator, authority to go ahead with a monthly allowance of $250,000 for administrative expenses. The order empowered Tugwell to buy or condemn land for the program.

Other relief chiefs gave the President estimates of the funds they would need so that he could issue the orders necessary to give their agencies legal power to work.

Morris L. Cooke, a Philadelphia engineer, agreed to set up the rural electrification division with the understanding that he would leave within a few months to go to Europe.

Harry L. Hopkins, the relief administrator, asked the chief executive for $100,000,000 to meet the relief needs of States for May.

The Senate inquiry, ordered by the adoption of a resolution by Senator Couzens (R), Michigan, will be made by the appropriations committee. It will ask specifically about the data required of States before relief allotments are made, what cooperation and assistance is required of States, what agreements States must make, and the accounting methods used.

Relief Heads Confer

A two-hour conference of relief chieftains at the White House gave the President much of the information for the executive orders he will issue within the next day or so setting up the allotment board, the applications division and the progress division.

While the order today gave Tugwell's division authority to go ahead, about all that he can do until the other orders are issued is to complete the transfer of the land program section of the relief administration to the Agriculture Department and set up his organization.

A bi-partisan drive to reduce sharply NRA's powers and extend its life only until next April gained great impetus in the Senate, pointing to the possibility of a major legislative set-back for the President.

Congressional leaders saw in the quick rush of support for the proposal a shortening of the present session by two or more weeks. Some felt, also, that the trend constituted a major blow at the chances of the Wagner labor disputes bill.

Although President Roosevelt had requested a two-year extension of the recovery law, the Senate finance committee reported favorably by a 16 to 3 vote a proposal for an eight months' extension. Further it would eliminate from NRA its price-fixing provisions and its power to regulate intra-State commerce.

Party leaders rallied their followers behind the proposal in an effort to pass it quickly and without change. This was a blow at the Wagner bill, since its proponents had planned to offer as an amendment.

Southern Industrialists There

A delegation of the South's cotton mill owners arrived in Washington to add their words to those being gathered by a special cabinet committee studying ills of the cotton industry.

The delegation, representing the American Association of Cotton Manufacturers, went into immediate conference to complete arguments to be made when the cabinet committee resumes its conferences tomorrow.

Two New England groups—representing Maine and Rhode Island, already have been heard and others from the North will appear next week. Also to be present at tomorrow's conference are Edward A. O'Neal, president of the American Farm Bureau Federation, Senator Byrnes, of South Carolina, and Representative Bulwinkle, of North Carolina.

The Southern committee, headed by Donald Comer, of Birmingham, Ala., chairman, and T. H. Webb, of Concord, N. C., president of the American Association, were guided in preparing their briefs tonight by the experience of the northerners who for two days presented their arguments, then in turn submitted to searching cross-examination by the cabinet members, and particularly by Secretary Wallace.

The Southern group was expected to join the New Englanders in an appeal for a substitute for the cotton processing tax and some form of protection against Japanese imports, and to object vehemently to elimination of existing section wage differentials as demanded by the North.

Assuming "full responsibility for this unfortunate incident," Chairman McSwain told President Roosevelt of his great "regret" at the House military committee's disclosure of secret army testimony which stirred international concern.

Replies To Roosevelt

Replying to the President's own stern rebuke and disavowal of alleged war plans touching friendly nations, the white-haired South Carolinian wrote the White House:

"I greatly regret the unfortunate inclusion of the executive testimony along with other testimony when it was sent to the public printer. . . . . I can assure you that no such incident will again occur because so long as I shall preside as chairman, any testimony that may be given in excutive session and that may affect our foreign or diplomatic relations will not be taken down stenographically. . . . .

"I assume full responsibility for this unfortunate incident and renew my pledge to cooperate to the fullest in the preservation of friendly relations with all nations and at the same time in maintaining a safe and sane national defense, as all nations must do."

McSwain, who celebrated his 60th birthday today, earlier had read aloud to newsmen the unusual presidential censure of the publication of confidential testimony by army officers and accepted "full blame." But he noted in his letter to Mr. Roosevelt that in its duty of providing for the national defense "Congress must have the frank and candid opinions of all who have information pertinent to the inquiry."

Although declining to comment on Senator Long, of Louisiana, who has termed him the "ignoramus of Iowa," Secretary Wallace, it was learned, has accepted an invitation to address a statewide gathering at Alexandria, La., on May 11.

Wallace at his press conference today grinned away most of the questions intended to draw him out in answer to the Louisiana Senator's caustic comments. "I don't know I'm sure," the Secretary said in reply to an inquiry as to what he had done to Long.

Attacks On New Deal Program Continue

WASHINGTON, May 1.—(AP)—Sharp new assaults on new deal policies sounded during the day before the assembled Chamber of Commerce of the United States, were featured tonight by indirect criticism of the Roosevelt economic program by a Republican leader.

Some of the business leaders gathered here were inclined to attach significance to the fact that Henry J. Allen, former Republican governor and senator from Kansas, and a friend of Herbert Hoover, was the featured speaker of the Chamber's annual dinner.

From that spotlight position on the convention program, Allen compared the English and American economic programs. By following "old-fashioned" principles, he asserted, Great Britain "now leads the world" in recovery. He did not mention the Roosevelt administration by name but bespoke more favor for England's methods.

Senate Tied Up On Lynch Bill

Advertiser

Leaders Plan Bold Effort To Break Filibuster As President Gets Impatient

5-29-35

Montgomery Ala.

By CECIL B. DICKSON

WASHINGTON, April 28.—(AP)—Democratic leaders, although admittedly defeated, determined today on a powerful effort to break the Senate's anti-lynching filibuster tomorrow and clear the way for progress on the Harrison bonus compromise and pressing administration legislation.

Reports were circulated today that President Roosevelt had signified impatience with the Senate's slow progress on administration measures despite optimistic expressions from some Democrats that Congress can complete its business and go home July 1.

Strategy devised to side-track the anti-lynching measure involved adoption first of Senator Costigan's (D), Colorado, motion to take up his bill. Then immediately Senator Harrison (D), Mississippi, would move to consider the bonus bill. If Harrison's motion carried, the anti-lynching bill would be shunted back to the calendar.

However, opponents of the anti-lynching measure headed by Senator Bailey (D), North Carolina, expressed dislike of this program, claiming the Senate should not even consider that type of legislation. They served notice on lead-

...rs of a continued fight to defeat Costigan's motion.

Nevertheless, Senator Robinson of Arkansas, the Democratic leader, planned to make a poll of the membership tomorrow to lay aside the anti-lynching bill. The leaders already have found considerable strength for the measure as evidenced by two losing attempts to side-track it.

As early as possible Harrison planned to confer with President Roosevelt on a proposal for continuing NRA unchanged pending a Supreme Court ruling on its wage and hour fundamentals.

Harrison indicated he would concentrate for the present on the bonus, behind which were clogged in his finance committee, the NRA and social security bills. Advocates of the Patman currency expansion plan and the Vinson measure leaving it to the Treasury to meet the bill, were preparing for assaults on the Harrison compromise, which the Mississippian says the President will sign.

The House tomorrow begins 15 hours of debate on the omnibus banking bill which Chairman Steagall of the banking committee concedes will concentrate additional power over the credit of the nation in the Federal Reserve Board.

Moral Victory Against Lynching

UP TO THE time that this article was written the proponents of the COSTIGAN-WAGNER anti-lynching bill were secure in moral victory. Although the measure had not been allowed to come to a vote in the United States Senate, three parliamentary tests had given assurance that the bill would pass were the Senate permitted to vote upon it.

What has blocked its passage up to this point is a desperate and determined filibuster conducted by southern senators, led by Senators SMITH (S. C.), GEORGE (Ga.), CONNALLY (Tex.), BLACK (Miss.), BAILEY (N. C.) and ROBINSON (Ark.), the latter Democratic leader in the Senate.

With the exception of Senator SMITH, of South Carolina, the fillibusterers are waging their fight upon the grounds of unconstitutionality and an invasion of states' rights. Upon these grounds they or most of them, waived their opposition on practically all National Recovery Act measures. They also waived their fidelity to states' rights when federal legislation was recently adopted covering kidnaping, bank robbing and liquor law violations. Nothing was heard from the southern senators upon the vital question of states' rights when under national prohibition federal laws reached into the states to aid in the control of liquor law violations.

Senator SMITH, of South Carolina, held up the historic traditions of TILLMAN and BLEASE, notorious predecessors of his. He bluntly defended lynching upon the grounds that it is necessary to protect "the virtue and sanctity of our southern white women." After his first outburst, his more intelligent colleagues from the South rushed to the firing line men more capable of defending lynching on less asinine, if illogical, grounds. This battery, much to the surprise of everybody, included the heretofore poised and judicious JOSIAH WILLIAM BAILEY, of North Carolina. Mr. BAILEY, descendent of a line of preachers, a devout churchman and for many years editor of *The Biblical Recorder*, organ of his denomination, bore the brunt of the fillibuster for two days. Heretofore we had given Mr. BAILEY credit for being intellectually honest, but after reading his two days argument in the *Congressional Record* we have changed our opinion of him, formed after following his career for 30 years.

It is said that if the bill gets by the Senate it is assured of passage in the House, where there is an overwhelming majority for it. But this estimate does not take into consideration the power of the southern opposition, which can stop most any kind of legislation which includes the Negro in its benevolent intentions.

The fact that in a United States Senate overwhelmingly Democratic a federal law to prevent lynching, sponsored by Democrats, is kept from passage only through a fillibuster conducted under the liberal rules of the body by a small group of wilful southern senators, is evidence that national public opinion approves such a law.

CLEVELAND, O.
PRESS
MAY 2 1935

SO THIS IS DEMOCRACY

A LARGE majority in Congress wants to enact a federal anti-lynching law. A large majority of the citizens of the country favor such a law. This has been so for many years. Then why isn't there a law? Well, it seems that ours is a democracy in text books and Fourth of July orations, but not in the Senate. There, periodically, it is possible to rule by minority dictatorship. The method is not the one of stuffing the ballot box, or of kidnaping or terrorizing the majority, so that the minority can palm itself off as the majority. The method is much simpler. The minority merely decrees that there shall be no vote at all. This is achieved under the rule of unlimited debate by which the minority talks a measure to death. It forces the majority to turn to other emergency legislation acceptable to the minority dictators.

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We are interested in this question because we understand that these southern senators are very fearful of the spread of radicalism, especially among Negroes. The radicals are said to be telling the Negroes and the poor white share-croppers and mill hands of the South that democracy is a fake, that there is no such thing as representative government in this country, that democracy is only camouflage for dictatorship by their enemies. Aren't those radical agitators just mean enough to prove this point in the minds of ignorant Negroes and whites by citing the dictatorship of those few southern senators thwarting the mass democratic will of the American people and of the majority of Congress?

ROCK ISLAND, ILL.
ARGUS
APR 29 1935

Anti-Lynching Bill.

Democratic leaders from the south are opposing the anti-lynching bill proposed by Senators Costigan and Wagner. They are opposing the measure because they think that such a bill, passed by a Democratic congress, would injure the party in Dixieland. In other words, they look upon race prejudice as a political asset. What would some southern politicians do for a campaign slogan if such a bill became law?

But ostensibly they oppose the bill because of the great veneration they have for the constitution. They will not allow the federal government to interfere with state rights. Yet these same leaders, sitting in congress, have voted for legislation in plenty whose constitutionality is very doubtful.

A plan has been formed to smother the bill. Senator Bailey of North Carolina rages at Father Coughlin, the radio priest, because he apparently—by implication—thinks the bill should be adopted. It is hard to see how the bill has a chance in view of southern opposition. Yet the issue is one which must be met sometime. The anti-lynching bill is justified by every consideration of humanity and justice.

We believe there are many southern people who are as much opposed to lynchings by mobs as any northerner can possibly be. A Democratic congress would win a great deal of credit for itself by adopting such a bill. The issue is not really a political one. Many an innocent person has been lynched by a mob. And the south has no monopoly on such lynchings. A mob is a mob in either north or south. And most certainly the framers of the constitution were not men who believed in justice administered by mobs.

ST. JOSEPH, MO.
NEWS PRESS
APR 27 1935

HOW TO STOP LYNCHING.

The anti-lynching bill pending in congress touches the South on its nerve of sectional pride. The measure has Northern authorship which, as Senator Smith of South Carolina sees it, is an added indignity.

"This bill is aimed at the Southern states," he declared on the floor of the senate, "at our barbarism and our lack of civilization! The man who introduced it had a purpose. I know what it is, and so do you."

If all the Southern states would follow the example of South Carolina there might be no occasion for a federal law on the subject of lynching. In 1895 the votes of that state added to their constitution an amendment which reads:

> In all cases of lynching where death ensues, the county where such lynching takes place shall, without regard to the conduct of the officers, be liable in exemplary damages of not less than $2,000 to the legal representatives of the person lynched.

Shortly after this became a part of the organic law there was a lynching in Laurens County, S. C., and a trial court jury some months later awarded the widow of the Negro who was hanged by a mob damages to the amount of $2,000. Since then there have been few applications of lynch law in that state.

Other states, not necessarily in the South, might well follow the example of South Carolina. Indeed, they might go farther and provide that both officials who fail in their duty and persons who participate in lynchings should be held strictly accountable for their behavior. It is well within the power of the states, as states, to prevent these outcroppings of barbarism. Their failure to act adequately explains the repeated efforts to put through a federal anti-lynching law.

Lynchings-1935
Legislation Relating to.

5084

Columbia, S. C. Record
April 29, 1935

Protected by the Law

The Charleston News and Courier also sees Senator Ellison D. Smith as taking the wrong tack in his opposition to the Costigan-Wagner anti-lynching bill by predicating his case on the theory that the South must resort to lynching to protect Southern womanhood.

"To say by implication that Southerners cannot protect womanhood by laws enacted and enforced by the several Southern states may," it declares, "be interpreted as argument for the measure which Senator Smith opposes.

"If the existing laws and criminal procedure of South Carolinians are not sufficiently severe and swift to deal adequately with any species of crime it is within the power of the state to amend them, that the state should do, but, really, we South Carolinians cannot expect to be allowed a special privilege to deal with any crime in manner unknown to law.

"The News and Courier would advocate a federal anti-lynching law rather than excuse lynching for any offense whatsoever. To do that would be to confess incapacity of the state to establish and maintain a civilization."

Indeed if the states cannot do more to prevent lynching and punish the lynchers than the federal government can—and it is the contention of those who oppose the Costigan-Wagner bill that the problem, like any other law enforcement problem, can best be handled by the states—there would be no argument against the enactment of such a measure.

You've got to hand it to that naval officer who is marrying for the 15th time. He's at least making a valiant effort to cary out the promises made at various perts.

Selma, Ala. Times
May 3, 1935

SPEED FOR SLOW-POKES

Time, the inveterate ironist, must be chuckling at the concern of Senator Robinson and Senator Harrison over the Democratic filibuster against the Wagner-Costigan Anti-Lynching Bill. In 1890 filibustering against the Force bill was a sacred Democratic duty. Application of the same method now interferes with the higher Democratic duty to dispose of the Bonus Bill and make way for the measures of the Administration. Time and the rest of us chuckle at the recurring spectacle of Senatorial innocence. The Senate clings to rules that make it easy to tie up its business when the provocation is sufficient. It will consent to no effective system of closure. It encourages interminable loquacity and irreleyance.

So precious to corporate vanity and every member of the august corporation is the privilege of "deliberative" procedure that no substantial change in it can be hoped for. Some compromise will be patched up. Some temporary escape out of the muddle will be found. The mere hours of words requires temporarily to steer around an obstacle sure to be encountered again is a source of happiness to every Senator worthy of the traditions of the chamber. It is another body than any other. Trip as often as it may on its own rules it will stick to them. Its struggles for acceleration are comic. Cold molasses is not easily transformed into greased lightning. The Senate is perfectly satisfied with itself. These little occasional impatiences and flare-ups soon subside.

Unique, unhurried, uncontrolled, the Senate saunters on its majestic way. It should not be censured. It should be admired. In a self-questioning and self-tormenting generation it is a mirror of complacency. Eager to remold about everything else it won't reform the rules of its own leisurely game.—N. Y. Times.

Knoxville, Tenn. News Sentinel
April 28, 1935

Not Dixie's Voice

A SMALL group of Southern senators threaten to filibuster the Costigan-Wagner anti-lynching bill just as a similar group killed the Dyer bill 12 years ago.

They may succeed. But if they do the country should know that their specious pleas in behalf of states' rights or chivalry do not echo the sentiments of the whole South.

Organizations representing some 42,000,000 Americans urge passage of this bill. How much of this support comes from south of the Mason-Dixon line may be judged from its approval by many of Dixie's leading papers.

"Its (the Costigan-Wagner bill's) invasion of states' rights should cause no Southern heartburning," says The Norfolk (Va.) Pilot. "There is no such thing, morally speaking, as a reserved right to deal in our own way with a form of collective murder which our own way has uniformly failed to punish.

"It may be," says The Newport News (Va.) Press, "that the anti-lynching bill will not be adopted by the Congress now in session. But if it is not, and lynchings do not stop, it will be adopted by some other Congress; in fact, must be adopted if the machinery of justice is to function."

"Apparently," says The Macon (Ga.) Telegraph, "the mere threat of the Federal anti-lynching bill has a wholesome effect, and the time has come when even the South would vote for such a bill."

Southern women, too, have been quick to resent Senator Smith's quaint argument that "lynchings are necessary for womanhood's protection." Scores of letters, telegrams and resolutions from Southern women's religious, welfare and club organizations have repudiated the preposterous claim that the South's law is helpless to protect the South's women.

Proponents of this measure claim 59 Senate votes from all over the country and a big majority in the House. Only 20 senators are called irreconcilables. It is neither just nor gallant of them to filibuster against this popular national movement.

Greenville, S. C Piedmont
May 1, 1935

Smith's Warning

IN THE floor of the United States Senate yesterday Ellison D. Smith of South Carolina, debating against the Costigan-Wagner anti-lynching bill, said:

> "I, for one, here today declare that if this proposal becomes part and parcel of Democratic doctrine, involving the destruction of state rights and usurpation of local self government, I shall pay no further allegiance to such a party".

That's the kind of talk, Senator Smith, that the Democratic party needs to hear.

Because the South has been faithful and loyal to the party in the past, because the South for decades has been "in the bag" before a political campaign started, does not mean that the South will always continue to be faithful and loyal to a party that rewards its allegiance with a kick in the pants.

The South plays ball with the party; the party must play ball with the South.

When that warning comes from a staunch veteran in southern Democratic leadership like Senator Smith it carries weight and we believe a host of southerners, tried and true Democrats for years welcome it.

Savannah, Ga. Press
April 23, 1935

SHEAR OPINION

THE CHARLESTON NEWS AND COURIER voices a Southern sentiment:

Mark, you Southern Democrats, the Costigan-Wagner "anti-lynching bill" (so they are pleased to call it, however its passage would incite to lynching) is not a Republican measure. It is not introduced by a Republican like Dyer who represented a negro district of St. Louis. Two Democratic senators, Costigan of Colorado and Wagner of New York, sponsor it. "The Democrats" have overwhelming majorities in the Senate and in the House. The President is a Democrat. The office holders in Washington (they are probably twice as many as they were ten years ago) are "Democrats." Yet with this bill aimed straight at the white South, in this Democratic administration, we hear the suggestion that a Southern senator, George, of Georgia, to defeat it may as a last resort "filibuster" against it! * * * Has it come to this, that Southern senators may have to filibuster to stop the passage of an anti-Southern bill introduced and pressed by Democrats in a Congress controlled by Democrats? Why does not Franklin Roosevelt, President, speak out against this measure menacing to the South even if it is not the offspring of an indifference to the convictions of Southern white men that is equivalent to malice? Why does he not denounce it? Why has he so long neglected to say that he will veto it if it be passed? * * * Wade Hampton and B. R. Tillman, opposites as they were, both would have "deserted" a "Democratic" party that failed to kill the Costigan-Wagner bill.

Chester, S. C., Reporter
April 29, 1935

If President Roosevelt is not sponsoring the Costigan-Wagner anti-lynching bill, and is not actively supporting it, as has been charged a statement to that effect would sound the death-knell of the measure. Senators Costigan and Wagner are both Democrats, more or less close to the Administration, and the word has gone forth that their efforts have the active backing of the White House.

Richmond, Va., Times-Dispatch
April 30, 1935

Unedifying Spectacle

WHILE this newspaper is without enthusiasm for the COSTIGAN-WAGNER antilynching bill, it takes this opportunity of deploring the methods being used by certain Southern senators to defeat that legislation. SENATOR BAILEY of North Carolina has announced that he is prepared to read "the whole book of Deuteronomy," in a filibuster, if that is necessary to the achievement of his purpose. SENATOR SMITH of South Carolina stated sarcastically on the Senate floor that "this bill is aimed at the Southern States, at our barbarism and lack of civilization."

It is interesting to recall in this connection that there are representative Southerners who favor the bill, despite SENATOR SMITH'S insinuations to the contrary. The Interracial Commission, composed of 50 members from 11 Southern States, unanimously approved the measure at its annual meeting in Atlanta last week.

While we have no particularly strong feeling either for or against this piece of proposed legislation, we feel that such a filibuster as its opponents are organizing is a travesty on the parliamentary process. Imagine a supposed group of statesmen having to sit up for hours, days, and possibly weeks, while Southern senators read books of the Bible, lengthy documents having to do with the most approved mode of exterminating the earwig, and the latest technique for growing horse radishes.

We are aware that filibusters have been resorted to over a long period of time, and that the Senate has been reluctant to limit them, because of a feeling on its part that this might constitute a limitation on freedom of debate. At the opening of the current session, if memory serves, SENATOR GLASS introduced a resolution which would have compelled all senators to speak to the question at issue, but this paper has not been heard of since. Apparently most of the members of the upper branch of our national legislature are reluctant to adopt any such resolution, for fear that some day they may wish to filibuster some projected statute to death.

So the senators resort to such methods whenever they are sufficiently aroused over a pending bill. In the present instance, a Southern bloc appears to be highly excited over the proposed mode of combatting lynching. The red herring of State rights has been dragged forth and dusted off, intersectional animosities are being aroused, and obfuscations of various kinds are being resorted to.

Although we are inclined to wonder whether it would be wise to enact the COSTIGAN-WAGNER bill, our attitude proceeds primarily from doubts as to whether the proposed approach would be effective, and whether the bill's enactment might not serve greatly to intensify interracial animosities in the South. Certainly we are convinced that the bill ought to stand or fall on its merits, rather than on whether SENATOR BAILEY and a group of other diehards can stand the physical strain of reading chapters from the Bible until the proponents of the measure surrender.

Those proponents claim they have 52 certain votes in the Senate, with various other members in doubt. If that claim is justified, the COSTIGAN-WAGNER bill should pass the Senate. If parliamentary government means anything, if the democratic process has any validity, such a conclusion is inescapable.

Atlanta, Ga. Georgian
April 26, 1935

ANTI-LYNCHING LAW SOUGHT BY BODY HERE

The Interracial Commission made public Friday a resolution urging a law providnig for prosecution of lynchers in federal courts, but not mentioning the pending Wagner-Costigan bill, which would make counties in which lynchings occur liable for heavy damages.

The resolution said:

"Hitherto the commission has taken no position relative to federal anti-lynching legislation. We were agreed that the primary responsibility for the prevention and punishment of lynching rested upon state officials and courts and that in the final analysis public opinion was largely the determinnig factor.

"Consequently the commission from its inception has worked continuously along these lines, seeking special anti-lynching legislation in a number of states, urging vigorous preventive measures when lynchings were threatened, asking effective court action against members of mobs and at the same time seeking through all possible avenues of publicity and education to build up a public opinion that would no longer tolerate crimes of this character.

"Lynching records of the past 15 years indicate progress along the line of prevention. Officers generally are more vigilant than formerly in the protection of prisoners, thereby reducing the lynching toll. Meantime intelligent public opinion is practically unanimous in condemnation of mob violence."

It was added, however, that "with rare exceptions attempts at prosecution in lynching cases continue to be futile."

For that reason the commission held that "an appeal to the federal courts in such cases is justified and demanded by the conditons. The commission therefore favors the enactment of federal legislation to this end, in the hope that federal agents and courts would be in better position to act fearlessly and effectively in the prosecution of participants in the crime of lynching."

The annual meetaing of the commission, which brought 50 members from 11 states, was held in the library of Atlanta Universtiy. It adjourned Thursday night.

New officers are: President, Dr. E. McNeill Poteat, pastor of the Pullen Memorial Baptist Church of Raleigh, N. C.; honorary presidents, Dr. M. Ashby Jones and Dr. John Hope, of Atlanta; vice presidents, Mrs. Mary McLeod Bethune, of Daytona Beach, Fla.; Mrs. W. A. Newell, of Salisbury, N. C., and R. H. King, of Atlanta; executive director, Will W. Alexander, of Atlanta; secretary, Miss Emily Clay, of Atlanta; treasurer, J. Sherrard Kennedy, of Atlanta.

Greenville, S. C. Piedmont
April 29, 1935

Don't Upset It

DECLARING that "local officials almost always failed to prosecute perpetrators of mob violence," the Commission on Interracial Cooperation with headquarters in Atlanta has endorsed the Costigan-Wagner anti-lynching bill.

Being in sympathy with the fundamental aims of the commission we regret this attitude on its part.

Sometimes local officials do fail, criminally and inexcusably, to prosecute mobsters but it is our observation that local officials more often go after those who stoop to mob violence and that in an increasing percentage of cases they get results.

And dead certain we are that, if local officials can't or won't get mobsters, nobody can or will.

Federal legislation aimed directly at the South could not improve law enforcement in this vital respect. It might have just the opposite effect.

Progress is being made in the fight to stamp out lynchings and it is to be hoped that nothing happens to upset this steady forward march.

Smithfield, N. C. Herald
April 30, 1935

SOUTHERN SENATORS OPPOSE ANTI-LYNCHING BILL

A federal statute in regard to lynching in the good year 1935, when the percentage of lynchings is one-tenth person per million seems somewhat belated. In 1892, when lynchings in the United States reached an unprecedented total of 231, such a law might have been warranted as a deterrent. Education and a public opinion against lynching, however, has done more to wipe out this evil than any law would have done.

The Costigan-Wagner bill which claimed the attention of the Senate last week called forth a storm of protest from Southern Senators. Senator Josiah William Bailey was one of the determined foes of the bill, basing his opposition on the fact that States' rights were being invaded.

The bill provides for trial and punishment by Federal Courts of any State or local officer whose neglect of duty leads to the killing of a person by a mob. The bill specifies that three persons would constitute a mob anywhere in the United States.

The opposition resorted to filibuster to prevent a vote on the bill, and the leaders say they are prepared to talk for ten days if necessary.

NEW YORK TIMES
APR 30 1935

SPEED FOR W-POKES.

Time, the inveterate ironist, must be chuckling at the concern of Senator ROBINSON and Senator HARRISON over the Democratic filibuster against the Wagner-Costigan Anti-Lynching Bill. In 1890 filibustering against the Force bill was a sacred Democratic duty. Application of the same method now interferes with the higher Democratic duty to dispose of the Bonus Bill and make way for the measures of the Administration. Time and the rest of us chuckle at the recurring spectacle of Senatorial innocence. The Senate clings to rules that make it easy to tie up its business when the provocation is sufficient. It will consent to no effective system of closure. It encourages in required temporarily to steer around perfe terminable loquacity and irrelevance. an obstacle sure to be encountered little

So precious to corporate vanity and again is a source of happiness to every ups s every member of the august corpora Senator worthy of the traditions of the Un tion is the privilege of "deliberative" chamber. It is another body than any Senat procedure that no substantial change other. Trip as often as it may on its should in it can be hoped for. Some compro own rules it will stick to them. Its admi mise will be patched up. Some tem struggles for acceleration are comic. self-t porary escape out of the muddle will Cold molasses is not easily transformed ror o be found. The mere hours of words into greased lightning. The Senate is about the rules of its own leisurely game.

Lynchings—1935
Legislation Relating to.

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WASHINGTON, D. C.
POST

APR 24 1935

Arguments For Antilynching Bill.

To the Editor of The Post—Sir: The introduction of the Costigan-Wagner antilynching bill in the Senate this week occasioned a blast of Southern oratory, garnished with such phrases as "the sanctity of our homes," "the honor of our wives and daughters," "the integrity of the white race," etc. Many white women of the South, as well as the North, are growing weary of the assertion that lynching is a defense of our homes and virtue.

Lynching is today what it has always been—a weapon to terrorize, degrade and exploit an underprivileged group. Those who condone lynching, whatever may be their stated reasons, are on the side of oppression and lawlessness. A Federal antilynching law would not function exclusively as a punitive measure, but would act as a deterrent to a crime which is a national disgrace.

The rapidly growing sentiment for the Costigan-Wagner bill indicates that Americans in all parts of the country are coming to a realization of the truth. They will not much longer permit sectionalism to retard our progress toward a greater civilization by obstructing Federal legislation with traditional falsehoods.

GERTRUDE B. STONE.
Washington, April 18.

To the Editor of The Post—Sir: The opposition of Southern Senators to the Costigan-Wagner antilynching bill is a disgrace to civilization and must be seen as an inhuman barrier to social progress. That any man or group of men might oppose the bill is inconceivable to one sincerely believing in the social welfare of humanity regardless of race or creed. This opposition resembles Nazi Germany more than the abode of those gentlemen from points south of the Potomac.

Southern Senators do not want the antilynching bill passed because it would remove their best weapon for keeping cheap labor in the mills and on the plantations and make it almost impossible to keep the lower Negro and white classes satisfied with their degraded position.

Senator Smith and Senator George know that it is not a question of State's rights, or of protecting Southern women, but of keeping the present despotic government in the saddle in those most backward States of the continent and these Senators know the majority of Southerners, because of their marginal and submarginal status, are unable to vote or improve conditions, and the women because of the fact they have not received cultural and social emancipation from the bondage of the past, are only able to put out paper protests against existing conditions.

When it is a question of justice and social welfare for the people I consider the question of State's rights trivial and irrelevant. Should one section jeopardize the safety and well-being of a nation by having the privilege to remain lawless and barbarian? If the Southerners believe in State's rights why do they attempt the conversion of savages in foreign lands before they remove the savagery from their own society? If the Christians in the South can lynch and burn and wantonly imprison innocent people for countless "alleged" crimes why can't the men of the jungle have the same right?

Only a person who has lived in the South for a number of years can realize the necessity of passing the Costigan-Wagner antilynching bill. To oppose the bill is to admit of class and racial prejudice and to admit that is to deny all claims from the Bourbon Democrats that this is a free democracy. The bill should be a law.

JAMES HARRISON.
Alexandria, Va., April 18.

Roanoke, Va., World News
April 25, 1935

ANOTHER FORCE BILL.

Those familiar with Congressional debates over half a century will find something strikingly familiar in the threatened filibuster over the Costigan-Wagner anti-lynching bill. All that can be said on both sides was said when Henry Cabot Lodge tried to push through Congress his various "Force bills" for Federal control of elections within the States. The issue is much larger than that of lynching, as in Lodge's time, it was much larger than that of elections. It goes to the roots of home rule and the relations of the Federal government to the States.

Right-thinking people deplore the loosely drawn election laws the politicians have forced on us, witnessed by the abuses of the voting by mail statute in Virginia. But they by no means agree that the cure for that situation lies in Federal supervision of State elections.

Right-thinking people deplore lynching, whether it be of white men in California or of Negroes in Mississippi. But they are by no means sure that the cure proposed is not worse than the disease. An aroused public sentiment can demand laws in any of the States that will put a stop to mob violence. Where that aroused public sentiment is lacking, the threat of Federal interference might actually cause more resort to lynching than at present.

Under the pending proposal, the Federal courts would have power to remove any county sheriff or other officer who had failed to take due precautions to prevent such attacks on the law of the States. The confusion of thinking that is involved in any such proposal should be apparent. If the Federal government, through its courts, can remove local officers, the rights of the States will have faded from public view.

Notwithstanding the heat generated by these anti-lynching debates in Congress, the good faith of their proponents is always open to question. The bills are usually offered for political purposes only. When Senator Lodge, of Massachusetts, become sponsor of such a proposal, a Negro member of the Republican National Committee remarked that "This flower of New England manhood" held his seat in the Senate of the United States only by reason of the fact that "20,000 journeying Georgians" voted for him in Massachusetts. Senator Harrison, of Mississippi, twitted Lodge on more than one occasion about this speech, but when Lodge came up for re-election the following year, he was even more eager to be known as sponsor of a Federal anti-lynching bill.

Elliott Thurston, veteran Washington correspondent, says the late Knute Nelson, of Minnesota, then chairman of the judiciary committee, asked Senator Borah to take charge of the anti-lynching bill, but Borah declined, saying he was convinced it was hopelessly unconstitutional. Lodge had no such scruples in an election year, when he needed the votes of Southern Negroes who had migrated to Massachusetts. The judiciary committee at that time decided the bill was unconstitutional, but on appeal of Mr. Lodge, enough members reversed themselves to allow the bill to be reported.

The famous filibuster engineered by the late Senator Underwood, of Alabama, followed when Senator Lodge was frankly notified that not a wheel would be turned, that not a lick of business would be done in the Senate until the bill had been withdrawn. And, after Lodge had made sufficient political capital, it was quietly dropped.

According to Mr. Thurston's recollection, the 1922 session saw the best of the long series of debates over proposed force bills. Bitter as it appeared on its face, that debate had been carefully staged in advance. Lodge was to push the bill; Underwood to oppose it, and after this sham battle had gone on for some days, and attracted enough of attention, both sides had agreed in advance that the business of the Senate would be resumed, and the force bill forgotten.

Now the force bill, dressed up as the Costigan-Wagner anti-lynching bill, has taken its place on the Senate calendar. Senator Costigan is quite earnestly pressing for its passage. Senators from the Deep South are ready for another filibuster. Senator Borah and other constitutionalists are as sure as they were in 1922 that the proposal to substitute Federal for State control of the work of locally elected officers is plainly unconstitutional. Senator Wagner, one of the patrons and an able lawyer, avoids the issue of constitutionality. His constituents in Harlem want the bill passed.

The sham battle is not expected to last long this time, for the Administration is growing apprehensive over the major items of its program, tied up behind this anti-lynching measure. After Senators who come up for re-election next year have been permitted to make political capital in the manner of Lodge and Underwood, the bill will be quietly laid aside, and the bonus measure substituted as a topic of debate by vote-hungry Senators.

DANVILLE, ILL.
COMMERCIAL NEWS
APR 24 1935

LYNCHING NOT CHIVALRY

The barrage of telegrams and letters received in Washington in support of the Costigan-Wagner Anti-Lynching Bill, the majority from women of the South, should have an important bearing on the successful passage of this measure.

Senator Costigan has denounced lynching as a national evil, rendered more so by the failure of grand juries to return indictments against members of lynching parties when their identity is known.

A telegram received from Mrs. William P. Cornell of Jacksonville, Fla., chairman of the Florida Council of the Association of Southern Women for the Prevention of Lynching, is typical of the many. It represents the attitude of 27,000 southern women who repudiate the claim that "lynchings are necessary for womanhood's protection."

"The honor of women is not remotely involved in the overwhelming majority of lynchings," wires a woman from Nashville, Tenn.

Six prominent women of Alabama signed the fol-

lowing telegram: "We Alabama women knowing conditions existing in the South urge Costigan-Wagner Bill be brought to vote and passed. Resent position of some politicians in opposing passage of bill on grounds of protecting southern white women. Prefer legal action to mob violence."

From Nashville, Tenn., came the following statement: "Alleged crimes against women involved in less than sixth of all lynching cases."

Among the many editorials taken from southern newspapers, which Senator Costigan introduced into the Congressional Record is one from the Bristol, Va., Herald-Courier, from which we quote the following paragraph:

"In the first place, to stop crimes against the womanhood of the South would not stop lynching, since mobs frequently put men, and even women, to death who are not guilty of a more serious offense against the law than a misdemeanor, if they are guilty of any offense. And again, the law in Tennessee provides the death penalty for crimes against women and it is therefore not necessary for mobs to presume to punish such crimes."

We may conclude that the women of the South do not want, nor need, mob violence for their protection. There is a sordidness about mob violence that puts human beings to death without trial that is repugnant to women. The records of the past few years would indicate that lynching mobs in the South have assumed a greater menace than the so-called crimes against women ever did.

Residents of the North will be found in favor of a federal anti-lynching measure and it would look as if the intelligent men and women of the South are opposed to this archaic form of chivalry.

[redacted]
HERALD
APR 25 1935

ANTI-LYNCHING

Southern senators are opposing the Costigan Wagner bill which would make lynching a federa offense. The tidewater statesmen are not concerne because the measure may be an infringement on po lice powers delegated to the states by the constitu tion, although this possibly is a valid objection Rather they are defending mob law as it is enforce below the Mason and Dixon line—for the same rea son Kansas senators defend wheat diets, votes.

Under state statutes, lynching now is a felony But when a Negro is the victim and white men are guilty, the statutes are virtually non-operative. I a federal law, however, were on the books, gentle men with tar on their hands might not be able to buy off department of justice officials with a mint julep. This is the rub.

The chivalrous south is operating under the same notions which once fostered the Ku Klux Klan and the Knights of the Camelias. It is the Negroes can be "kept in their place" only through fear and force It has produced what amounts to separate "justice" for the two races, as it has separate schools, train coaches, residential sections, and occupations. Because the south has never seriously tried legal methods of preventing Negro crime it believes none exists Tolerance is increasing but slowly.

The Costigan-Wagner bill would not prevent all lynchings. Yet the Negro, under it, would be less at the mercy of any white man whose enmity he had incurred, and who now is virtually free to use the whip and the rope as he sees fit.

JAMESTOWN, N. Y.
MORNING POST

APR 26 1935

LYNCHING BAN OPPOSITION.

The section of the country which should be particularly in favor of the passage of anti-lynching legislation is that from which the main opposition to the Costigan-Wagner bill is indicated to come. Where such exhibitions of reversion to barbarism and floutings of the law most frequently occur should be that place from which the strongest appeals for the elimination of the outbreaks should originate. It is true that there have been but few states which have been entirely exempt from lynchings, but it happens that they are exemplified most frequently south of the Mason and Dixon line and often for whole years are confined to that portion of the country.

It happens that the authors of the joint measure now pending in Congress are Democrats, though they hail from Northern states. Yet, the political classification of the sponsors appears not to make Southerners more favorable than would be the case were the proposed legislation to have a Republican origin. Lynchings might be more readily defended, if the absence of them appeared to offer probability that the persons accused would be likely to escape merited punishment. Rarely. if ever is there such a possibility. It is not fear that the full penalty will be evaded that leads to such happenings, but unreasoning rage under the influence of a reversion to barbaric instincts.

If the Southern senators make a determined fight against the measure, as now seems to be their intention, it is improbable that it could be brought to a vote in the Senate, no matter what the House would do. Some years ago a similar anti-lynching bill did pass the House, but died in the Senate. Yet we cannot regard ourselves as governed under the forms of law if such outbreaks develop from time to time.

YOUNGSTOWN, O.
VINDICATOR

APR 29 1935

The Anti-Lynching Bill

The death of the Costigan-Wagner anti lynching bill in Congress, for which Northern senators are jointly responsible, is predicted by Representative Mitchell of Illinois, the only Negro in Congress. Senators from Southern states have served notice that they will not stand for the measure which makes political subdivisions liable to the heirs of victims of mob violence. It is expected that resort will be had to filibustering to kill the measure as was done with the Dyer bill 13 years ago.

The Southern senators are short-sighted and fail to note what happened after the Dyer bill was killed. After the losing fight then for a federal law a number of states passed legislation providing for severe punishment for officials who fail to prevent lynchings. Some states patterned their laws after that passed years ago by the Ohio Legislature, one of the first in the country to make counties in which lynchings occurred liable to the heirs of victims.

The Illinois representative sees in the present fight a warning of what may yet come in state laws and eventually a federal law which supporters of the present measure believe would prove most effective. Lynchings are decreasing in number, due to an aroused public sentiment against mob rule, a larger sense of responsibility and courage of officers to protect persons held or under sentence for crimes, and the fear of what Congress may do.

CHARLOTTE, N. C.
OBSERVER

APR 28 1935

SOUTH AND ANTI-LYNCHING BILL.

It may be politically embarrassing to Southern Senators to be compelled to defeat the COSTIGAN anti-lynching bill now before their body, but it is in evidence that, come what may, they are determined to block the passage of this quite unnecessary legislation.

The merit in this proposed law is difficult to locate and the South is against it not because it is unalterably opposed to having laws erected against its all too common and pernicious habit of indulging in an occasional lynching, but because it sees absolutely nothing more virtuous to this bill than an attempt to take out of the hands of its states a function which they are entirely capable of handling as efficiently as the Federal Government.

Bristol, Va., Herald-Courier
April 28. 1935

Federal Anti-Lynching Law Coming.

Another effort to enact a Federal anti-lynching law apparently is headed for failure The Costigan-Wagner bill now before the Senate has strong support in that body but indications are that the opposition, which at presen is resorting to filibustering tactics, will be able to prevent its passage. The measure would provide severe penalties for local officers for conspiring to turn prisoners over to lynching mobs or for failing to give their prisoners proper protection, and would make counties in which lynchings occur liable for damages to victims of mobs.

Twenty years ago, or even ten years ago, the introduction of an anti-lynching bill in Congress would have been widely resented by the people of the Southern States, where nearly all of the lynchings occur, but there is no great resentment among those people against the pending measure. The Southern people have hoped and expected that their States would solve the lynching problem, that they would in time suppress mob lawlessness, but so little progress has been made in that direction and so little seems to be promised that they are becoming reconciled to the idea of a Federal law against lynching.

Because the American Constitution is violated every time an accused person is put to death without due process of law, the Federal Government would be justified in taking steps to punish mob murders. Unless the States make a better record in dealing with those crimes, and that soon, there doubtless will be a Federal anti-lynching law. For the first time in its seventeen years of history the Interracial Commission, meeting in Atlanta, has just gone on record in favor of such a law.

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LEBANON, PA.
NEWS TIMES

APR 26 1935

ANTI-LYNCHING BILL.

Southern senators generally resent the sectional reflection in the Costigan-Wagner anti-lynching bill on the ability and willingness of their states to enforce their statutes in the face of mob terrorism. Some of these senators personally deplore lynchings even for "the unmentionable crime." Privately they might admit that official laxness is, in many instances, making lynchings possible. But against a bill that would lay heavy fiscal and prison penalties on lax officialdom in the South they are adamant.

The threat of a prolonged filibuster against this measure at a time when the senate is in a legislative jam with the bonus, the banking bill, social securities legislation and other measures yet to be acted upon is a serious thing. It rests upon a condition not a theory. That condition is deeply imbedded sectional pride.

It is beside the question to argue with opponents of the bill that resolute law enforcement by any state will preclude the operation there of an anti-lynching law. Though most of its opponents believe the bill is unconstitutional, and if it became law would be thrown out by the highest court, they are determined that no senate vote shall be taken to discredit their section.

In such an impasse Senator Costigan will be unwise to press his bill. It would invite a filibuster that would run for weeks or months unless the bill were withdrawn. Participating in the filibuster to protect the repute of the South would be found some senators otherwise eager to go along with the administration's program. However meritorious the measure may seem to its supporters in the light of weald surrenders to the mob spirit in many sections of the South, defeat of major legislation at this time is too great a price to pay for a persistence that cannot win in any event.

MANCHESTER, CONN.
HERALD

APR 23 1935

MONKEY-WRENCH

Senator Costigan of Colorado is going to move at the earliest possible moment, so he has served notice, to take up the Costigan-Wagner Anti-lynching bill. That doesn't mean that Senator Costigan imagines he can get his Anti-lynching measure passed, or that he is at all sure of getting a direct vote on it. It doesn't even prove that his Anti-lynching bill is the very apple of his eye, that he is trying to be noble about it in the face of almost certain defeat. What undoubtedly it does mean is that Mr. Costigan wants to make the greatest possible amount of trouble for the Roosevelt administration and could think of no surer way of making it than by bringing up the lynching bill—than which nothing in the imagination of man could possibly make Southern Democrats madder. Making the Southern Democrats in the Senate mad enough to spit cotton, mad enough to want to slaughter Northern Democrats as well as Northern Republicans—and consequently making Northern Democrats just as mad at the Southern Democrats—is precisely what any truly clever Progressive who had made up his mind to spike the administration's program might be expected to do, if he knew how. And Costigan is a Progressive—and he knows how.

To be sure, Costigan rates a Democrat; but first of all he rates a Liberal. He comes from a part of the country where you're not much of a Liberal if you take your fiscal policies from Mr. Morgenthau and the Chase National Bank. He was a pretty good Roosevelt man as long as Roosevelt was a Liberal too. He has never declared himself to be anything else but a pretty good Roosevelt man. But he's going to throw that Anti-lynching bill monkey wrench of his into the machinery of the Roosevelt program. And no good Roosevelt man would do that.

If Costigan has his way he is going to precipitate a fight in the Senate that will be worth going clear across the country to see and hear. He's going to split his party wide open. And he's going to keep it split wide open so long that it be a matter of speculation whether a single one of Mr. Roosevelt's pet "must" measures—even the Security bill which passed the House by such a smashing majority—ever comes out of the Senate alive.

Why should any good Democrat be anxious to turn the present Congress from a smooth running steam roller into a jumox of clashing parts and stalled movement? None would—if he put being a Democrat before everything else. But a Liberal—a Progressive—who had come to the conclusion that he was doing no good by stringing along with the President, he might. And evidently would. And is doing it. Just being a Democrat isn't going to be much of an asset in 1936 if there is nothing better to show for it than an extended NRA, a bank bill putting the whole fiscal structure of the country into the hands of a President who gets his advice from Rockefeller's hired man, the continuation of the AAA crop reduction and pig-killing policy—and the outrageous "Security" bill. It's going to be much better to be a Liberal or a Progressive—certainly in Mr. Costigan's part of the country.

Huey Long isn't the only Democrat in the Senate who would just as soon as not see the whole top-lofty structure of the Roosevelt program fall kerflop into very small pieces. There are quite a few others—Costigan, judging by his background and his principles, being one of them; one out of a considerable number. And two kinds of Republicans share the same desire. Reactionary Republicans who still dream of the old order, and Forward looking Republican like Borah, who can see no good whatever in any of the "must" bills.

Let us not be deceived into believing that the threatening hopeless jam of Senate legislation is the result of ineptitude. It is the result of a growing conviction that it is better for Congress to not legislate at all than to continue in the path of the last two years. That conviction is almost grown up.

Nashville, Tenn. Tennessean
April 22, 1935

The Anti-Lynch Bill.

There are indications that determined effort is to be made to get the Costigan-Wagner anti-lynching bill through Congress at this session and that equally determined effort is to be made to prevent action on it.

Opposition to the bill is not based on sentiment in favor of lynch law, but rather on the conviction that a federal law will not solve the problem any more than state laws have solved it.

It is too much to expect that federal juries will convict members of a lynch mob or officials who fail to give protection to a prisoner under their charge in states where state juries will not vote to convict them.

Even advocates of a federal law usually agree that state laws have minimized lynching and it is our opinion that state laws, because they are more likely to represent local sentiment, are more effective as a deterrent than a federal law would be.

Education and state laws have resulted in an impressive showing in the fight against mob rule. In the past decade the number of lynchings, on the whole, showed a marked decline with a record low in 1932, though there was an increase for 1933, the latest year for which figures are immediately available. Some observers who abhor lynchings are of the opinion that the matter can be better handled through the methods which have already brought about. The present bill is almost identical with the Dyer anti-lynching bill which was introduced in Congress such improvement rather than through the imposi-ly and the result would be a revival of that general and for the Senate to turn its attention to the Presi-tion of a federal law which could have no more sup-disrespect for law and law dent's legislative program, that action on it might port than now exists in the various states for pres-hibition brought about. be speeded.

ent state laws.

The operation of federal prohibition provided anti-lynching bill which was ing would break down similar-ip any idea of the Costigan-Wagner bill's passage d be a revival of that general and for the Senate to turn its attention to the Presi-l law enforcement which pro-dent's legislative program, that action on it might t. be speeded.

the nation with an example of what can happen in 1921 and succeeding sessions. The Dyer bill, whenever efforts are made to enforce federal lawspassed in the House in 1921 by a vote of 231 to 119, in sections where they are not supported by popularwas killed in the Senate by a filibuster of Southern sentiment. The federal dry laws were so widely vio-senators opposed to federal intervention in what lated as to cause a general disrespect for law andhey considered a state problem. The same sort of law enforcement. There is reason to believe a fed-actics now are threatened in the Senate, opponents f the Costigan-Wagner measure claiming they

WASHINGTON, D. C.
POST
APR 24 1935

Anti-Lynching Fight Due Again In Senate

Ghosts Of Past Haunt Battle, Sometimes Sham, Over Ancient Issue.

By Elliott Thurston.

THOSE who cherish some of the older traditions of the Senate will have an opportunity in the next few days to renew their faith in the permanency of at least one custom in this world of change. The Senate is about to stage another filibuster over what used to be called the "force bill," which reappears currently under the guise of the Costigan-Wagner anti-lynching bill.

This measure has a long and curious history. It used to be promoted annually by gentlemen whose districts were inhabited by a sufficient number of Negro voters to make a difference on election day. And it used to be resisted, passionately, by an even larger number of gentlemen, largely from the Southern States, who talked much as Senator (Cotton Ed) Smith, of South Carolina talked the other day about protecting the womanhood of the South. Often the debate is painful. It touches deep emotions and superstitions.

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THE year 1922 brought forth what was perhaps the best of the annual battles over the force bills, as a long succession of them—some to govern Southern elections—has been called, beginning even before Civil War days. In 1922 the late Henry Cabot Lodge, of Massachusetts (Back Bay and Nahant) was extremely solicitous about protecting Negro victims (possibly one should say voters) from the atrocity of lynch law—so-called, according to the historians, from one Charles Lynch, a Virginia planter, who seems to have devised a custom in Revolutionary times of stringing up suspected Britishers by the thumbs until they cried, "Liberty forever," or perhaps "Uncle," or some other confession of capitulation.

A hint as to the reason for Senator Lodge's solicitude may be gleaned from a speech once made here by a Negro member of the Republican national committee, who eloquently reminded his audience that this "flower of New England manhood," held his seat in the Senate only by reason of the fact that "20,000 journeying Georgians" paused at the polls in the Bay State to vote for him. Senator Pat Harrison used to derive a certain sadistic pleasure from recalling this speech to the mind of the aristocratic Senator from Massachusetts.

Anyway, Mr. Lodge, who came up for re-election the following year, was more than eager to press for enactment of the Costigan-Wagner bill, then known as the Dyer bill, inasmuch as neither Mr. Costigan nor Mr. Wagner had then reached the Senate and resurrected the measure under their own names. The late Knute Nelson, sturdy old Roman of Minnesota, headed the Judiciary Committee. He asked Senator Borah to take charge of the anti-lynching bill. But Mr. Borah replied that he had studied it thoroughly in some of its previous incarnations and was convinced that it was hopelessly unconstitutional. "I know, but that's why I want you to take charge of it," replied Mr. Nelson. "I want somebody who is familiar with it to take it over."

• • • •

SO hearings were held and the Judiciary Committee concluded unanimously (save for the late Senator Sterling, who reserved decision) that the bill was unconstitutional. Whereat Mr. Lodge, much perturbed, appealed to Mr. Nelson for reconsideration. The Bay State, not to mention others, might fall into the hands of the political enemy unless this bill was favorably reported and pressed by the G. O. P. So Mr. Lodge pleaded piteously. Thereupon Mr. Nelson appealed to the committee, frankly but firmly. And thereupon enough of the members reversed their constitutional convictions to report the measure to the floor.

Then came a filibuster such as will be witnessed in the Senate once more in the next day or so. The late Oscar Underwood, Democratic leader, arose in his place and notified Mr. Lodge and all his cohorts that not a wheel would be turned, not a lick of business would be done in the Senate until the objectionable bill was withdrawn. For several days the oratory raged. The South filibustered, openly and at times ferociously.

Possibly the debate would have gone on longer and been even more bitter but for the fact that Mr. Lodge, in advance, had arranged everything. He was to push the bill. Mr. Undergood was to fight it to the bitter end. After putting on a sham battle long enough to be of political benefit to both sides, they were to drop it and go back to the business before the session. While the battle raged, it seemed very real.

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SINCE then the anti-lynching bill has not been obtruded that far until this session. But it has once more emerged as the next order of business on the Senate calendar. Mr. Costigan has given notice that he will press for its final passage. The Solid South is again united against it, ready to die filibustering rather than surrender on this elderly issue. Mr. Borah and other constitutionalists are as sure as ever that the measure is unconstitutional. Senator Wagner himself, able lawyer and erstwhile judge, gulps slightly when pressed on the matter of constitutionality. But then, there is Harlem!

Probably the struggle will not last long this time, either. The NRA, social security and other such matters must wait until the filibuster subsides, which will be when the latest proponents of this bill give in. While it lasts the conflict will be warm and especially interesting for antiquarians. It will be strongly reminiscent of so many past days in the Senate. One will have no difficulty in seeing the ghosts of Lodge and Underwood and the other departed Titans fighting again this glorious if sometime sham battle.

SPRINGFIELD, MASS.
REPUBLICAN
APR 26 1935
THIRTY-TWO PAGES

The Antilynching Bill

Whenever a lynching occurs the nation, not merely a state, bears the odium of it. It is, as Senator Costigan says, a national disgrace. Throughout the world American civilization is measured by the American lynching record. Morally speaking, this is an effective answer to the cry of states' rights now raised again in the United States Senate as the Costigan-Wagner bill is debated.

The judiciary committee of the Senate voted unanimously to report the bill favorably, and that fact has some bearing on the probable constitutionality of it. The committee has a number of able constitutional lawyers. The bill makes a lynching a federal offense, placing heavy penalties on local officers who by negligence or cowardice let mobs seize prisoners and murder them, also enabling the relatives of the victim to obtain damages from the government of the county in which the lynching took place.

Senator Wagner of New York, a Democrat who does not make a fetish of state sovereignty, reminded his colleagues yesterday that there have been 280 lynchings since 1922, when the Senate refused to pass similar legislation on the ground that the states could handle the problem.

Lynching is an American disease of long standing; it may become virulent under circumstances having not the remotest relation to racial antagonisms. The San Jose (Cal.) lynching two years ago, to which the late Gov Rolfe gave his official approval, was the direct result of an atrocious kidnaping crime. It was white, Caucasian and American from beginning to end. Kidnapings in recent years have aroused such intense popular feeling that lynchings soon became the answer to them.

No one could venture to say that lynchings would not occur again and again if the populace almost anywhere becomes frenzied for any cause. The present antilynching bill was inspired by the mob's dance of death in one of the fairest cities of California. If Hauptmann had been acquitted, would New Jersey have been able to protect him from mob vengeance? No one could be sure.

The power of the federal government ought to be mobilized to reinforce the power of the states in stamping out this national evil. The federal government under this bill would never be called upon to act if the states did their duty.

Brooklyn, N. Y. Citizen
APR 22 1935

THE CONGRESSIONAL OUTLOOK

There are conflicting opinions in and outside of Congress with reference to some of the measures advocated by the Federal Administration or by interested groups and the American Federation of Labor.

Continuance of the processing tax on cotton is bitterly opposed by the New England Senatrs and Representatives and by the New England textile mill owners. The American Liberty League is opposed to any continuance of Secretary Wallace's control of great industries as forming in the opinion of the league a dictatorship.

The Harrison Compromise Bonus bill is opposed by the supporters of the Patman bill and by Mr. Curran's National Economy League.

The Costigan-Wagner Anti-Lynching bill has aroused resentment in the South and Southern Senators threaten a filibuster which would deadlock Congress in case Senator Costigan moves for a vote on his bill. While this anti-lynching bill has the support of the liberal-minded Northerners the South regards it as an interference with a problem which is fundamental in the South and which brooks of no compromise.

In so far as continuance of NRA is concerned while there is opposition from the Republican party and from individual industriss, nonetheless the overwhelming sentiment of industry is in favor of the continuance of the NRA, with modifications made necessary by acknowledged defects.

Altogether the situation is not reassuring for that harmonious cooperation between the President, the Congress and industry, which everyone recognizes is essential if the country is to wholly recover from the depression.

We use the term "wholly" advisedly inasmuch as there is no question that there has been at least 80 per cent of recovery in many sections of the country even though here in the East we are still far from this goal.

The best evidence of the improvement in business activity is the bullish sentiment in the stock market. Wall Street's pessimism is no longer in evidence either in the amount of sales of shares or the quotations. Both shares and quotations have increased and this is accepted in financial circles as proof that the tide has turned and the country is once more facing a prosperous future.

Lynchings-1935
Legislation Relating to.

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Miami, Fla. Herald
May 4, 1935

A GOOD FILIBUSTER

A SIX-DAY filibuster in the United States Senate, although the grave and reverend senators would deny that their long continued debate was a filibuster, has relegated the Costigan-Wagner anti-lynching bill to the bottom of the senate calendar, which means that it will, in all probability, not be brought up again this session, if ever.

Sporadically, for more than ten years, there has appeared in congress a proposed bill which would, if it should by any chance become a law, place the enforcement of an anti-lynching law in the hands of the federal government in case of the neglect or refusal of state authorities to prosecute.

Debate on the measure in the senate was conducted in a most able manner by members on both sides of the question, but the opponents of the measure seemed, at all times, to have the better of the argument. Supporters of the proposed law however, seemed to have the votes, if the bill ever came to a final showdown.

Present defeat of the bill was the result of the application of the technical rules of the senate If in the course of the debate a motion to adjourn could be carried, the bill would lose its place on the calendar and a vote on the merits of the bill could not be had until some future and extremely indefinite day. On the other hand, a vote merely to take a recess would continue the d' cussion of the bill, without interruption.

Opponents of the bill, while talking the senate into impatience, frequently submitted motions to adjourn, but were always defeated until last Wednesday, when opponents caught the supporters napping and succeeded in securing an adjournment.

Filibustering may not be the best way to secure the enactment of good laws, but it is sometimes an ever-present help in defeating bad legislation.

The Costigan-Wagner bill was an insult to the Southern states, a violation of the state's right to control its own police power and thoroughly bad. It ought never to be heard from again.

Columbia, Tenn., Daily Herald
May 2, 1935

THE LYNCHING BILL

While the nation began to develope a case of the jitters because Congress was not progressing toward adjournment, the Senate continued inactive for more than a week because a group of Northerners persisted in trying to foist on the South the vicious and palpibly unconstitutional anti-lynching bill.

Southerners, more or less patient in regarding this latest effort of Northern Congressmen as only one more move in the series of "crusades" aimed against the South by people who do not understand conditions here, have been waiting patiently for the proponents of this legislation invading state's rights to give up the fight in view of the determined filibuster of Southern Senators. With patience rapidly warning, they have more recently expected President Roosevelt who from his residence in Georgia should have a better conception of conditions here than some of the strictly Northern self-appointed guardians of the South, to intervene with a view to clearing Senate decks for action on matters tha must be disposed of.

But Southerners were disappointed. The White House did not act, and the Senate dawdled, while feeling between the North and South, joined more closely together than even before in the recent new wave of nationalism, once more began to be evident as the "Meddlesome Matties" of the North pressed their case and boasted that if the issue ever came to a vote they would win, not on merit, but by force of numbers.

Then came a champion for the cause of state's rights and constitutionality—a voice against the arousing of sectional feeling—in the person not of the Democratic leadership of the nation, but of the Republican, Borah.

Senator Borah, while other Republicans remained silent, patting their feet as it were while Northern democrats took the lead in trying to alienate Southern Democrats from their party, could remain silent no longer. In a masterful speech that came yesterday as a surprise to the Senate, he correctly termed the lynching bill both an invasion of state's rights (certainly not becoming the Democratic party, traditional state's rights advocates) and unconstitutional, in setting up Federal control over matters purely within the local police power of the state. His speech turned the tide, caused the iniquitous law intended as a punitive measure against the South to be withdrawn, and allowed the Senate to go on with passage or defeat of important matters to the end that adjournment can be taken for the great good of the nation.

In seeing the anti-lynching bill a major issue when action on recovery measures is badly needed, the nation watched a sorry spectacle—that of one section seeking by force of number to force its viewpoints on another concerning a problem of which it knows little.

The Daily Herald is no advocate of lynching, or of mob law in any form, It has for years taken its stand against lynching, both in general and in specific, both here and abroad, a stand that has caused it at times to lose friends because of adherence to a principle that the law and not the mob should rule.

But The Daily Herald, in company with most thinking Southerners, knows that the Southern states are going forward faster than those of other sections in curbing mob rule, and in gradually abolishing lynchings. And we know too, that the pending bill, besides being an invasion of state's rights, and contrary to the precepts of the American constitution, will have an effect on lynchings exactly opposite to that its proponents claim it will have, if passed. It will engender ill feeling which has been eliminated, as far as the South is concerned, these many years. It will estop all local efforts, to curb the lynch spirit efforts which are gradually becoming more and more effective. It will be a constant effort to every citizen proud of his Southern heritage. It should not pass, and Southern Senators were resolved it should not pass, even if the filibuster was their only weapon until they received Republican aid.

Death to the lynching bill did not come through any aid from Northern Democrats, in high or low places, but from the fair-minded Republicans, under the leadership of Senator Borah.

Union, S. C., Times
April 26, 1935

IT WILL HURT, NOT HELP

The anti-lynching bill now before congress, and one of the authors of which is Senator Wagner of New York, has been denounced by Senator Bailey of North Carolina and Senator Smith of South Carolina.

Periodically that question is brought up and it is one that will always arouse the people of the South, for they feel, and justly too, that it is a direct threat at the South. It is probably true that instead of putting an end to lynch law, it would multiply lynchings. The problem is not a problem of the South alone, of the entire nation, but it can best be met by each individual state. If the anti-lynch law is made a federal law with teeth in it, we predict a vast increase in the number of lynchings.

Governor Talmadge of Georgia, long supported by The Constitution, is now under attacks by that newspaper. Without any profession of exact knowledge in the matter, but from outside observation, we can but feel sympathy for Governor Talmadge, for he must see, as many others see, that we are drifting far afield in the matter of States Rights. Many of us believe that we have unconsciously drifted into socialism and are no longer upholding democracy.

To show that Governor Talmadge is not alone in this belief, you have but to realize what happened at The American Newspaper Publishers Association a day or two ago. The association unanimously approved a resolution of its traffic committee by adopting a resolution which expressed "unalterable" opposition to government ownership of railroads or any other form of transportation. And Bainbridge Colby warned the publishers of federal laws inimical to a free press. He sees great danger to the freedom of the press. He said before the convention:

"As to the trend of legislation affecting newspapers today, there seems to be a feeling that the press of the country constitutes, in a sense, a danger to the successful progress of half-baked

theories and ill considered and somewhat hastily proposed reforms."

And this editor unequivocally takes the same view. We go further: We have come to the parting of the ways; we must choose between socialism and democracy. And we are honestly of the opinion that to choose socialism will mean the ultimate loss of about all that makes life worth living.

Knoxville, Tenn., Journal
May 2, 1935

The Costigan-Wagner Bill

The outworn and illogical attitude of some of the Southern Senators in regard to the anti-lynching bill now under disturbing consideration, has made the question, to a certain extent, a confused issue in the public mind.

The act is not opposed solely by those who considered it an insult to the South, as certain bombastic speeches have declared, nor the remedy of the trouble something that concerns a gentleman's honour as independent of outside interference.

It is opposed by people who think the South bears a big proportion of responsibility for the more or less countrywide act of barbarity that we call lynching, and who feel very deeply that this section has never fully met the measure of its responsibility.

Thus many of such people, no less strongly than the hot heads, oppose Federal action as unwise and impractical in the matter of a crime so intimate and local.

Editorial discussion of this position by the New York Times offers a very clear example of the reasoning which ends in opposition to the Costigan-Wagner bill in spite of unqualified horror of the offense against which it is directed, and of unqualified amazement at the type of people who sometimes abet and sometimes condone it.

"Of all forms of lawlessness that have disgraced America in the eyes of the civilized world," says the Times, "that of lynching is undoubtedly the most abominable.

"It is so for the simple reason that other comparable crimes are either the work of demented or depraved individuals or of gangs without the pale of organized society, while your lynching mob usually includes a fair proportion of citizens of the kind normally regarded as respectable.

"It is their betrayal of the state and of their own decency that gives the final hideous touch to the atrocious business."

Yet this paper realizes that the bill now under consideration does raise a question of fundamental government policy.

"In the first place," it reasons, "a lynching is almost invariably a purely local crime.

"In this it differs radically from kidnaping, bank burglary, highway robbery and the like, with their attendant murders, whose perpetrators skip from jurisdiction to jurisdiction. There is not the same excuse to include it in the fast-growing list of offenses to be dealt with by the Federal authorities."

And so the argument goes.

Those opposed to the bill are by no means necessarily insensible to the crime it would seek to eradicate.

Their opposition comes from doubt of its full agreement with the fundamentals of our government.

For a second reason given for opposing so serious a thing as Federal authority in the matter, there is the reminder that the evil of lynching is on the wane and apparently not in need of the drastic handling proposed.

In 1892, according to the figures quoted, there were 255 lynchings.

Last year, there were fifteen.

"The curve, though it may waver a bit from year to year, has shown a marked downward tendency for nearly half a century, indicating very clearly the growing popular revulsion against the crime as well as the effectiveness of local statutes."

Tallahassee, Fla. Democrat
May 2, 1935

Anti-Lynch Bill Irks One Solon

(By The Associated Press)

Florida members of the national congress were urged yesterday by the house of representatives to oppose passage of the Costigan-Wagner anti-lynching bill.

Without a dissenting vote, the house adopted a resolution by Johns of Bradford county declaring "that the state of Florida is amply able to protect and defend the constitutional rights of each and every citizen of the United States of America within its borders and that the proposed bill is a direct encroachment upon state rights and should be defeated."

Urging adoption, Johns declared the pending bill was "a direct insult upon the southern states."

"I want you to vote with me," he said, "and let our United States senate in Washington know we are against this insult."

Charleston, S. C. News & Courier
April 27, 1935

A Sentence From Mr. Roosevelt?

"Senator Byrnes, of South Carolina, said: 'Lynching is murder. There are laws which cover murder. The whole thing should be left to the states and not to the federal government. I imagine the other Southern senators feel the same way.' Senator Byrnes said he would vote against the bill. Of course he will.

Senator Smith, of South Carolina, denounced the bill. Senator Reynolds, of North Carolina, said he "thought he would vote against it, because he did not like the principle of penalizing counties where a lynching takes place."

Senator Bailey, of North Carolina, said: "This bill is not going to pass; we'll fight it out if it takes all summer."

It is the anti-Southern bill under discussion; a bill introduced by Senator Wagner, Democrat, of New York city, and Senator Costigan, "Liberal" or "Progressive," Democrat, of Denver, Colorado.

This bill would transfer lynching cases to federal courts and penalize counties in which they occur in damages ranging from $2,000 to $10,000. It is the federal court feature that is dangerous.

This is a bill of the pattern with which the South has been harassed, by Republicans, since 1865. Three or four years ago it was the "Dyer bill," Mr. Dyer having represented a negro district of the city of St. Louis. He was defeated, and Democratic senators, take up his fight, against the Southern white people.

There stand SOUTHERN senators, Byrnes, Smith, Bailey, George, Reynolds, with their backs to the wall.

Where stands Franklin D. Roosevelt, president, leader of the national Democratic party, on the anti-Southern bill?

Does not Senator Byrnes, by necessary implication, make clear that the bill is anti-Southern when he declares that SOUTHERN senators are against it?

Is or is not the national Democratic administration anti-Southern in respect of this measure?

One sentence, "I shall veto the Costigan-Wagner bill if it be passed," from President Roosevelt, Democrat, would kill it dead as Hector.

Charleston, S. C. News & Courier
May 3, 1935

When Money Talks!

Let us not deceive ourselves. That the Roosevelt administration turns against the South, for practical purposes, when the so-called anti-lynching bill hangs in the balance, will not cause the South to turn against it, and the Roseveltians well know it. There is this day but one issue, and that issue is money. As long as the Washington administration shall appoint tens of thousands of persons to office in the South and distribute some hundreds of millions in Southern states, though the total sum be a pittance in contrast to the sums sent to Northern states, the Southern politicians and great numbers of Southern people will support it and they will denounce all people who do not as traitors to "Democracy." Most of those same senators, who were afraid to oppose the Costigan-Wagner bill, will continue to support the New Dealers who wrote it and pressed it. It is a matter of money, of offices, favors, public buildings, parks, roads, dams, forestry reservations, federal hospitals.

It is not unlikely that the Roosevelt administration could at this time advocate admission of negroes to Democratic primaries, could now and then appoint a "good negro" to a federal office in the South, as the Republicans formerly did, without incurring serious danger of losing Southern state support. When an administration has five billions (five thousand millions) of dollars to distribute, it is well nigh all powerful. No Roman emperor ever had as much money wherewith indirectly he might gain the friendship of the majority of the citizenry.

Savannah, Ga. Press
April 26, 1935

ANTI-LYNCHING BILL

The appearance of the anti-lynching bill yesterday gave rise to a heated passage in the Senate of the United States.

The bill provided for imposing penalties upon public officers who allowed mobs to put prisoners to death and also set up damages against a county in which violence occurred. The author of the bill claimed that national wrongs required national remedies but from every Southern state notice sprang up that such a measure would give rise to streams of oratory and possibly to filibuster.

Since the days of Senator Pou of Maryland Southern senators and representatives have been opposed to national treatment on the subject. They claim that this would be an interference with the sovereignty of the states. This feeling has probably been increased by the recent decision of the United States Supreme Court declaring in effect that cases decided where negroes were not upon the convicting juries were probable grounds for a reversal of conviction. A prominent citizen of Georgia called upon the people to know whether any verdict in a case where a negro was arraigned for attacking a white woman should be set aside unless a negro happened to be upon the jury or unless negroes were allowed to sit upon juries in that particular state.

Calling up the anti-lynching bill in the Senate yesterday had the effect of clearing the chamber except that the Southern senators stood on guard and watched the proceedings with the keenest interest.

It is evident that the further intrusion of national law and national courts into lynchings, not reduce them.

Lynchings have declined from 231 in 1892 to a total of only 15 in 1934. The tendency is definitely away from them and local officers are doing more effective work than ever in preventing mob action. The viewpoint of the people, in a word, is changing.

It is to be hoped that this improvement will be permitted to continue undisturbed.

Greenville, S. C. Piedmont
May 1, 1935

Fewer Lynchings

LYNCHING, Senator Byrnes declares on the Senate floor, "is murder, violating the law of God and of man". He would do all in his power to stamp it out.

And he believes, as we do, that passage of the Costigan-Wagner

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Bristol, Va., Herald-Courier
May 2, 1935

The Surest Lynching Preventive.

Senator Glass, opposing the anti-lynching bill now before the Senate, quoted the late President Coolidge as saying that if the States did not more vigorously assert their rights the Federal Government would invade them and take them away. "And that," the Virginia Senator added, "is what is happening in this bill."

It would be interesting to know what State right the pending anti-lynching bill would invade. If it is the right to prevent mob murders, or to find and punish those who commit these crimes, that is a right which the States seldom exercise. They seem jealous of it only when a Federal anti-lynching law is proposed.

Looking at the question from another angle, the Federal Constitution provides that no person shall be deprived of life without due process of law. That provision is violated every time a lynching occurs. Indeed, mobs often interfere directly with the due process of law by seizing their victims from the hands of its officers. Should this provision of the Constitution be regarded as a dead letter?

There was an attempted lynching at Shelbyville, Tennessee, some time ago. It was averted when the local authorities asked Governor McAlister for troops and the troops were sent. Four of the would-be lynchers were killed when the mob clashed with the troops in a defiant and determined effort to invade the courthouse and take a prisoner from the very presence of Judge and jury and kill him.

This newspaper has cordially commended Governor McAlister and the local authorities of Shelbyville for the stern measures taken by them to uphold the law in this instance. But has any member of that mob, which later ran amuck and burned the county courthouse, been apprehended and brought to account? If so, the fact has escaped notice. Drastic steps may be taken to prevent lynchings, but as long as mobsters feel that they risk no penalty for their crimes lynchings will continue to be perpetrated.

There is a growing sentiment in the South for a Federal anti-lynching law, not because the prospect of such a statute is pleasing but because under it lynchers would be hunted down and haled to court and sent to prison. And that is the surest preventive of lynching.

Orangeburg, S. C., Democrat
May 2, 1935

The Anti-Lynch Law.

The United States Senate is considering the enactment of a federal law which is directed against lynching. Southern senators are fighting the enactment of the measure.

We question very seriously the wisdom of a federal law on this subject. Sentiment against lynching has been increasing in the South and influential voices of white leaders have been raised to discourage such lawlessness by members of their own race. Progress has been made in creating a southern sentiment against allowing mobs to take the law in their own hands.

This anti-lynching sentiment in the South will not be developed by a federal bill passed by congressmen from other states, interested mainly from the angle the South will be peaceably promoted only by allowing the people of the South to adjust themselves. Interference from other states will not increase the security of the Negro in the South nor cooperate with the thoughtful, intelligent, and progressive white leadership usually seeking to amelioniate undesirable conditions and promote the welfare of the Negro.

In all critical discussions of lynching the assumption is that lynching occurs only on the South and that Negroes are the only victims of lawless murder by gangs. This is, of course, a fallacy. However, in lynching statistics mob murders in the North are not usually considered, unless the victim happens to be a Negro. The elimination of lynching, the Southern acts of violence, has been gradually going on and numerous occasions occur in which officers of the law protect guilty individuals from illegal vengeance.

Bessemer, Ala., Advertiser
April 26, 1935

Anti-Lynching Bill Will Open Way To Strife And Suffering

Southern states that resent attempts to have the federal government punish towns where lynching occurs and to arrest and imprison members of mobs, could well look to improvement in their judicial systems that permit delay in punishing or disposing of cases involving statutory offenses. Mob violence is a form of public dissapproval of the method that permits technical delay, and its seems to us this could be remedied in our own courts in some way.

Mob violence is on the wane. The South has handled the race problem in a manner impossible in other sections of the country. We have but to point to the race riots at New York and Chicago to prove this. Public hangings in California and in states north of Mason-Dixon line point to the conclusion that it is not confined to this section. But reasonably swift justice through regularly appointed court channels at home is the answer.

Knoxville, Tenn. News Sentinel
May 2, 1935

So This Is Democracy

A LARGE majority in Congress wants to enact a Federal anti-lynching law. A large majority of the citizens of the country favor such a law. This has been so for many years. Then why isn't there a law?

Since this is a democracy in which Congress is elected by popular majorities and in which Congress itself acts by majority rule, how could the Senate yesterday throw out the anti-lynching bill and prevent majority rule?

Well, it seems that ours is a democracy in text books and Fourth of July orations but not in the Senate. There, periodically, it is possible to rule by minority dictatorship. The method is not the one of stuffing the ballot box, or of kidnaping or terrorizing the majority, so that the minority can palm itself off as the majority. The method is much simpler. The minority merely decrees that there shall be no vote at all. This is achieved under the rule of unlimited debate by which the minority talks a measure to death. It forces the majority to turn to other emergency legislation acceptable to the mi-

WHILE congratulating the Southern sen-
ators on the effectiveness of their dic-
tatorship, we venture to raise this ques-
tion for their consideration: is it wise
from their point of view, to kick democracy
in the face quite so publicly at this par-
ticular time?

Granting that they have got away with
it for many years, hasn't there been a re-
cent change in the public temper which
makes this sort of thing somewhat dan-
gerous?

Wouldn't it have been wiser from their
point of view, for instance, to give the
Negro lynch victim the nominal protec-
tion of Federal law and then nullified the
law as they nullify the Negro's constitu-

WE ARE interested in this questi
cause we understand that these
rn senators are very fearful of the
f radicalism, especially among N
the radicals are said to be telling t
roes and the poor white share-cr
nd mill hands of the South that dem
s a fake, that there is no such th
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that democracy is only camoufla
dictatorship by their enemies.
Aren't those radical agitators just
enough to prove this point in the
of ignorant Negroes and whites by

Anyway it may be a matter worth think
ing about while these Southern senator
are patting themselves on the back, secur
in their dictatorship—secure for the mo
ment.

Birmingham, Ala., Age-Herald
May 3, 1935

Sidetracked

The Costigan-Wagner anti-lynching bill has been sidetracked in the Senate following an extended filibuster by Southern senators. Russell Kent writes from Washington that doubt is now expressed that the bill again will be brought before the Senate during this Congress.

The test came on a motion to adjourn, the effect of which was to displace from its calendar position Senator Costigan's move to take up the anti-lynching measure. Adjournment carried by a vote of 48 to 32.

This action, of course, can in no sense be construed as a condonation of the barbaric outrage against which the Costigan-Wagner bill is directed. Most opponents of that legislation vied with its champions in denunciation of lynching.

Their opposition was based on the contentions that the bill was an unconstitutional invasion of state's rights and would be ineffective in achieving its purpose.

Senators Black and Bankhead, of Alabama, according to Mr. Kent, formed the spearhead of attack. Senator Borah, coming to their assistance, was credited with finally breaking the deadlock.

"If we can pass such legislation as this," the Idahoan exclaimed, "and have it sustained by the Supreme Court, then we have utterly annihilated all state sovereignty. We have broken down state lines completely.

"Moreover, this bill, aside from the constitutional question, will not do the work required. I do not regard the bill as sectional. I do not think the South should so regard it. I do not think it will accomplish anything. It will not stop lynching."

Senator Wagner replied that he believes the bill is constitutional and that there is a constitutional mandate to carry out the constitutional provisions by the appropriate legislation.

"The federal government," he said, "must see that equal protection of the law is accorded to all citizens. It is our duty to enact legislation to that end and the bill is proposed on that theory."

So ardent is *The Age-Herald's* desire to see an end of lynching throughout the United States that it is extremely sympathetic to sincere efforts in that direction. But it cannot believe that the Costigan-Wagner bill would get at the root of the evil.

Only an overwhelming and united public opinion can, in the last analysis, be an assurance against the outbreak of mob violence. No law can of itself create such a powerful sentiment, especially when it is widely regarded as striking at principles that are incalculably important in our form of government.

On the contrary, an ill-advised law might arouse resentment and divisions of opinions that would raise problems almost as formidable and far-reaching as lynching.

The theory of affording an equal protection of the law by federal intervention, if established as contemplated in the Costigan-Wagner measure, might be extended to cover many conditions over which, this paper believes, the customary state control should be maintained.

For example, Senator Black argued that the bill would cover strike disorders.

The pressures are strong and many to look to the centralized power of federal government for the correction of various forms of evil. Fervor to wipe out evils, however, must not blind us to the dangers inherent in yielding to sweeping surrenders of local governmental responsibilities and rights.

While the Costigan-Wagner bill probably will not come up again in this Congress, the fight for it has emphasized the demand for greater safeguards against lynching and that demand will not be downed. Whenever public opinion or public officials manifest the lack of a strong and active determination to prevent mob murder, the demand for federal intervention will be strengthened.

The way to avoid such an invasion of state sovereignty is by the establishment, through a militant public opinion and fearless local officials, of the indisputable sovereignty of the state over the mob. The building of a controlling public opinion in this respect is a slow and frequently discouraging business, but progress has been made and the effort must go vigorously onward.

Sanford, Fla. Herald
May 4, 1935

Well, the anti-lynching bill was killed. County taxpayers need no longer fear that if a lynching should occur in their county they would be taxed in order to pay ten thousand dollars to the family of their victim. They will continue to deal with the lynching problem as they have in the past, and if they make as much progress as they have in the last 15 or 20 years, the time will soon come when lynchings will be practically unknown.

Huntsville, Ala., Times
April 26, 1935

The Anti-Lynch Bill

Southern senators have been waging a quiet filibuster most of this week, and will continue it until early next week, when the bonus bill comes up, against the Costigan-Wagner anti-lynching bill.

There are probably enough votes to pass the obnoxious measure in the Senate, if it could ever be brought to a ballot.

This vicious bill is aimed primarily at the South.

While the purpose, which the Colorado and New York senators, its authors, hope to accomplish—the stamping out of lynching—is entirely laudable, the wrongs that it would do would far outweigh its benefits.

In brief, the bill would impose a fine of $2,000 to $10,000 upon any county in which a lynching occurred—whether of a white man or a black man—and would invest the federal government with power to collect it.

Furthermore, it would empower federal authorities to come into a county and institute criminal proceedings, then prosecute alleged members of a mob.

The first provision seeks to indict and hold financially responsible the entire population of a county—good citizens as well as bad—for the lawless actions of a few irresponsible scalawags; to indict a whole community for the sins of a few.

That is not right.

It is not just.

It will not deter mobsters from wreaking their vengeance upon some miscreant who has committed a heinous crime.

It simply penalizes those persons of means for the illegal deeds of those who, in most cases, are without property.

Federal prosecution of mobsters also is a very direct invasion of a state's rights.

Granting that local authorities sometimes are not as diligent as they ought to be in bringing to bar those who engage in a lynching, is the federal government justified, on the other hand, in trampling under foot the rights of the states, guaranteed by the Constitution, and supplanting these local authorities in criminal prosecution of mob members?

Lynchings are decreasing in the South.

Sentiment is growing for punishment of lynchers.

It is becoming possible to get a jury of white men to convict one or more of their own race for the mobbing of a negro. A case in point occurred only last year, just across the Tennessee line near Tullahoma, where a jury gave long prison terms to several white men for the wanton murder of a negro.

This sentiment for law enforcement can be fostered and encouraged, until the stigma of mob lynchings can be virtually wiped out.

For the federal government now to intrude into a state matter, and arbitrarily to penalize and prosecute lynching cases, would simply result in doing of a wrong while trying to cure another wrong.

Columbia, S. C. State
May 3, 1935

LYNCHING BILL SHOWS SOUTHERN BLOC IS STRONG

What Did Costigan and Wagner Hope to Achieve by Effort to Force Action in Face of Practically Impregnable Line-up?—Threat to Organized Labor Ignored by Labor Lobby.

BY KIRKE SIMPSON,
Associated Press Staff Writer.

Southern solidarity in the senate on any moot question means a virtual veto on that particular legislation. There are enough Southern votes, even leaving out so-called border states such as Maryland, to block action utterly. Even the modest senate cloture rule, adopted with so much hesitation, could not be invoked against so substantial a minority.

That being true, exactly what Senators Costigan and Wagner as authors of the anti-lynching bill thought to profit by endeavoring to force consideration of the measure in the senate is not easy to puzzle out. They were on notice by a large and seasoned group of senate long-distance talkers that the bill not only could not pass but would not be permitted to reach a parliamentary roll call vote. Yet Costigan forced the issue. Why?

Motives Unguessed.

Frankly, the bystander does not know. There is nothing about the public records of either sponsor of the bill to disclose motives. Immediate personal campaign exigencies hardly can be involved. Wagner is not up for election again until 1938. Being foreign-born, the senate or a governorship is the constitutional limit of his political ambitions.

Costigan is up next year; but why should anti-lynching legislation have a special appeal in Colorado? Lynch law has not ruled in that state much unless it was back in frontier days. If Senator Costigan dreams of party promotion antagonizing the Democracy of the solid South would not seem a reasonable way of trying to make those dreams come true.

And, if some of their Southern colleagues are right about what sort of a door the Costigan-Wagner bill would open to federal direct intervention in the police affairs of the states(the two authors of the measure were taking special risks. They are acclaimed as the leading senate friends of organized labor, of labor generally. They share that with Black of Alabama, father of the 30-hour week bill. And Black told them:

"The bill as it is written would be the greatest weapon to opponents of organized labor extended to them since the beginning of this government. In the hands of their enemies it could strike them (labor organizations) to death. I cannot understand why the great labor organizations have failed to see what this bill would do to them."

The answer to Black's mystification is easy. If organized labor's legislative watch dogs in Washington had the least notion that so drastic a measure of federal intervention in state police activities could pass, they would have rallied to see to it beyond question that it had no anti-strike or anti-picketing flavor.

They would not have been content for a moment to rest on the constitutional argument against it if it, as Black contended, would more than undo all that has been accomplished in the way of anti-injunction legislation to curb federal court activities in labor strikes. Organized labor's seeming indifference to any such bill can be viewed only as due to a certainty that it could not be enacted anyhow—so whyb other with it?

Lynchings - 1935
Legislation Relating to.

5089

Charleston. S. C. News & Courier
April 20, 1935

In This New Republic

No one can demonstrate by syllogistic rules a connection between the United States supreme court's decision that negroes must serve on Southern juries, the Costigan anti-lynching bill and perhaps other measures relating to the "race question," with the New Deal, but the connection exists.

All these are emanations from the same atmosphere.

Southern people who can think are aware of the impossibility of carrying on the United States as a single state without demolishing the system, legal or extra-legal, by which states having huge negro masses in their populations have managed to get along the last sixty years.

The general program of the New Deal may be sound, The News and Courier may be hopelessly wrong in its judgments, the multiplication table as well as the constitution may be out of date for all we know, and still it is certain that this New Deal cannot succeed without tearing down the political structure of the American republic and replacing it with another.

This new government, governing from Washington and reaching down into the private affairs of every state, county, town, controlling and regimenting them, would necessarily, in time, destroy the separating barriers between the races in the South. The process has begun.

Mark, we are not now protesting against this program. If we South Carolinians shall surrender to Washington it will do with us as it will. The News and Courier is doing no more than to tell its readers what is going on.

We suppose that among the South Carolinians are persons who believe that the good people from Chicago and New York, welfare workers, philanthropists, economists, philosophers, uplifters, now running the Washington machine, have understanding of the way Southerners feel and act about their problems—but there are some pretty dumb people in South Carolina.

The Southerners are being led into a trap. The trap is baited.

Charleston, S. C. News & Courier
April 20, 1935

Leave Us to Ourselves!

The Costigan "anti-lynching bill" should be killed, Senator Smith does well to oppose it vigorously, but he was not discreet to allude to the "protection of southern womanhood" in relation with it—as if lynching were excusable in circumstances.

To say by implication that Southerners cannot protect womanhood by laws enacted and enforced by the several Southern states may be interpreted as argument for the measure which Senator Smith opposes.

If the existing laws and criminal procedure of South Carolinians are not sufficiently severe and swift to deal adequately with any species of crime it is within the power of the state to amend them, that the state should do, but, really, we South Carolinians cannot expect to be allowed a special privilege to deal with any crime in manner unknown to law.

The News and Courier would advocate a federal anti-lynching law rather than excuse lynching for any offense whatsoever. To do that would be to confess incapacity of the state to establish and maintain a civilization.

The News and Courier opposes the Costigan bill because it believes that the states are better prepared and disposed to make and enforce the criminal laws than the United States is. The Costigan bill is just another attack on the reserved rights of the states having its origin in busybody bent of persons who fancy themselves morally superior to their neighbors.

Mr. Costigan hails from Colorado, where no negroes are lynched, for which an explanation is that it contains few negroes—not that their presence in great numbers would justify it.

If it be the duty of the federal government to take notice of violent crimes, to assume that the Americans acting as one state instead of forty-eight should take over punishment of offences, Colorado should be one of the first states for it to operate upon. Anyone who has read even a little of the mob demonstrations and outrages, in its mining districts the last fifty years, must conclude that however it be capable of carrying on a republican form of government it is still in the primary school of civilization as compared with the civilization of South Carolina, which, despite pretenses, is still crude and raw.

In truth, most of these American states are pots to refrain from calling a kettle black—and still there would be more reason for despair in South Carolina if it were placed under the tutelage of states like Colorado.

The Costigan bill, and measures of similar tenor, if enacted, would promote lynching in the South.

Wilson, N. C., Times
April 19, 1935

SENATOR WILL TELL 'EM.

When the time comes to discuss the anti-lynching bill Senator Bailey, Washington informs, will review in detail the record of North Carolina with respect to the negro, "not only with respect to lynchings, of which the state has had less than other southern states," but also with respect to education and other matters. The senator will also point out, as we are further informed, that "North Carolina will have to make little if any adjustment of present practices" because of the recent decision of the Supreme court in the Alabama case as the exclusion of negroes from jury service. "Negroes are now occasionally drawn for jury service in a number of North Carolina counties," the senator will say.

In other words Senator Bailey is going to show 'em that grand old North Carolina has done so well by the colored race that we deserve the thanks of the race and should have acknowledgment from Congress instead of Congress passing a law intended to call mobs to account when the state fails and refuses to do anything about mob murders. As a faithful chronicler of North Carolina events Senator Bailey will not fail of course to give complete details of the failure to do anything about a mob killing in our state not so long ago. The governor instructed the solicitor to do something and the solicitor made a pass at it but nobody would talk and that was all. That should convince the senate that North Carolina doesn't need any anti-lynching bill. If passed it should apply to states that have more lynchings. We don't have enough to call for outside interference, which is in violation of states right, anyhow.—Greensboro News.

Greenwood, S. C. Index-Journal
April 23, 1935

LYNCHING BILL AGAIN

It cannot be put too strongly or said too often that opposition to the Costigan-Wagner anti-lynching bill now in the Senate of the United States is not advocacy of lynching.

Lynching is more than a public evil; it is a menace to government itself.

For when it is found that men can take the law in their own hands and that the courts can be defied and ignored then no protection of law exists.

And from one thing the step to another is easy and inviting and in time the courts will have become things of no effect.

Opposition to the Costigan-Wagner anti-lynching law is that it means, finally, the death of State authority. If the States are to have their full police power taken over by the Federal government then the States have no longer any excuse for their existence.

That is the goal of many people in this country, we know. And it is a goal which is wholly undesirable to us and should be to all true lovers of our country.

The Costigan-Wagner bill is of concern to every State, North, East South and West. It is not sectional in scope.

But in every State, be it remembered, this bill would make any move by a "mob" of three or more persons directed against the life or property of another a Federal offense. And trial would follow in a Federal court.

The bill has little danger of enactment surely.

NEW YORK SUN
MAY 4 1935

Shelved for a Time.

The filibuster against the Costigan-Wagner anti-lynching bill was successful. The bill itself has been sidetracked and the Senate has proceeded to take up other items on its crowded calendar. The final vote on adjournment, which was a test of the fate of the bill shows that the opposition to the bill did not come exclusively from Southern Senators. Among those who voted for adjournment and the shelving of the bill were ADAMS of Colorado, ASHURST of Arizona, BORAH of Idaho, BROWN of New Hampshire, BULOW of South Dakota, CLARK of Missouri, COUZENS of Michigan, DIETERICH of Illinois, DUFFY of Wisconsin, FRAZIER of North Dakota, HATCH of New Mexico, HAYDEN of Arizona, KING of Utah, LEWIS of Illinois, LONERGAN of Connecticut, McGILL of Kansas, MURRAY of Montana, NORRIS of Nebraska, O'MAHONEY of Wyoming, PITTMAN of Nevada, POPE of Idaho, SHIPSTEAD of Minnesota, THOMAS of Utah, TRUMAN of Missouri and WHEELER of Montana. In other words, twenty-five of the forty-eight Senators who voted to postpone consideration of the bill for an indefinite period are from North or West or Middle [redacted].

Some of those who voted for adjournment may have done so from a conviction that it would be a waste of time to keep the bill before the Senate as long as a determined minority was ready to talk it to death. Senator BORAH, for one of the non-Southern Senators represented on this roll call, was frank to express his conviction that the Costigan-Wagner bill was unconstitutional and that it differed in that respect no whit from the Dyer bill, which the Senator opposed on the same ground. When the Senate considered the Dyer bill a majority of the Judiciary Committee held the bill to be unconstitutional and the other members of the committee, without committing themselves on this point, reserved the right to be heard on this subject later. Not one member asserted the constitutionality of the measure.

One odd difference between the Dyer bill and the Costigan-Wagner bill is that the former fixed the number of persons constituting a mob at five or more, whereas the bill just considered fixes it at three or more. If the Dyer bill had been enacted it would not have served to reach the lawless activities of a group of four, just as if the Costigan-Wagner bill had been enacted it would not have served to reach two lynchers who acted in concert.

With the humane intentions of the sponsors of this legislation there was no quarrel. Some opponents of the bill offered arguments, not to defend lynching, but to oppose Federal intervention in the problem. Of much more significance and weight were such arguments as Senator BORAH made, addressed to the doubtful constitutionality of the measure. The doubts which were raised in 1922 and have been raised each time the issue has been brought

before Congress do not down, yet the mere presentation of the issue to Congress must accomplish some good in arousing public opinion and in education of the public will against lynching. The figures on lynching, showing a consistent decline in the past thirty or forty years, must reflect the influence of education and of public opinion. Morally, one lynching in a year is as reprehensible as fifty, yet the continued progress in the local solution of this problem must serve to appease disappointment, wherever it exists, over the fate of the Costigan-Wagner bill.

WASHINGTON, D. C.
NEWS
APR 24 1935

Sen. Smith Chided for Opposition to Anti-Lynch Measure

Editor, The News:

I TOTALLY disagree with Sen Smith on his antagonistic attitude toward the Wagner-Costigan Federal anti-lynch bill.

It is a pity that men like Sen Smith are given the political powe to help determine the peace and good will of our country. It is almos preposterous to think that any clear thinking, true American would in any way condone such an atrociou crime as lynching.

That this bill is an insult to the South is a fallacy. I sincerely believe that the intelligent people o the South are in favor of that sor of legislation. LOUIS BERRY.

LOWELL, MASS.
COURIER CITIZEN
APR 27 1935

THE ANTI-LYNCHING BILL.

Senator Costigan made an attempt Wednesday to secure consideration of his anti-lynching bill. Failing to secure unanimous consent for a vote on the question whether it should be taken up, he delivered a speech in support of his measure. This the opposition was ready enough to allow and indeed was willing to prolong the discussion by interposing questions from time to time. In view of the large amount of work the Senate has to do, the more time can be taken in argument before the bill is technically under consideration, the more likely it is that other business will eventually crowd it out.

On several other occasions, bills affecting home rule in the South have been filibustered against with the aid of the time limit on the second session of Congress. Under the Lame Duck amendment, there is no short session, but the Washington summer remains unchanged. Even Senator Costigan himself might not be so anxious for the success of his anti-lynching program that he would be willing to remain through July for the sake of putting it through. It may be suspected also that there is not unbounded enthusiasm among those Democrats who would probably support the bill if it should come to a vote. For some of them it would not be politically advisable to vote against it, but most northern Democrats are not at all anxious to push legislation which is so bitterly opposed by their southern colleagues.

A filibuster like some which have been worked in the past will therefore not be necessary, one may guess. There are reasons which will appeal to many who favor such legislation in itself why it should give place this session to matters of administration policy. The president himself might conceivably use his influence in a quiet way to have the bill sidetracked if consideration of it were slowing up the progress of his own measures. Then of course there are many senators who are genuinely desirous of giving these the precedence and would co-operate with the southern members for reasons of their own.

Something, however, might depend on the record of the South for the next month or two. An outbreak of lynchings might spur the Senate to action, but so far this year conditions have not been abnormally bad and, over a term of years, it must be admitted that progress is being made. Possibly the constant threat of federal legislation is fully as effective in the fight against this evil as the law itself would be, if it should be enacted.

PITTSBURGH, PA.
PRESS
MAY 2 1935

SO THIS IS DEMOCRACY

A LARGE majority in Congress wants to enact a Federal anti-lynching law. A large majority of the citizens favor such law. This has been so for many years.

Then why isn't there a law? Since this is a democracy, in which Congress is elected by popular majorities and in which Congress itself acts by majority rule, how could the Senate yesterday throw out the anti-lynching bill and prevent majority rule?

Well, it seems that ours is a democracy in text books and Fourth of July orations but not in the Senate. There, periodically, it is possible to rule by minority dictatorship.

The method is not the one of stuffing the ballot box, or of kidnaping or terrorizing the majority, so that the minority can palm itself off as the majority. The method is much simpler. The minority merely decrees that there shall be no vote at all. This is achieved under the rule of unlimited debate by which the minority talks a measure to death. It forces the majority to turn to other legislation acceptable to the minority dictators.

While saluting the Southern Senators on the effectiveness of their dictatorship, we venture to raise this question for their consideration: Is it wise, from their point of view to kick democracy in the face quite so publicly at this particular time?

Granting that they have got away with it for many years, hasn't there been a recent change in the public temper which makes this sort of thing somewhat dangerous?

We are interested in this question because we understand that these Southern Senators are very fearful of the spread of radicalism, especially among Negroes. The radicals are said to be telling the Negroes and the poor white share-croppers and mill hands of the South that democracy is a fake, that there is no such thing as representative government in this country, that democracy is only camouflage for dictatorship by their enemies.

Aren't those radical agitators just mean enough to prove this point in the minds of ignorant Negroes and whites by citing the dictatorship of those few Southern Senators?

NASHVILLE, TENN.
BANNER
APR 28 1935

Topics of the Day

UP TO THE STATES

Senator Costigan is resolved to force consideration of the Costigan-Wagner anti-lynching bill at an early date without regard for the bitter opposition of certain Southern Senators and threats of a filibuster. His persistence is ill-advised in spite of the obvious weakness of some of the arguments advanced against the bill.

Last week when notice was given that a motion to make the bill unfinished business would soon be made, Senator Smith, of South California, rose to denounce the measure as a reflection upon the South and to defend lynching as a means of preserving the "sanctity of the fireside." If lynching were in fact a sectional evil and if the Southern States were as powerless to protect their citizens against outrageous assaults as Senator Smith assumes, it would be difficult to take a strong stand against federal intervention. Such, however, is not the case. Senator Smith entirely ignored the effective arguments against a federal anti-lynching law which were presented most cogently by Senator George, of Georgia. The latter recognizes that lynching is a national, not a sectional problem, but he objects to federal legislation because he believes that it would retard the progress already made toward eradication of a form of crime for which the states should assume responsibility.

The Scottsboro cases have shown how extremely difficult it is to secure an unprejudiced hearing for Negroes accused of rape. But these cases have also proved that forces are at work to insure justice to such individuals, in addition to protecting them against advocates of lynch law. The manner in which the Governor of Alabama acquiesced in the decision of the United States Supreme Court that Negroes may not be systematically excluded from serving as jurors, shows that there is no lack of courageous leadership in the South. Gov. Graves' attitude holds out a promise that justice will be administered more impartially in the future, with less racial discrimination.

The Federal Government could not provide adequate protection against lynching or other community crimes, unless local laws and local leadership supplied the necessary support for law enforcement. On the other hand, wherever local sentiment is awake to the evil consequences of mob law, federal intervention becomes superfluous. The crime of lynching is not an outgrowth of ineradicable sectional and racial prejudices. It is primarily the result of lax administration of state laws and consequent absence of a public sentiment strongly condemnatory of those who take the law into their own hands.—Washington Post.

Lynchings—1935
Legislation Relating to

5090

FILIBUSTER BALKS EFFORT TO SPEED ROOSEVELT BILLS

Southerners Keep Senate Floor Again All Day in Fight on Anti-Lynching Measure.

4-30-35

IMPASSE MAY END TODAY

But Many Days of Talking Is Still a Prospect—House Has Its Decks Clear.

Special to THE NEW YORK TIMES.

WASHINGTON, April 29.—President Roosevelt's legislative speed order enunciated in his radio "fireside talk" last night to the people had a gloomy reaction in Congress today. The most important measures of the President's program are still blocked behind a Senate filibuster over the Costigan-Wagner Anti-lynching Bill.

Speaker Byrnes today pledged the fullest cooperation in speeding up the President's "must" program, suggesting that the House could be counted upon to complete it by June 10 or 15, but the situation in the Senate caused the Democratic leader, Senator Robinson, to predict a session continuing until late July.

"It will be necessary for the Senate to speed up its work if the program made clear in the President's radio speech is carried out during the present session," he said.

"The extension of the NRA, the Utility Holding Company Bill, the various measures relating to transportation and the Social Security Bill pertain to subjects that are controversial, and I do not see how a conclusion of this session can be reached before a date late in July unless better cooperation for dealing with measures can be arranged."

Parley Fails to Find Plan.

Senator Robinson had attended a meeting of the Democratic steering committee, where a futile effort was made to perfect a plan for halting the anti-lynching filibuster. Subsequently the Senate spent five and one-half hours listening to speeches by Senators Black and Byrnes, delivered with the announced intention of preventing a vote on Senator Costigan's motion to take up the anti-lynching bill.

Following these speeches another unsuccessful effort was made to have the Senate adjourn overnight in order that Senator Costigan's motion might die, allowing the leadership to bring up the Harrison bonus compromise.

The adjournment motion, made by Senator Robinson, was voted down, 38 to 37, whereupon leaders of the group of "willful" Southerners filibustering against the Costigan motion announced they would resume their talking tomorrow and continue it until the Senate was ready to proceed with other matters.

Blocked by this filibuster barrier are the NRA extension and social security bills, named by the President at the head of his "must" list.

After today's vote changes and absentees were noted and Senate leaders expressed a belief that the filibuster would be terminated tomorrow. This, they felt, could be accomplished only by the Senate's adjourning and thus avoiding the Costigan motion.

A check up on the filibusterers showed that they would not compromise or make any "deal," but were prepared—some of them were anxious—to continue their speech-making indefinitely.

"We are not filibustering yet," one of them said tonight. "We have not spoken one word that did not pertain to the merits of the bill. We are prepared to speak ten days longer on the proposal itself, then we'll start the real filibuster."

They proposed to pursue their tactics until pressure for the bonus bill, next in line to be called up becomes so great that the Senate will lay aside the Costigan motion. Leaders thought that such pressure had been registered this afternoon when Senator Robinson suddenly made his motion to adjourn. A poll had indicated that an adjournment motion could be carried by four votes, but at the roll-call the four counted upon were not in the chamber.

Senator Byrnes will resume his speech tomorrow. He spoke for two and one-half hours today. He took the floor after Senator Black had finished an address of more than three hours.

Leaders feared tonight that the Southerners might want to continue the anti-lynching discussion even after the bonus or some other measure was taken up.

Others Readty to Take Floor.

Southern members ready to take the floor could be seen throughout the Chamber today, many of them with documents piled high on their desks.

Sentaors George, Russell, Glass, Smith, Trammell, Bilho, Bankhead and Fletcher are all reported eager to speak, and Senators Bailey and Connally, who led off the filibuster, are said to be ready to resume at any time.

Senator Black declared that the pending measure should be called a "Bill to Increase the Crime of Lynching."

He predicted that its passage would excite mobs instead of suppress them and that it would classify as lynchings violence in labor or other disputes.

Senator Byrnes argued that passage of the bill would retard the "fine progress" in race relations made in the South for the last few years. He asked Senator Wagner to return to New York and try to work out a State anti-lynching statute, such as they have in South Carolina, before offering a Federal bill.

Senator Glass broke into the debate to challenge authors of the bill to show where their States had done anything to outlaw lynching. As he did so he thumped on an open book, shouting:

"There's Virginia's law. Where's yours?"

LYNCHBURG, VA.
ADVANCE
APR 24 1935

THE ANTI-LYNCHING BILL

No matter if it is argued that lynching is a national and not a sectional problem, the anti-lynching bill now before the Senate is really aimed at the southern States. For a number of years there has been a movement in Congress to make lynching a federal offense and those behind the movement have been invariably concerned about lawless incidents south of the Mason-Dixon line, rather than mob lawlessness elsewhere.

Commenting on the Costigan-Wagner measure, Senator Byrnes makes this pertinent remark:

"Lynching is murder. There are laws which cover murder. The whole thing should be left to the States and not the federal government. I imagine the other southern Senators feel the same way."

Of course, lynching is murder just as are many other methods of killing persons murder. For instance, in some of the northern States the fatal race riots that break out at intervals is just as much murder as is lynching but so far as we can learn the proposed federal legislation does not include race riots killings in the same category as lynching. But there is no more reason to punish a county in which a lynching occurs than it is to punish a county in which race rioting results in slayings. Again we remark, the whole measure is aimed at one section of the country.

WASHINGTON, D. C.
NEWS
APR 22 1935

Says Smith Doesn't Speak for the Real South on Lynch Bill

Editor, The News:

THE COSTIGAN-WAGNER anti-lynching bill is not a "reflection on the South" as Sen. Smith of South Carolina maintains. If I know anything as a result of having lived for several years in the South, I contend that the intelligent and cultured southerners, of whom there are many, are thoroly disgusted with the crass brutality of lynching.

It is only the lowest, most ignorant and degraded specimens, who under mob hysteria and the leadership of some half-wit, participate in these orgies. From what I have heard, the Costigan-Wagner anti-lynch bill has the endorsement of the most enlightened portion of southerners.

Sen. Smith trots out all those time-worn shibboleths about "We gotta defend the virtue of our women," etc. That is an insult to the good women of the South. Time and again they have protested and tried to prevent these lynchings.

Sen. Smith is behind the times. He does not represent the new and better and more humane South. Many southerners, including southern congressmen, are supporting this bill. There are two Souths: the old, feudal, and fake chivalrous and the real, honest, and modern South. Sen. Smith is speaking for the old, not for the new.

JEFFERSONIAN.

PITTSBURGH, PA.
PRESS
APR 29 1935

NOT DIXIE'S VOICE

A SMALL group of Southern Senators threaten to filibuster the Costigan-Wagner anti-lynching bill just as a similar group killed the Dyer bill 12 years ago.

They may succeed. But if they do the country should know that their specious pleas in behalf of states' rights or chivalry do not echo the sentiments of the whole South.

Organizations representing some 42,000,000 Americans urge passage of this bill. How much of this support comes from south of the Mason-Dixon line may be judged from its approval by many of Dixie's leading papers.

"Its (the Costigan-Wagner bill's) invasion of states' rights should cause no Southern heartburning," says the Norfolk (Va.) Pilot. "There is no such thing, morally speaking, as a reserved right to deal in our own way with a form of collective murder which our own way has uniformly failed to punish."

"It may be," says the Newport News (Va.) Press, "that the anti-lynching bill will not be adopted by the Congress now in session. But if it is not, and lynchings do not stop, it will be adopted by some other Congress; in fact, must be adopted if the machinery of justice is to function."

"Apparently," says the Macon (Ga.) Telegraph, "the mere threat of the Federal anti-lynching bill has a wholesome effect, and the time has come when even the South would vote for such a bill."

Southern women, too, have been quick to resent Senator Smith's quaint argument that "lynchings are necessary for womanhood's protection." Scores of letters, telegrams and resolutions from Southern women's religious, welfare and club organizations have repudiated the preposterous claim that the South's law is helpless to protect the South's women.

Proponents of this measure claim 59 Senate votes from all over the country and a big majority in the House. Only 20 Senators are called irreconcilables. It is neither just nor gallant of them to filibuster against this popular national movement.

Anti-Lynch Bill Should Be Considered On Its Merits

The Costigan-Wagner anti-lynching bil should be considered on its merits. Th law as it is or the mob on the record i has made in several thousand instances—that is the decision. This country has had experience with both, and for that reason it has a sound basis for its judgment, with no need for mere oratory or prognostication.

If the law is the better, the measure should pass and no hastily assembled tribunals made up of passion-filled blood-thirsty lynchers should supercede the courts.

On the other hand if the mob is the better protector of the public, the opponents of an anti-lynching bill should not only persist in their position but they should extend its beneficent activities.

There are defects in the courts. The United States Supreme court declared only a few days ago that the judicial system of Alabama, and inferential of every southern state, was not in accordance with the Constitution. Down in North Carolina several officials are facing trial for having inflicted cruel and unusual punishment on persons after conviction, a thing forbidden by the same Constitution. With the law and its officers thus displaying the human tendency to err, the mobocrats should see if their pet system also is not faulty in some particular. If it is perfect—the only faultless work of man—then let that South Carolina senator who says he will defeat the Costigan-Wagner bill at any cost, propose the rule of the mob as a substitute for the present agencies, and write authority for it on the statutes! He ought not be ashamed to sponsor lynching out and out!

There should be a set of rules for lynchers to go by, setting forth when the victim is to be hanged, or shot and then hanged, when burned after death or burned while alive. Better still how mutilating is to be done, real American heraldic designs to be inscribed with suitable ceremonies. Lynching, if the better system for overcoming crime, offers wonderful possibilities.

At present lynching is practiced almost wholly against Negroes. If it has proven better in their case than regular trial in the courts and punishment by their officers, it is most certainly the logical weapon when the same crimes are committed by whites. Or do the proponents of lynching hold that a blond complexion lessens the gravity of misdeeds?

Husbands and wives in this country are killing each other every day. Gangsters invade crowded neighborhoods with machine guns. Kidnapers flourish. Thievery from bank wrecking to house breaking is a recognized industry with established lanes through which the loot is disposed of. Bootlegging with all its bloody obbligato is a social sidelight. Last week a young college man, son of a justice of the supreme court, took his father and mother out into the woods and killed them. Dementia praecox, dementia Americana or plain cussedness that was a crime!

There are even cases of rape! But being white these criminals have a trial in court! No outraged public sentiment uses a school house to be a funeral pyre for them. A curious multitude sat for days in plain sight of Bruno Hauptmann with no disposition to imitate Sherman, Texas, by burning a court house to snuff out his life. Kidnapers have been caught who did their victims to death, yet even in the California lynching there was no mutilation in reprisal, such as Florida inflicted on a Negro.

The swiftness with which a mob forms in certain states when a Negro is accused of crime, is more hysteria than any real revulsion against crime, a breakdown of the moral and mental fibre of the community of which we, if we were spokesman for the lynchers, would be too ashamed to defend.

The case against lynching stands on proven ground. Whether an anti-mob law makes Kansas what it is, or Kansas being what it is frowns upon the mob, the Sunflower state presents a civilization that all the lynching states must envy.

LYNCHING

Newspaper accounts of the Senate's action on the Wagner-Costigan bill, termed by its proponents as a law to wipe out lynching, were misleading.

In the first place Southern Senators did not conduct a filibuster, at least not in the sense that filibusters are normally conducted. Senator Bailey, of South Carolina, did not carry out his threat to read "the whole Book of Deuteronomy," nor did any other Senators resort to reading extraneous matter at length.

What the Senators intent on halting a further invasion of State's sovereignty did, as a reading of the Congressional Record will show, was to attempt to defeat the bill on its merits.

Senators Bankhead and Black of Alabama, played a conspicuous part in the debate of the Wagner-Costigan bill, the former holding the floor for several days. Senator Bankhead, furthermore, yielded the floor temporarily, when requested, to permit the backers of the bill to present their side whenever they chose. Both held their ground gallantly.

Credit for breaking the deadlock has been given to Senator Borah who in his forceful manner assailed the bill on constitutional grounds. However, the opposition to the bill had previously stated that it was unconstitutional a number of times. Due to Senator Borah's standing as a liberal and his reputation on constitutional questions his attitude was probably responsible for breaking down the Wagner-Costigan forces.

Did anyone ever hear the final outcome of the "is she, ain't she" controversy over Mae West?

It is unfortunate that the strength of a majority of those who abhor lynching was wasted on the Wagner-Costigan bill. It could have been used to greater advantage along other lines.

The theory that an evil can be eradicated by simply passing a Federal law against it is one that plays too important a part in American thought today. This was amply demonstrated by the failure of the Eighteenth Amendment which was the result of the concerted efforts of the prohibitionists over a period of years. With the ratification of the amendment the prohibitionists for 14 years forgot completely to teach temperance, and the break-down of their temple followed. The passage of a Federal law aimed at lynching might have met with the same results.

The decline in lynching in the past generation should serve to demonstrate that a Federal law was not necessary. Lynching has declined to a point where in the last two-year period there were only 22 murders of this kind.

At present lynching is looked upon by all thinking people as one of the most infamous crimes of civilization. Yet our Puritan ancestors once burned witches far more frequently than suspected criminals are lynched today.

No Federal law was necessary to stop witch-burning. There was a change in public opinion, a change in the hearts and minds of men.

Apart from the fact that the Wagner-Costigan bill would have been a rank invasion of State's rights, it would have had no influence in curbing lynching. The occurrence in Shelbyville, Tenn., in which the county courthouse was destroyed by mob violence, should be adequate proof that mob spirit halts at no cost in its reckless spirit of vengeance. The destruction of the courthouse cost the citizens of the county many times more than a Federal fine of $10,000 as provided by the Wagner-Costigan bill would have.

Two plausible methods of eradicating lynching have been advanced. One, advanced by H. L. Mencken, to provide brass bands for all communities in which lynchings were liable to occur; the other, for the people to elect sheriffs willing to shoot to protect prisoners.

All the time and energy wasted in behalf of the Wagner-Costigan bill would have been ample to provide the first. The second is the responsibility of citizens. Neither can ever be brought about by Federal law.

Lynchings - 1935
Legislation Relating to

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GREENVILLE, S. C.
NEWS

APR 21 1935

KILLING THEIR OWN CASE

Members of Congress from the southern states will not perform a constructive service for their section if they attempt to fight the Costigan federal anti-lynching law on the ground that there is justification, in any circumstances, for mob violence.

The *News and Courier*, consistently vigorous opponent of any and all measures which would give the federal government more authority over state affairs, asserts that it would "advocate a federal anti-lynch law rather than excuse lynching for any offense whatsoever." To do that would, it says, be to confess incapacity of the state to establish and maintain a civilization.

And we agree with that thought. The only sound ground for opposition to these measures to invoke federal governmental authority and police efforts to punish lynchers is that the state itself is capable of performing that police duty adequately. Lynching is a crime and it must be so regarded if we are to maintain a civilized judicial procedure. And if the states will not act vigorously to that end, there is provided reason for the invocation of federal authority.

Members of Congress who are suggesting by their argument that there are occasions where lynch law, or mob rule, is justified, are killing their own case. They may filibuster against the bill and kill it temporarily by that means, but the sentiment of the country will eventually assert itself and demand that if the states will not act effectively to punish lynchers the federal government should step in and endeavor to do so.

We cannot condone lynching, anywhere or in any circumstances. Southern members of Congress who attempt to suggest that there is excuse for lynchings and use that argument against the adoption of federal laws on the subject will only strengthen the argument of the other side. For in making such an argument they are tacitly conceding that their states are condoning acts of mob violence. And any such admission is calculated to arouse renewed support for federal punitive efforts.

WASHINGTON, D. C
POST

APR 22 1935

Up To The States.

Senator Costigan is resolved to force consideration of the Costigan-Wagner anti-lynching bill at an early date without regard for the bitter opposition of certain Southern Senators and threats of a filibuster. His persistence is ill-advised in spite of the obvious weakness of some of the arguments advanced against the bill.

Last week when notice was given that a motion to make the bill unfinished business would soon be made, Senator Smith, of South Carolina, rose to denounce the measure as a reflection upon the South and to defend lynching as a means of preserving the "sanctity of the fireside." If lynching were in fact a sectional evil and if the Southern States were as powerless to protect their citizens against outrageous assaults as Senator Smith assumes, it would be difficult to take a strong stand against Federal intervention. Such, however, is not the case. Senator Smith entirely ignored the effective arguments against a Federal anti-lynching law which were presented most cogently by Senator George, of Georgia. The latter recognizes that lynching is a national, not a sectional problem, but he objects to Federal legislation because he believes that it would retard the progress already made toward eradication of a form of crime for which the States should assume responsibility.

The Scottsboro cases have shown how extremely difficult it is to secure an unprejudiced hearing for Negroes accused of rape. But these cases have also proved that forces are at work to insure justice to such individuals, in addition to protecting them against advocates of lynch law. The manner in which the Governor of Alabama acquiesced in the decision of the United States Supreme Court that Negroes may not be systematically excluded from serving as jurors, shows that there is no lack of courageous leadership in the South. Gov. Graves' attitude holds out a promise that justice will be administered more impartially in the future, with less racial discrimination.

The Federal Government could not provide adequate protection against lynching or other community crimes, unless local laws and local leadership supplied the necessary support for law enforcement. On the other hand, wherever local sentiment is awake to the evil consequences of mob law, federal intervention becomes superfluous. The crime of lynching is not an outgrowth of ineradicable sectional and racial prejudices. It is primarily the result of lax administration of State laws and consequent absence of a public sentiment strongly condemnatory of those who take the law into their own hands.

ROCKY MOUNT, N. C
TELEGRAM

APR 23 1935

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CHARLOTTESVILLE, VA.
PROGRESS

APR 19 1935

Purity and Crime

Talking against the Wagner-Costigan anti-lynching bill, Senator Smith of South Carolina said: "This bill is a reflection on the South. There are some crimes without the law. I resent this attempt to pass a Federal law to vindicate a justified act without the law. The virtue of woman is something not to be despoiled by Federal law. Nothing is more dear than the purity of womanhood and the Federal government should not say a violator of it should not pay a just penalty."

By "vindicate," we suppose the good senator means "stigmatize," but leaving incorrect English aside, is speech could have been written by a Northerner as a burlesque of present day Southern statesmen. It is really discouraging to find such inane twaddle being spoken

er for or against the bill should be an issue that is of very genuine importance to the South.

The bill itself is nothing more than an ultimatum to the South to the effect that the rest of the country is weary of its outbreaks of mob violence and vengeful overthrow of orderly government, and its refusal to give the accused any of the rights of self-vindication which the constitution guarantees him.

Any statesman who speaks eith-

NOBLE COSTIGAN-WAGNER FIGHT

Colored Americans take pride in doffing their hats to Senators Costigan and Wagner in appreciation of the brilliant fight now being waged by these stalwart citizens to banish lynching from the shores of this nation forever.

Because of the crying necessity for a Federal lynch law with teeth in it; because the good name of this nation must not be allowed any longer to trail in the slime of cowardly officially aided and abetted mob murder, stenchy political duplicity, treachery, trickery, bigotry and open hypocrisy, this newspaper joins with the millions of decent Americans of both races in demanding for the Costigan-Wagner anti-lynching measure a square deal.

It is now a certainty that this bill, with its embodiment of highly necessary provisions against mob violence and murder is heading for stiff opposition in the upper house of Congress.

Enemies of the measure, mostly from the chivalrous? South are already on record as having banded themselves together purposely to kill the bill.

Theirs is a fixed determination to stand arrogantly astride the path of the social progress of our boasted democracy; perpetuate the loathsome system of exterminating defenseless citizens like veritable rats via the savage route of barbarous, ignorant and blood-sucking rabble elements.

Lynch law, its southern advocates contest, is necessary to protect the virtue of white women.

But is this not a a vicious lie, and a damnable one at that? of course of American people know it.

But there is much truth in the common allegation that colored men often have been lynched in the South for such crimes actually committed by white men camauflaged as black cnes.

Surely the Senate should know something about about this hellish state of things right here under the very nose of the Star Spangled Banner.

If that body knows nothing of this traditional American disgrace it should be apprised of it Now! by Senators Costigan and Wagner.

To do so would be to discharge a great service to society as well as to the nation.

To millions of fair-minded citizens everywhere opposition in the Senate to this anti-lynching measure is humiliating to the nation as a whole.

The country is in urgent need of just such a law to protect innocent citizens from wanton persecution.

Pressure should be brought on Congress to place its stamp of approval on the Costigan and Wagner anti-lynch measure.

The Anti-Mob Filibuster

ENACTMENT of a federal anti-lynching law during the present session of Congress appears wholly unlikely. Even the most hopeful supporters of the Costigan-Wagner bill will admit the correctness of that statement, now that the Senate has ended its six-day filibuster and turned to the bonus question.

Negroes, who have furnished the majority of more than 5,000 persons executed without process of law in this country during the past half-century, should not feel discouraged. The fight for a federal anti-lynching law has not been lost. Monumental struggles of a proscribed people seeking justice and full citizenship are not won in a day. They continue until victory is won.

Already we are able to perceive definite good results of the 1935 battle to outlaw mob murder. Organizations representing 40,000,000 Americans have gone on record as being in favor of the Costigan-Wagner bill. Social security legislation affecting the future of 122,000,000 American people has been held in abeyance while the world watched a historical drama marred by our national custom of dodging. The President practiced the time-honored rite of evasion also. American people who love justice (and there are millions of them) will not forget. They will rise again and demand that our national legislature remove the blot of lynching and purge our country's honor.

As for Negroes as a group, we have had the opportunity to pick out the friends and enemies of the right to impartial and orderly judicial procedure. From the bigots and prejudice-ridden members of Congress from the South we expected nothing. On the other hand, we have the record of the Republicans Borah of Idaho, Couzens of Michigan, Frazier of North Dakota, Norris of Nebraska, and Shipstead, Farmer-Laborite of Minnesota, who voted to pass up consideration of the anti-lynching bill.

Too, we may consider similar action of the Democrats Brown of New Hampshire, Clark of Missouri, Lonergan of Connecticut, McGill of Kansas, Dietrich and Lewis of Illinois.

The votes of these Democrats and Republicans could have thwarted the move to adjourn. It is true that a few of these men could have been motivated by the desire to first consider social security legislation. However, it is imperative that they be noted and checked by every Negro voter regardless of party affiliation. Negro citizens should receive wholly convincing explanations from these men or utilize every facility they possess in defeating them when these gentlemen ask for the mandate of the electorate again.

Press Fight for Negro Right

WITHIN a few hours of a conference of Senate leaders with President Roosevelt at the White House on Wednesday, the motion of Senator Costigan that the Senate take up the Costigan-Wagner anti-lynching bill was shunted aside by the tricky maneuver of the Senate "adjourning" and "reconvening" within fifteen minutes.

By their six-day fiillibuster against the bill, the Southern leaders of Roosevelt's party showed their determination to prevent any discussion on the Senate floor on lynching and the hideous persecution and oppression of the Negro people.

The Costigan-Wagner bill omits the death sentence for lynchers. It also contains provisions that could be used against any assembly held to protest the very crime against which it is supposedly directed. It was certainly not intended as an effective curb on lynching. The Southern lynch lords had no real fear of the bill. What evoked their rage was the idea that Congress should be asked to make even a formal condemnation of lynching. In their opposition to conceding even this gesture, so humbly requested by the reformists, the Southern bosses were fully supported by President Roosevelt, as well as by Senator Borah and other Republican Party leaders.

This playing by the white rulers with the rights and lives of Negroes once more emphasizes that only mass pressure of Negro and white workers and intellectuals, actively united in a militant fight for Negro rights, can force enactment and enforcement of legislation protecting the constitutional rights of the Negro people.

Senate Filibuster Blocks All Work

Southerners Finally Agree To Recess Without Vote On Whether To Adjourn

WASHINGTON, April 30.—(AP)—Wounds of the War Between the States were reopened and a warm tribute paid a former Republican president by a Democrat in the Senate today as the southern filibuster against the anti-lynching bill encompassed its sixth day.

Behind the determined blockade lay the bonus bill which has to be disposed of before any of the administration's major measures are taken up. All of these, however, are still in committees.

Democratic leaders made no effort to adjourn the Senate tonight, but consented to a recess which left the anti-lynching measure the pending order of business.

A fourth effort to adjourn is expected tomorrow, however, on the strength of a switch or two from Republican ranks. Senator Frazier, of North Dakota, was understood to be ready to go over.

Yesterday's try at adjournment lost by a single vote.

Senator Smith (D), South Carolina, a director of the filibuster campaign, today recalled the trying Civil War Reconstruction days in his State after Senator McCarran (D), Nevada, had asserted he was for the bill if it promised to solve the lynching problems which he claimed the South had not yet met but could meet.

Jumping to his feet, the Carolinian shouted that McCarran was "speaking so because he knows nothing about the gethsemane through which our people passed."

He recalled the post-war period when the Legislature of South Carolina was composed of "ex-slaves guarded by the bayonets of the Federal Government" and added it was a period measured in "corruption."

"But be it said to the everlasting credit of blacks and whites alike that they have solved their problems—with due respect, one to another," he said.

Just before a parliamentary wrangle over a series of quorum calls sought by the filibuster group to give its speakers breathing spells, 77-year-old Carter Glass (D), Virginia, interrupted a speech by Senator Bankhead (D), Alabama, to pay a tribute to the late President Coolidge for warning against further invasion of States' right by the Federal Government.

McCarran cited the Scottsboro case as an illustration "that the South can handle this situation." He said it was to the credit of the South that the negroes involved in that case were given jury trials.

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LET THEM FILIBUSTER!

When Senator Smith of South Carolina and Senator George of Georgia attacked the Costigan-Wagner Anti-Lynching Bill on the floor of the Upper House one day last week, the occasion marked the beginning of an organized campaign of opposition waged by Southern Federal legislators to encompass the defeat of the measure by fair means or foul. Whether by conducting a filibuster for days to the detriment of important relief, agricultural and social legislation, or by wasting the time of taxpayers in idle chatter and oceans of irrelevant verbiage for the Congressional Record matters little. What do opponents of the measure care about governmental aid for the homeless, destitute and sick of the nation when their sectional prejudices are aflame?

Senator Smith gave an inkling of the fallacious line of argument to be advanced. He described the bill as a reflection upon the South, insisting that Southern womanhood must be protected, the implication being that the only way to protect Southern womanhood is by the mob.

Proponents of the Costigan-Wagner Bill can easily show that the number of Negroes lynched for rape is negligible; and if they were courageous and frank enough to go further, they could prove that every Negro caught in a compromising position is not guilty of criminal assault, as charged. It is obvious that hundreds of educated, Christian white women of the Southland who urge the passage of a measure by Congress to stamp out mob law do not agree with Senator Smith.

While considerable bunk is being dispensed during the filibuster, perhaps it would be a capital idea for Senators favoring the bill to make public some interesting facts on race relations in the South relative to Negro womanhood; for when Senator Smith or any of his colleagues prate about Southern womanhood they are alluding to the Caucasian only. Statistics giving the population of octoroons and quadroons in South Carolina and other States in that section should be interesting, if not startling.

Down in Senator Smith's commonwealth when laws were passed defining what constituted a person of color, the legislature had to be extremely careful in determining just how much Negro blood one must possess for fear of making it embarrassing for many South Carolina families. For years there has been too much sham, deceit and misrepresentation about social intimacies between white and colored people in the South. In the interest of truth, both Caucasian and Negro womanhood, and in justice to Negro manhood, advocates of the Wagner-Costigan Anti-Lynching Bill should avail themselves of the golden opportunity to have spread upon the records and put into public print facts and figures which prove to the world the untenable and inconsistent attitude maintained by those who work themselves into a frenzy about white womanhood, but who care nothing and say nothing about womanhood in general.

Maybe the filibuster planned by Southern Senators will prove a blessing in disguise.

FILIBUSTER THREAT ON LYNCHING BILL HANGS OVER SENATE

House Speed on Social Security Offset by Stand of Southerners.

THEY AIM TO BLOCK VOTE

If Costigan Insists on Bringing Up Bill the President's Program Will Be Delayed.

BONUS HEARING SET TODAY

House Sentiment Is Against Harrison Compromise and May Bring Deadlock.

By TURNER CATLEDGE.
Special to THE NEW YORK TIMES.

WASHINGTON, April 21.—Sectional bitterness over the subject of lynching, dormant in Congress for nearly thirteen years, appeared tonight as a formidable threat to immediate progress on President Roosevelt's legislative program.

Because of the situation in the Senate, where Senator Costigan has given notice that he will move at the earliest possible moment to take up the Costigan-Wagner Anti-Lynching Bill, administration leaders had practically despaired of making use of the decisive House victory on the Social Security Bill to further dispel the legislative jam.

Instead of going sliding through on the momentum furnished by the favorable House vote of 372 to 33, the Social Security measure will be sent now to the Senate Finance Committee, where it must take its place behind bills for extending the NRA and settling the veterans' bonus, which may find themselves blocked this week by the impending squabble in the Senate proper over the anti-lynching proposal.

As if this were not worry enough for the leadership, Senator Long has widely advertised his intention of taking the floor, probably tomorrow, to air his troubles with Secretary Ickes.

Congressional helmsmen have been slow, therefore, in making plans for the coming week. No important New Deal measure is scheduled for consideration in either house, as no one responsible for the conduct of such legislation is sure of his ground.

Filibuster Is Threatened.

Their prime hope is that Senator Costigan may not go through with his announced intention of moving to take up the anti-lynching measure. If he persists, they can see nothing ahead but an interminable filibuster, which eventually may be participated in by some of those most anxious to proceed with the President's program.

Senator Costigan was induced by Senator Robinson, majority leader, last week to forego his motion to allow consideration of the Bankhead Farm Tenant Bill. That measure has been held in the Senate ever since, in indirect filibuster against the prospective Costigan motion.

The bill around which the controversy is developing provides a Federal law assessing criminal penalties against State and county officers and setting up a method of civil redress against local governments in lynching cases. It makes the Federal District Courts the machinery of enforcement.

Southern Senators are determined that the bill shall not even come to a vote. They are apparently equally determined that a motion to take it up shall not be finally acted upon. If the temper exhibited by certain Southerners when the matter was first mentioned last week prevails when it actually comes to a test, the remainder of the administration program surely will be in jeopardy.

"We'll be here until Christmas before this thing comes to a vote," was the way one Senator from South of the Mason-Dixon Line expressed his feelings.

Would Be Pending Business.

If a motion to take up the bill should prevail it would be the pending business of the Senate until the measure was acted upon. Also, if and when the motion is made by Senator Costigan, the motion will be the Senate's business until disposed of.

A second hope of the leaders, particularly those with Southern constituencies, is that the compromise Bonus Bill may be reported by the Finance Committee before the Costigan motion is made. They have little doubt that the Senate would drop anything else to consider the bonus.

Hearings on the bonus compromise will be started by the Senate Finance Committee tomorrow. Representatives of veterans organizations, sponsors of the Patman "Greenback" bill already passed by the House, and officials of the Treasury and Veterans Administration will appear. Chairman Harrison expects to limit taking of testimony to two days and report the measure to the floor by the latter half of the week.

Although admittedly blocked by the situation on the floor, Senate committees will proceed this week on a variety of legislation, including some New Deal measures. The Finance Committee may hold night sessions on the NRA Bill; the Glass subcommittee will continue hearings on the Administration's banking proposals; the Special Munitions Committee will begin a new phase of its investigation, and the Appropriations Committee will proceed with the remaining annual supply bills.

House leaders feel that they are being victimized by the situation in the Senate.

They are prepared to move ahead with the Administration program after their overwhelming victory on the Social Security Bill. Speaker Byrns said the House would "undoubtedly" be ready to adjourn by June 15, and that only delay in the Senate could keep Congress in session after that date.

House to Go on with NRA Bill.

The House will go forward with the NRA Bill, feeling that the Senate will dally over it so long that it would be dangerous to wait. The Committees are being urged to speed their hearings and to bring out all necessary legislation as soon as possible, including re-enactment of the nuisance taxes.

There is no sentiment in the House in favor of the Harrison bonus compromise as far as leaders can discover. If the Senate passes a bill along the Patman or Vinson lines, and the President vetoes it, the House will override the veto, in their opinion, but will be more in a mood to listen to compromise than at the present time. If the Senate passed the Harrison Bill, for example, and the matter went to conference, it is possible that the House would deadlock it indefinitely.

It is probable that this reasoning will be made to Senator Harrison and other leaders. Veterans in the House think that the quickest way to definitive action would be to get a Presidential veto.

The prolonged committee fight on the Utility Holding Company Bill, with a majority of the committee reported to be opposed to the provision eliminating such companies in five years, has led House leaders to believe that nothing but a regulatory measure can be passed at this session. Such a bill would have no difficulty, they think.

The Banking Bill probably will be passed by the House, after running the gauntlet of commodity-dollar and fixed-price-level amendments. It will not, however, be taken up this week. Committee members have had a long session of hearings and executive meetings, and want a week's rest before fighting it out on the floor.

The principal legislation slated for the House this week is the Navy Department Appropriation Bill. During the debate, an effort will doubtless be made to eliminate some of the proposed construction of ships.

Anderson, S. C., Independent Trib.
April 21, 1935

THE L[illegible]ING BILL

Before the U. S. senate at the present time reposes the Costigan-Wagner anti-lynching bill. Southern senators, including our own Honorable Ellison Durant Smith, have described the measure as "infamous" and "unconstitutional."

The Baltimore Sun, however, sees nothing for the senators to become alarmed over. Describing the bill as one of those experiments "noble in motive and far-reaching in purpose" which are nevertheless doomed to be flops because they do not take human nature into consideration, The Sun adds:

"The one infallible remedy for lynching is a grim-visaged sheriff with guts and a gun. Lynchings don't happen when such a man is around; but Congress can legislate until it is black in the face without furnishing such men. Hence it has seemed to us that passage of the Costigan-Wagner bill would mean no more than putting another dead-letter law on the statute books.

"However, this morning we view the situation with newly awakened suspicion. Yesterday's debate in the Senate was a surprise. When Smith, of South Carolina, and George, of Georgia, begin to denounce the bill as "infamous" and "unconstitutional," it is a logical inference that there is more in the thing than meets the eye. A bill that is merely worthless is hardly to be described as infamous, and if it is completely worthless its constitutionality would not seem to matter much. Clearly, these Senators have seen something in the measure that has escaped us. Perhaps it deserves a second examination."

Ah, sweet mystery of legislation! The Sun does not realize that Mr. Smith is capable of finding a negro in any woodpile, a mountain in any molehill, a termite in every steel girder. About the biggest surprise of his life, if The Sun remembers, came when he found something he didn't expect to find the farmer in Dr. Tugwell.

Jackson, Miss., News
April 7, 1935

Anti-Lynching Subject Used By Mrs. Alford

Main Address of W. M. S. Meet at Hattiesburg Held Attention

HATTIESBURG — (Special) — Lynching is no longer done for the protection of womanhood, according to Mrs. L. W. Alford of McComb, chairman of the anti-lynching campaign of the Methodist Women's Missionary Societies, who addressed the annual assembly held at the Main Street church here.

Mrs. Alford said she was basing her remarks from actual experiences during her work in the state. "Race prejudice, unemployment, political debauchery and greed have caused more lynchings in the southland than has the so-called protection of womanhood," asserted Mrs. Alford.

"It is the duty of the women's missionary societies to expand out anti-lynching program and to break down the barriers of race prejudice. Our people must be taught that the negro, too, is a son of God."

Mrs. Alford revealed that county units are being formed in Mississippi to combat lynching. She said the drive has been carried into 81 of the 82 counties in the state and that 2,867 women and 282 men have pledged to help stop these illegal executions.

Priase for Gov. Sennett Conner for his stand against lynching was voiced by Mrs. Alford.

The annual missionary conference adjourned Thursday night after a consecration service conducted by Mrs. Helen B. Bourne of Nashville, national Methodist worker.

Earlier in the day Mrs. Bourne spoke on world conditions which she painted in brighter colors than did speakers preceding her.

"The world is crying to see Jesus and it is our duty to take this message to all peoples," she declared.

Before adjournment Mrs. Lester Greer of Potts Camp, Miss., was named chairman of the anti-lynching campaign. Mrs. Alford will assist her.

Knoxville, Tenn., Journal
April 21, 1935

Not All of Us

Not all of us in the South agree with the reasons given for opposition to the federal Anti-Lynching bill by two Southern Senators during last Tuesday's debate on the wisdom of this drastic measure.

Certainly not many, among the remnant of gentle folk now left us, any longer uphold the bombastic nonsense supposed to eminate from emotions of chivalry and of high regard for the honour of woman, when it comes to the lynching of Negroes in the South.

Not everybody in this part of the country considers it necessary to become a brute on one's own part in order to punish a brutish deed, nor is the Southern gentleman of today willing to inflict upon his wife or daughter the ghastly publicity that comes of being made the occasion of a lynching mob's mad acts.

Swift trial and swift punishment, legally and sternly carried out, is an answer that instills fear into the lowest criminal and that upholds decent respect for the power and the relentless judgment of the law.

Mob law debases a community and leaves a smouldering fire of hate on both sides of two horrid and beastly deeds.

Whether or not it is the duty of the central government, or of the states themselves, to put an end to lynching is very naturally a subject for debate.

The discussion is one as to the surest way of bringing this unspeakable practice to an end, and not one of "protecting the home" by resorting to the horror of vengeance unworthy of civilization.

There can be no question of giving mob violence the right of action against a criminal. It is difficult to appreciate the attitude of any Southern statesman, or of any citizen of a Southern state, who could so misuse the name of chivalry as to invoke it in defense of a thing as unspeakably brutal and degrading to its perpetrators as a lynching.

Greenwood, S. C. Index-Journal
April 21, 1935

THE LAST STAND

By general agreement among students of the now more or less academic question of States' Rights passage by the Congress of the Costigan-Wagner anti-lynching bill and its upholding by the Supreme Court if passed, means the final and complete passing of such rights.

That is to say, acceptance of the principle back of this bill if the Supreme Court of the United States should uphold it, would mean that the States comprising the Federal government from that time on would be mere figures of speech, geographical units or whatever other name may be preferred for simple ornaments. Power as sovereign units will have passed from them forever.

For this bill, be it remembered, would give to the Federal courts jurisdiction over local violence in any State. Federal courts would, in a word, supplant State courts in a disorder or disturbance which from the beginning of the Federal government has been accepted as a concern only and solely for the State courts.

Under the terms of the Costigan-Wagner anti-lynching bill three or more persons would constitute a "mob" anywhere in the United States if charged with the intent or accomplishment of violence to life or property.

Perhaps, it might be well for you to read that paragraph over again to catch the full significance of what it means and what it might and some day inevitably would lead to.

Now heed this provision carefully: Local (that is State officials) convicted (in Federal courts) of failing to protect the life or property of an individual at the hands of a "mob" (three or more persons) would be subject to maximum fines of five thousand dollars and five years in prison, or both, as imposed by a Federal judge in a Federal court.

And further, such local officials (State officers) would be subject to prison sentences of from five to twenty-five years if these local officers should be convicted in a Federal court of conspiring with the "mob" (three or more persons) and county governments where the violence took place would be subject to indemnity penalties of from two to ten thousand dollars, these indemnity fines to be imposed by a Federal judge in a Federal court and collected by a Federal process, in the event of the death of an individual or in the event of injury to him. And where two counties are involved the liability is to be joint.

Senator Costigan, of Colorado, the chief sponsor for the bill, insists that he did not have the South in mind any more than any other section of the country when he prepared this bill. He says the lynching in San Francisco last year and the endorsement of it by the then Governor Rolph was the thing that set him off with this bill.

Regardless of the inspiration and regardless of what has happened anywhere, the certain effect of this bill should be realized.

If passed and sustained it will mean the death of State authority. That might as well be realized.

Whenever local disturbances may be taken into Federal court and tried there, State officials will have become but figure heads, puppets. State power goes.

Amazing is the endorsement of this bill by a large group of intelligent Southern women.

Florence, S. C., News
April 20, 1935

THAT—Senator Smith has been severely criticised by certain organizations for his position on the Costigan-Wagner anti-lynching bill. The Senator knows the bill letter by letter and line by line, and no doubt has good reasons for opposing it. At any rate he is known the nation over as a true suthern gentleman and a strong advocate of all things southern.

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FUNDS NEEDED NOW TO PUSH LYNCHING BILL

52 Senators Are for the Measure, Many Are Doubtful

WASHINGTON. — With the first skirmish over the Costigan-Wagner anti-lynching bill out of the way, supporters of the measure counted up 52 "sure" votes in the senate for the measure if and when it comes to a vote.

The first sharp exchange over the bill came Tuesday, April 16 when Senator Ellison D. Smith of South Carolina loosed a burst of oratory about "protecting the womanhood of the South from beasts" and declared lynching was necessary to curb such crimes. Senator Walter F. George of Georgia also spoke against the bill, but on the basis of its alleged unconstitutionality using the old states' rights argument.

The 52 Favorable Votes

According to the latest poll, the senators who will vote for the bill are: Ashurst, Arizona; Austin, Vermont; Barbour, New Jersey; Bone, Washington; Borah, Idaho; Bulkley, Ohio; Bulow, South Dakota; Capper, Kansas; Clark, Missouri; Copeland, New York; Costigan, Colorado; Couzens Michigan; Cutting, New Mexico; Davis, Pennsylvania; Dickinson, Iowa; Donahey, Ohio; Duffy, Wisconsin; Frazier, North Dakota; Gibson, Vermont; Guffey, Pennsylvania; Hale, Maine; Hastings, Delaware; Hatch, New Mexico; Holt, West Virginia; Johnson, California; LaFollette, Wisconsin; Lewis, Illinois; Lonergan, Connecticut ; McCarran, Nevada; McGill, Kansas; McNary, Oregon; Metcalf, Rhode Island; Minton, Indiana; Moore, New Jersey; Murphy, Iowa; Murray, Montana; Neely, West Virginia; Norris, Nebraska; Nye, North Dakota; Schall, Minnesota; Stewier, Oregon; Thomas, Utah; Townsend Jr., Delaware; Vandenberg, Michigan; Truman, Missouri; Van Nuys, Indiana; Wagner, New York; Walsh, Massachusetts; Wheeler, Montana; White Jr., Maine; Schwellenbach, Washington; Shipstead, Minnesota.

Those positively opposed are: Bachman, Tennessee; Bailey, North Carolina; Bankhead, Alabama; Bilbo, Mississippi; Black, Alabama; Byrd, Virginia; Byrnes, South Carolina; Connally, Texas; Fletcher, Florida; George, Georgia; Glass, Virginia; Harrison, Mississippi; Long, Louisiana; McKellar, Tennesse; Overton, Louisiana; Russell, Jr., Georgia; Sheppard, Texas; Smith, South Carolina; Trammell, Florida.

Several Are Doubtful

Not committed, but probably favorable: Adams, Colorado; O'Mahoney, Wyoming; Pope, Idaho.

Not committed: Barkley, Kentucky; Coolidge, Massachusetts; Gore, Oklahoma; Keyes, New Hampshire; Norbeck, South Dakota; Thomas, Oklahoma.

Doubtful: Carraway, Arkansas; Hayden, Arizona; King, Utah; Logan, Kentucky; Reynolds, North Carolina; Robinson, Arkansas; Tydings, Maryland.

No report: Brown, New Hampshire; Burke, Nebraska; Carey, Wyoming; Dieterich, Illinois; Gerry, Rhode Island; McAdoo, California; Maloney, Connecticut; Pittman, Nevada; Radcliffe, Maryland.

A filibuster, of course, is the big obstacle which faces the bill. The votes are there to pass it if it can get to a vote. It is already certain that a vote will be taken on a motion to consider the bill and make it the business before the senate. Senator Costigan has served notice that he will make that motion as soon as the Bankhead farm homes act is disposed of. But already filibustering is going on the Bankhead bill, to delay as long as possible any consideration of the anti-lynching bill. One senator, supposed to be speaking on the Bankhead bill, delivered a long speech on the recent airplane flight to Hawaii.

Filibuster Will Start

Observers believe the senate will vote to take up the bill some time next week and that then the filibuster will start in earnest. Senators Costigan and Wagner are on the floor every minute and are determined to press the bill.

It is not certain as yet that Senator Huey Long of Louisiana will filibuster against the bill. The Kingfish is rated as a smart man and while he will vote against the bill, he may not lead a filibuster, having his eye on 1936.

Leading the workers and organizations who are supporting the bill is Walter White, secretary of the National Association for the Advancement of Colored People, who has been in Washington constantly since the first word came through that the bill would be taken up.

Many Volunteer Workers

Assisting in the many tasks and interviews is a group of volunteer white and Negro workers, many of whom are not even members of the N.A.A.C.P. These include the lobby committee of the Women's International League for Peace and Freedom, the Washington representative of the national Y.W.C.A., Theodore Berry, president of the Cincinnati branch of the N.A.A.C.P., John P. Davis, secretary of the Joint Committee on National Recovery, Mrs. Virginia R. McGuire, president of the District of Columbia branch, a former Long Island white woman now living in Washington, a white woman visiting from Minnesota, and two young Negro women from North Carolina.

All these people have been assembling material, interviewing senators, running errands, checking newspapers and seeing correspondents. In addition, William H. Hastie has prepared an exhaustive analysis of the whole question of constitutionality including all cases which could be cited; and Charles H. Houston has made an analysis of all anti-lynching bills which have ever been introduced in congress.

Telegrams Aid Fight

Telegrams from branches of the N.A.A.C.P. and other groups and individuals were effective in getting senators who might have remained away into the senate and on the lookout for the bill. Steady communication with senators is urged by the N.A.A.C.P. from the voters back home. These messages ought not be offensive, but should be insistent and should be toned according to the known attitude of the senator. They should urge resistance to any filibuster.

In a fight like this, with the situation changing almost hourly, with hundreds of valuable contacts to be made, with the necessity of instant action if success is to be won, the N.A.A.C.P. finds itself lacking funds for the fight. In one day last week it was necessary to send $50 in telegrams. At least $50 more should have ben spent, but the money even for the first $50 was lacking. Telephone calls, stenographic service and incidental expenses require money.

"Now is the critical time," said Walter White. "All the splendid preliminary work will be wasted if we cannot press forward now that the actual fight on the floor of the senate is upon us. The need for money is desperate. Conditions are favorable for victory and it would be tragic if the need of funds should rob us of it."

Contributions should be rushed to the N.A.A.C.P., 69 Fifth avenue, New York. Checks may be made payable ot Mary White Ovington, treasurer.

VOTE BARS SHELVING OF ANTI-LYNCH BILL

Robinson Is Beaten in Senate, 34 to 33, in Motion to Adjourn and Thus Sidetrack Issue.

FILIBUSTER WILL CONTINUE

4-27-35

Bachman, Tennessee, Logan, Kentucky, Desert Southerners in the First Test.

Special to THE NEW YORK TIMES.

WASHINGTON, April 26.—Plans of the Democratic leadership to sidetrack the anti-lynching issue were balked today when the Senate refused by a margin of one vote to adjourn until Monday, an action which would have vacated the pending motion to take up the Costigan-Wagner bill.

Incensed at failure of his strategy, made all the more stinging because of the desertion of two Southern Democrats—Bachman of Tennessee and Logan of Kentucky—to the anti-lynch bill forces, the Democratic leader, Senator Robinson, forced a Saturday meeting.

He said he would attempt to keep the Senate in session until late tomorrow so it could have ample time to decide whether it wanted to continue in the throes of the Southern filibuster against the Costigan-Wagner bill or proceed to other important matters.

The motion to adjourn until Monday, made by Mr. Robinson, was deefated 34 to 33. Its success would have meant that Senator Costigan's motion to take up the anti-lynching bill would have been killed, and would have had to be renewed on Monday. It was the leaders' plan to have Senator Harrison recognized on Monday for the purpose of calling up the soldiers' bonus compromise.

Southerners to Keep Up Fight.

Southern Senators said tonight they would resume their filibuster, and would continue it until "doom's day," as one of them put it, before letting the Costigan-Wagner bill come to a final vote.

A slight devision has developed in the Southern ranks as to the best strategy to accomplish this purpose. Senator Harrison, who conducted the successful filibuster against the Dyer anti-lynching bill in 1922, but who now is more anxious to get up his bonus compromise, has suggested that the Senate be allowed to vote to take up the measure and that he would enter a motion immediately to lay it aside. It is figured that this could be done with little difficulty.

The active filibusterers, headed by Senators Bailey and Connally, insisted that Congress should not even be allowed to consider the anti-lynching proposal and, therefore, appeared determined to pursue their fight against the motion to take it up.

Only about two and one-half hours of the Senate's time was devoted today to arguing the Costigan motion. Most of the remainder of the session of four and one-quarter hours was taken up by Senator Steiwer in criticism of President Roosevelt's reciprocal tariff program and by Senator Schall in condemnation of the administration in general.

Incidentally, the anti-lynching bill filibuster group has not yet resorted to the parliamentary sniping which the Southerners used in 1922 to kill the Dyer bill. So far they have spoken strictly to the motion and the bill at issue. They are said to be prepared to talk for ten days or more before turning to parliamentary tricks.

Bailey Resumes the Attack.

Senator Bailey resumed the floor at the opening of today's session. He again attacked the constitutionality of the measure, which he said was plainly intended to invade the prerogatives of the States.

"There is an effort in this bill to write into the Constitution ideas never contemplated when the Fourteenth Amendment was framed," he said.

Referring directly to the authors of the bill, he continued:

"The bill gives supervision of sovereign States to the Federal Government. When did North Carolina, or New York, or Colorado so low that this must be done?

"What power has Congress over

Vote Seen as First Test on Bill.

The vote on adjournment was considered the first test on the anti-lynching measure. Those opposing the motion were considered favorable to the Costigan-Wagner bill and those favoring the motion against the bill. The roll-call was as follows:

FOR THE MOTION—33.

Democrats—31.			
Adams	Duffy	Pittman	Thomas (of Utah)
Bailey	Fletcher	Radcliffe	Trammell
Bankhead	Gerry	Robinson	Walsh
Bilbo	Gore	Russell	
Black	Harrison	Sheppard	
Brown	Hatch	Smith	
Bulow	King	Thomas (of Utah)	
Byrnes	Lonergan	Trammell	
Caraway	McKellar	Murphy	
Connally	Overton	Walsh	
Dieterich			
Republicans—2.			
Cousens	Norris		

AGAINST THE MOTION—34.

Democrats—18.

Bachman	Donahey	Moore
Bulkley	Lewis	Murray
Burke	Logan	Neely
Clark	McCarran	O'Mahoney
Copeland	McGill	Schwellenbach
Costigan	Minton	Van Nuys

Republicans—14.

Austin	Gibson	Schall
Barbour	Hale	Steiwer
Capper	McNary	Vandenberg
Carey	Metcalf	White
Frazier	Nye	

Progressive—1.

La Follette

Farmer-Labor—1.

Shipstead

Pairs—For the motion, Reynolds, Byrd; against, Wagner, Gufney.

LYNCHING BILL STIRS BIG ROW IN SENATE

Costigan Finally Gets Chance to Move for a Vote and Southerners Plan Filibuster

HE CITES CALIFORNIA CASES

Past Proves Need for Federal Law to Check Mobs in States, Coloradan Insists.

Special to THE NEW YORK TIMES.

WASHINGTON, April 24.—The expected anti-lynching row broke in the Senate this afternoon when Senator Costigan took the first opportunity to move to take up the Costigan-Wagner bill providing penalties and redress under Federal law for mob violence in the States.

Senator Costigan had waited for days while Southern Senators, aided unwittingly by members from the Middle West, conducted an indirect filibuster against the anti-lynching measure by holding the Bankhead Farm Tenant-Aid Bill in the Senate.

In mid-afternoon, on motion of Senator Borah, the tenant bill was suddenly recommitted to the Committee on Agriculture, and the way was open for Senator Costigan to make the motion of which he had given notice more than a week ago.

Equally as diligent, however, were the Southern Senators who previously had avowed that the anti-lynching bill should not come to a vote this session. As the Colorado Senator made his motion, Southerners sprang to their feet in all sections of the Democratic side —Trammell of Florida, Connally of Texas, Russell of Georgia, and Smith of South Carolina.

Mr. Costigan first suggested that if his motion could be acted upon immediately he would not debate it. Senator Connally whispered from behind that Mr. Costigan might just as well proceed since he and his colleagues would have quite a bit to say before even the motion to take up the anti-lynching measure could be put to a vote.

Fight to Forestall a Vote.

Should the Costigan motion finally prevail, the anti-lynching bill would be laid before the Senate and would remain as the unfinished business until acted upon or laid aside in favor of some other measure. Whether the motion carries or not, or whether the bill is laid aside or not, the legislation will remain on the Senate calendar until voted upon as it has been reported formally by the Judiciary Committee.

The purpose of the Southern contingent, as explained by certain of its members tonight, was to forestall even a vote on the motion to take the measure up. They proposed, they said, to prevent a vote until some other important measure could be prepared for action, preferably the bonus compromise.

They believed that if another important bill could be made ready by the committees, Senator Costigan might be prevailed upon to withdraw his motion, particularly if an interminable filibuster was obviously under way. Failing that, they believed the Senate might be prevailed upon to vote down the motion to take up the anti-lynching measure in order to make way for another bill.

Parliamentary authorities said tonight that opponents of the anti-lynching bill might have a better chance of sidetracking it if they would let the motion to take it up prevail. In that case they could move at any time to lay it aside for another measure and send it back to the calendar.

Costigan Makes His Appeal.

Opening discussion on the merits of the proposal on the floor today, Senator Costigan argued that lynching had become a national evil and demanded a national remedy. He declared it was evident that lynchings could not be held in check without a Federal law.

Mr. Costigan insisted at the outset that his bill was not intended as a reflection against any section of the country. Lynchings had been nation-wide, he said, adding that the revived anti-lynching movement which culminated in the pending bill was traceable directly to the "atrocities in California in 1933 involving two alleged kidnappers." He claimed the support of 53,700,000 men and women for his bill.

"The proposed law is reasonable in plan and extremely moderate in terms," Senator Costigan said.

"The Federal Government will not act until State officials have failed or refused to protect persons in their custody, or charged with, or suspected or convicted of crime.

Cites South Carolina's Penalties.

"The proposed law would bring the pressure of taxpaying public opinion, as well as the support of peace officers, to guard counties against mob violence, well illustrated in the case of South Carolina, where further lynchings have not occurred in certain counties of that State after financial penalties were imposed.

"The proposed law rests on authority vested in Congress under the Constitution, by appropriate legislation, to safeguard the equal protection of the laws for persons within the protection of States."

Representatives of the Southern opposition to the Costigan-Wagner bill said tonight they hoped to keep their arguments on a "high plane." They agreed with Senator Costigan that no justification existed for mob violence and expressed hope that none of their members would bring up any such argument as "protection of Southern womanhood" in an attempt to excuse lynchings.

They considered as "unfortunate" the remarks made along this line last week by Senator Smith of South Carolina. They proposed rather to argue that the States themselves could and were solving the lynching problem and, if left to their own devices, eventually would solve it entirely.

Lynch Law Is Defended In Senate

(Daily Worker Washington Bureau)

WASHINGTON, D. C., April 16.—Open defense of lynch law and oppression of the Negro people without resort to court fictions rang out in the formal discussions of the United States Senate today as Senator Ellison D. Smith, Bourbon New Dealer from South Carolina, shouted the "necessity of going outside the law at times to indicate the sanctity of our fireside and the virtue of our women."

Smith was opposing the so-called Anti-Lynching Bill advanced by the National Association of Colored People to quell the mass struggle against lynch terror. The trickery of this reformist measure was demonstrated when Senator Costigan (Democrat, Col.), one of its authors, pointed out that a bill quite similar to it now is on the books of Smith's own native state of South Carolina.

The Virtue Gas

However, Smith, speaking for the ruling class which already has written down a state "anti-lynching" measure, objected to the lip service which the Federal measure would render to the right of Negroes to the fiction of legal proceedings. Smith declared:

"Certain acts committed are beyond the reach of any court or jury in the opinion of any right-minded man or woman. The virtue of a woman is a thing which should not be displayed in the courts. . . . There have been mistakes made, yes; but we in our sovereign capacity as states can grapple with the situation. . . . Nothing to us is more dear than the purity and sanctity of our womanhood, and, so help us God, no one shall violate it without paying the just penalty."

Senator George of Georgia, another Roosevelt Bourbon, declared he "deplored" lynching but that the proposed reformist measure is "unconstitutional."

BITTER DEBATE FLARES IN FIGHT ON LYNCHING BILL

Measure Aimed at South, Smith Charges; Bailey Sounds Warning of 'Battle to End.'

Atlanta, Ga.

WASHINGTON, April 25.—(AP)—A day of sluggish senate debate on the filibuster-beset anti-lynching bill rose spectacularly to an electric climax today with a shouted assertion by Senator Smith, democrat, South Carolina, that:

"This bill is aimed at the southern states,"—he spoke sarcastically—"at our barbarism and lack of civilization. The man who introduced it had a purpose. I know what it is and so do you."

Senator Wagner, of New York, one author of the bill, sat placidly near by. He did not even look up. His co-author, Costigan, of Colorado, was not present at the moment.

Smith's outburst interrupted a speech by Bailey, of North Carolina, in which the theretofore thinly concealed threat of a filibuster was brought squarely into the open.

"This bill is not going to pass," Bailey shouted at the dozen senators in attendance, "we'll fight it out, as General Grant said, if it takes all summer."

Anyone who wanted to charge him with condoning mob violence could do so, he continued, adding pointedly that they would not do so in his presence.

"The bill transcends race and sections," he said, "there is no necessity for it even if it were tolerable."

His speech and one by Connally, of Texas, together with a short address favoring the measure by Wagner, democrat, New York, filled the day's entire session.

The southern opposition was busy behind the scenes.

Senator Harrison, democrat, Mississippi, active 13 years ago in a filibuster against a similar measure, opportunely rushed the administration compromise bonus bill into the senate with the empty formality of a "dummy report." The first plan was to move tomorrow that it be taken up.

However, this later was renounced for a scheme whereby the bonus measure would be deferred until Monday. With an adjournment over the week-end intervening, the Costigan motion to take up the anti-lynching bill would have no parliamentary standing, and the subject could be dropped without further ado.

When the senate is confronted with a choice between going on with the lynching argument and taking up the politically popular question of cashing the bonus, its decision, there was little doubt, would be in favor of the latter. On this the southerners pinned their hopes of sidetracking the lynching measure.

Wagner told the senate federal legislation was imperative if lynching is to be stopped. He said the spirit of lynch law was easily spread to suppression of free speech and contended it was but "a short step from summary treatment of those suspected of crime to suppression of every shade of economic or political opinion that disagreed with a transitory majority."

Fighting Lynching

THE so-called Wagner-Costigan "anti-lynch" bill is being discussed in Congress. The sponsors of the measure are trying to get it on to the floor for a vote. The Senators from the South are rabid in their speeches against any discussion of lynching in Congress. They threaten a filibuster.

But what is most significant is that the fight to keep the discussion off the floor is led by Roosevelt's spokesmen, Roosevelt's Democratic henchmen from the South.

This "anti-lynch" bill will not offer the slightest real fight against the lynchers or the lynch system. The Wagner-Costigan bill, in fact, is a measure that contains a menace to the working class and the oppressed Negro masses, since it provides for the dispersement of "mobs" by Federal troops. But every worker knows that to the capitalists every gathering of workers striking for better conditions becomes a "mob."

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THE VIEWS OF TWO U. S. SENATORS

In the Senate of the United States on April 16, Senator Ellison D. Smith of South Carolina arose in his place and spluttered with regard to the passage of the Costigan-Wagner anti-lynching bill as follows:

"Mr. President, I desire to make some observations about Senate bill 24. I want to state now, as representing in part the South, that when one studies the bill and its effect he cannot fail to find that it is an open reflection upon the States where the proposed legislation is aimed to operate.

When the bill shall be taken up, the Senate will be thoroughly advised of what has caused the very humiliating necessity of going outside the law at times to vindicate the sanctity of our firesides and the virtue of our women. Senators should not hurry to reflect on the glorious traditions and history of the section to which I belong, beleagured by influences and forces with which most Senators have not been familiar and with which they have not had to reckon. We went through one bloody war under a misapprehension of the social structure of the country, but with a keen apprehension of the financial and industrial differences.

Mr. President, as one individual—and I am sure that certain of my colleagues will agree with me—I believe the intent is to enact a Federal law which will penalize the South when there has been committed an act beyond the law and by forces which no law can control. Certain acts committed are beyond the reach of any court or jury, in the opinion of any right-thinking man or woman. The virtue of a woman is a thing which should not be displayed in the courts when the criminal is known and has put himself outside and beyond the pale of the law. There have been mistakes made, yes, but we in our sovereign capacity as sovereign States can grapple with the situation as honorable, upright, law-abiding men, and we do not invite the interference of those who know not the bitterness of the trials through which we have had to go.

Senators will find before this bill shall be passed, if it ever shall pass, that the section of the country which has had the problem to face and the humility to suffer will not be in-veighed against by those who reck not of the problems in-volved. Nothing to us is more dear than the purity and sanctity of our womanhood and, so help us God, no one shall violate it without paying the just penalty which should be inflicted upon the beast who invades that sanctity.

It comes with ill grace for any State which does not know the horrors of the problem to come here and invoke the reflection, because that is what it is, which is tantamount to saying that our section of the United States is without law and is barbarous.

Mr. President, this is only the prelude to what will take place when this infamous bill shall be discussed on the floor of the Senate."

Following the above outburst of "bunk" and bathos, Senator Edward P. Costigan of Colorado, one of the authors of the anti-lynching bill made the following reply to the worthy successor of Ben Tillman and Cole Blease:

"Mr. President, with all due respect to the able Senator from South Carolina, I think I ought to say that if the bill now being discussed is a reflection on any part of the country it is for several reasons not to be taken as in any special way a reflection on the notable State from which he comes. One reason is that the Senator's State has itself enacted legislation very similar to that proposed by the Senator from New York (Mr. Wagner) and myself.

Another reason is that the latest drive for this type of legislation can be directly traced to tragic events in the State of California in the fall of 1933, when two white youths were lynched at San Jose, Calif. Since then there has been a growing conviction throughout the country that the problem is national, that it calls for a national remedy, and that the proposed legislation which is to be submitted to the Senate is both temperate and wise.

It should be added that the measure which I plan to call up when the bill if the Senator from Alabama (Mr. Bankhead) shall have been considered is supported by great numbers of southern men and women of outstanding character and finest leadership, and that the development of such support in the South is one of the memorable evidences of the value of the present legislative proposal."

If Senator Smith meant by his outburst against the anti-lynching bill to disconcert or frighten the God-fearing men and women of this country he got a very, very short time in which to exult over his presumed triumph. On April 19 Senator Robert F. Wagner of New York had published in the Congressional Record a resolution adopted by the Fifty-fourth annual convention of the American Federation of Labor, calling upon the Congress to pass the Costigan-Wagner Anti-Lynching Law. This resolution, among other things, stressed the uncontrovertable truth that "**mobocratic germs, like disease germs, know no color, race or nationality or religious lines, since history shows that wherever lynching becomes a custom that a black man may be a victim today a white man may be the victim tomorrow, and (we) call upon Congress and President Roosevelt to enact and execute the Costigan-Wagner bill with a view to wiping out this shameful blot of barbarism from American soil.**"

But the presentation of the resolution by Senator Wagner was "only the beginning" of the avalanche of sound sense and patriotic sentiments which descended upon South Carolina's Senator Smith and his idle vaporings. Senator Costigan followed Senator Wagner and had put into the record a long list of telegrams and editorials, the bulk of which, we are enthusiastically proud to say, came from noble Southern men and women and from many of the most progressive newspapers of our section.

Among the telegrams sent none in our opinion is more deadly as an assault upon the false propaganda peddled by lynch apologists than that wired in by the Woman's Council of the Southern Methodist Church. It reads as follows:

"Nashville, Tenn., April 17, 1935.

Senator Edward P. Costigan,
United States Senate, Washington, D. C.:

As chairman of the interracial committee, Women's Council, Southern Methodist Church, hope for early passage anti-lynching bill. Thousands southern women approve the bill as necessary to protect us from demoralization of mob as well as protect victims from lynching. Resent propaganda that lynching is for protection of women. The honor of women is not remotely involved in overwhelming majority of lynchings."

Other Nashville telegrams, which were a part of the outpouring of indignation against the false utterances of Senator Smith were the following:

Nashville, Tenn., April 17, 1935.

Hon. Edward P. Costigan,
Senate Office Building, Washington, D. C.:
Tennessee Conference Woman's Missionary Society, Methodist Episcopal Church South, in session Nashville, April 11, unanimously petitioned Senate pass Costigan-Wagner antilynching bill. Southern women resent false notion that lynching protects them. Alleged crimes against women involved in less than sixth of all lynching cases.

Lucy B. Barnett.
Chairman Legislative Committee, Tennessee Conference.

Nashville, Tenn., April 18, 1935.

Senator Edward P. Costigan,
Senate Office Building, Washington, D. C.:
We Alabama women knowing conditions existing in South urge Costigan-Wagner bill be brought to a vote and passed. Resent position of some politicians in opposing passage bill on grounds of protecting southern white women. Prefer legal action to mob violence.

Julia Sargent.
Beth Cunningham.
Julia Loving.
Cleo Barber.
Theo Speer.
Thelma Bickley.

Nashville, Tenn., April 18, 1935.

Senator Edward P. Costigan,

Senate Office Building, Washington, D. C.:

Undersigned women representing four Southern States urge vote upon and passage of Costigan-Wagner antilynching bill. Feel Federal legislation imperative: State courts ineffective. Alleged crimes against women involved in only sixth of cases.

Margaret Rue, Virginia; Opal Rogers, Texas; Ethel Cunningham, Missouri; Mattie Cunningham, Texas; Ola Barnett, Missouri; Barbara Lewis, South Carolina.

Nashville, Tenn., April 17, 1935.

Hon. Edward P. Costigan,
Senate Office Building, Washington, D. C.

Urge vote upon and passage of Costigan-Wagner antilynching bill. Davidson County grand jury again reported no indictment in Cheeks lynching. Lynchers definitely identified, but four grand juries have failed to indict. Case Typical, must have Federal legislation. Alleged crimes against women are less than sixth all lynching cases.

Albert E. Barnett.

Nashville, Tenn., April 17, 1935.

Senator Edward P. Costigan,
Senate Office Building, Washington, D. C.:

The community relation committee of Collegeside Congregational Church heartily approve antilynching bill and hope for its immediate passage.

D. M. Mann, Chairman of Committee.

Nashville, Tenn., April 16, 1935.

Senator Edward P. Costigan,

Large group of southern men and women favor Costigan-Wagner antilynching bill. Use all your influence toward its passage this week.

John Dillingham.

Nashville, Tenn., April 17, 1935.

Senator Edward P. Costigan,
United States Senate, Washington, D. C.:

As chairman interracial committee, Woman's Council, Southern Methodist Church, hope for early passage anti-lynching bill. Thousands of Southern women approve the bill as necessary to protect us from demoraliztaion of mob as well as protect victims from lynching. Resent propaganda that lynching is for the protection of women. The honor of women is not remotely involved in the overwhelming majority of lynchings.

Louise Young.

Nashville, Tenn., April 18, 1935.

Senator Edward P. Costigan,
Senate Office Building, Washington, D. C.

Group representing 16 Southern States urge passage Costigan-Wagner Bill.

Scarritt Student Body.

Interracial Commission Back Pro posed U. S. Anti-Lynch Law

A call for a federal anti-lynch law came from the Interracial Commission here yesterday as southern senators in Washington started a filibuster against the proposed enactment of such a statute.

Composed of 50 members from 11 states the commission in its seventeenth annual meeting came out for a federal law against lynching for the first time. The organization expressed itself as "disappointed" by the record of state and local officials in lynching cases.

Organized years ago to promote the best interests of the white and negro races, the commission on interracial co-operation has made a vigorous fight to stamp out lynching.

"Hitherto the commission has taken no position relative to federal anti-lynching legislation," said a resolution adopted unanimously yesterday. "We were agreed that the primary responsibility for the prevention and punishment of lynching rested upon state officials and courts and that in the last analysis public opinion was largely the determining factor.

"Consequently the commission from its inception has worked continuously along these lines, seeking special anti-lynching legislation in a number of states, urging vigorous preventive measures when lynchings were threatened, asking effective court action against members of mobs and at the same time seeking through all possible avenues of publicity and education to build up a public opinion that would no longer tolerate crimes of this character.

"Lynching records of the past 15 years indicate progress along the line of prevention. Officers generally are more vigilant than formerly in the protection of prisoners, thereby reducing the lynching toll. Meantime intelligent public opinion is practically unanimous in condemnation of mob violence.

"On the contrary, with rare exceptions, attempts at prosecution in lynching cases continue to be futile. In nearly every case the community hysteria which gives rise to a lynching makes impossible any effective court action against the perpetrators of the crime. Consequently in not one case in ten is an effective effort made by the authorities to identify and prosecute the members of lynching mobs. Even in the rare cases in which such efforts have been made indictments seldom have been obtained and convictions usually have proved impossible.

"Disappointed by this record of impotence on the part of state and local officials, the commission has been forced reluctantly to the conclusion that little is to be expected from this source, at least in the immediate future and that an appeal to the federal courts in such cases is justified and demanded by the conditions. The commission, therefore, favors the enactment of federal ligslation to this end, in the hope that federal agents and courts would be in better position to act fearlessly and effectively in the prosecution of participants in the crime of lynching."

The commission also gave its indorsement to the Bankhead farm tenant bill now pending in congress.

South's Senators Prevent Vote On Lynch Measure

WASHINGTON, April 27.—(AP)—Endless, monotonous talk—the kind known only to filibustering senators—was the open threat hurled by Southerners today into the face of an apparent Senate determination to vote on considering the Costigan anti-lynching bill.

With a Bible on his desk, Senator Bailey (D), North Carolina, said he was prepared to read "the whole Book of Deuteronomy" if that should become necessary to prevent a vote.

This warning, ominous to a big administration legislative program, was given after the Senate for a second time refused to sidetrack the bill. By a vote of 37 to 28, it defeated a motion to adjourn, which, had it carried, would have displaced Senator Costigan's (D), Colorado, motion to make his anti-lynching bill the business of the Senate.

Then the senators voted, 50 to 10, to recess, leaving the Costigan proposal at the head of its order of business. On Monday an effort will be made, as was done today, to have the Senate consider instead the Harrison bonus payment plan. With the Southerners hoping the popularity of that issue would swing enough votes to make it the chamber's unfinished business.

However, under the Senate parliamentarian's interpretation of the rules, the bonus cannot be substituted without a vote on Senator Costigan's pending motion to take up the anti-lynching measure. And there the situation was deadlocked by the Southern filibuster.

Senator Robinson, of Arkansas, the Democratic leader, said he accepted the vote on today's adjournment motion, which he offered himself, as a definite indication of sentiment for and against the anti-lynching bill and an expression in favor of an opportunity to vote upon it.

A little earlier Robinson had been accused of assisting the open filibuster against the measure conducted for three days by senators from the South.

The charge was made by Charles H. Houston, vice-dean of the Howard University school of law, a negro institution, who saw in the circumstances an indication that President Roosevelt was giving the proponents of the measure no encouragement.

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"Consequently the commission from its inception has worked continuously along these lines, seeking special anti-lynching legislation in a number of states, urging vigorous preventive measures when lynchings were threatened, asking effective court action against members of mobs and at the same time seeking through all possible avenues of publicity and education to build up a public opinion that would no longer tolerate crimes of this character.

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CHI CLERGY ENDORSES ANTI-LYNCH MEASURE

CHICAGO, Ill., April 11 — In a telegram to Senator William H Dieterich, of Illinois, the Chicago Congressional Ministers Union, representing ninety churches and 35,000 communicants, stated its endorsement of the Costigan-Wagner bill and expressed the hope that the penalty clause would not be eliminated.

The Union Ministers meeting of Chicago, representing 18 denominations and 850 churches, with approximately 300,000 communicants also telegraphed Senator Dieterich its endorsement of the bill and its belief that the penalty clause should be retained.

Mr. Costigan—Does the record show by whom the objection was made?

Mr. McKellar—I was one of those who objected, I take great pleasure in saying to the Senator.

Mr. Russell—I also asked that the bill go over.

Mr. McKellar—I think the bill ought to go over, because it ought to be debated and not passed under the five-minute rule. There is no secret about it at all.

The Vice President—The bill will be passed over.

SENATORS BLOCK ANTI-LYNCH BILL

WASHINGTON, April 18—The first senators in this session of Congress to interpose objection to the consideration of S. 24, the Costigan-Wagner Federal anti-lynching bill, are Senators Richard B. Russell Jr. of Georgia and Kenneth D. McKellar of Tennessee. The bill came up in the regular order of business Tuesday, April 9. Senator McKellar explained that the reason he was asking for the bill to be passed over was that he thought it ought to be debated and not passed under the five-minute rule then being used by the Senate. The exchange of remarks in the Congressional Record on the occasion follow:

Mr. Russell and Mr. McKellar asked that the bill go over.

Mr. Costigan—Mr. President, a parliamentary inquiry.

The Vice President—The Senator from Colorado will state his parliamentary inquiry.

Mr. Costigan—Was exception taken to the immediate consideration of Senate bill 24?

The Vice President—It was.

Southern Bourbon Senators Attack 'Anti-Lynching' Bill

By Marguerite Young
(Daily Worker Washington Bureau)

WASHINGTON, D. C., April 25.—Hurling an open lynch challenge, Senator Josiah Bailey of North Carolina shouted to proponents of the Wagner-Costigan so-called anti-lynching bill: "I resent the implication on the face of this bill. . . . This bill is not going to pass. We'll be here all Summer. We'll fight it out on this line, as Grant says, if it takes all Summer."

A motion to take up the Wagner-Costigan "Anti-Lynching" Bill was put forward in the Senate today and immediately subjected to a filibuster led by Southern Democratic stalwarts of the New Deal.

The bill was originated by reformist Negro leaders, who argued for it frankly on the ground that it would stay the movement of the Negro masses toward revolutionary struggle against lynching and other forms of national oppression both inside and outside of the courtroom. However, it is bitterly opposed by the bourbon politicians for two reasons. They resent any suggestion, however ineffective, of challenging their lynch regime; and they are aware that the sweep of mass resistance to such oppression makes it politically dangerous to vote against even this bill.

Senator Hugo L. Black (Dem., Ala.) hard-pressed to explain his opposition, took the floor and exposed the anti-labor threat that lurks in the bill. He referred to the section which defines a "mob or riotous assemblage" as "an assemblage composed of three or more persons acting in concert, without authority of law, for the purpose of killing or injuring any person in the custody of any peace officer or suspected of . . . any crime." Pointing out that this would allow the bill to be used against striking workers, Black declared:

"This bill will give the greatest weapon to the opposition to labor organizations that has ever been entrusted to their care since

Senator Attacks Anti-Lynch Bill

(Continued from Page 1)

the beginning of this government. No one can read it without realizing that when three or more meet in a union meeting and it can be as much as charged that they have the intent of hitting somebody . . . they can be tried by Federal court.

The Roosevelt leadership in the Senate is determined to scuttle the bill without a record vote. To this end, they hastily brought out, today, a new bonus proposal.

Instead of death to lynchers, who are murderers, [illegible] Wagner-Costigan measures merely provides that members of lynch gangs may be tried in Federal courts—but without a Federal penalty. It would set a penalty of $5,000 or five year's imprisonment or both for local officials who aid lynching by neglect or otherwise, with imprisonment up to twenty-five years for officials convicted of conspiring with a "mob."

Dodging Anti-Lynching Bill

It might as well be made clear once for all that those senators and representatives from the South who are opposing the federal anti-lynching bill do not by any means voice the unanimous sentiment of the South and that a filibuster to prevent the enactment of this bill will be resented.

The changed attitude on this matter is shown by the organization of Southern women in Florida who have lined up solidly behind the bill and have pointed to the number of lynchings which have taken place in the South in recent years with practically no one brought to justice.

Perhaps there was a time when the Federal Government should have been told to keep its hands off the enforcement of the law in the states, but since that time it has been clearly shown that the states will not enforce the law when it comes to lynching.

Statistics show that only a small per cent of the lynchings which have taken place in the course of the past few years were for attacks upon women. The flimsiest pretexts have been used to mob Negroes when racial prejudices became inflamed. The cruelty and deliberation with which the latest of the more sensational lynchings have been pulled off, that near Marianna, Fla., beggars all description. Invitations to the gruesome affair were sent out over several counties. The tragedy was postponed until a vast crowd could assemble and the crime, deliberately committed, was accompanied by mutilation and horror which made the blood run cold.

In the course of consideration of the bill Wednesday on the floor of the House, Representative Black made the statement that it would give peace officers a "wonderful excuse" to molest strikers on the ground that such officers would be subject to penalties for not enforcing the law.

Where a strike is not accompanied by violence peace officers would not have the slightest excuse for interfering in the matter, while on the other hand if the mob spirit was about to get out of hand it would be the imperative duty of the sheriff to act, whether the mob had assembled to lynch a Negro or to lynch an industry. The fears expressed by Representative Black should not be allowed to influence a full and fair consideration of this bill.

While we have referred definitely to the organization of women in Florida which has taken a strong hand in favor of the federal anti-lynching bill—introduced by a good Democrat, incidentally—we have no doubt that the good women of other sections of the South feel very much the same way about it. They do not want to see their state disturbed by a breach of law and order, whether in Florida or any other state.

The old excuses for doing nothing about this thing of mob violence will not hold good any longer. The mob spirit is entirely too prevalent, and if this law will keep it in check, whether the occasion be a lynching such as we understand it or in any other sense, it will serve a good purpose and should be passed.

DIXIE FILIBUSTER FACES MOB BILL

Costigan's Measure Is Met by Determined Opposition From Southern Senators

WASHINGTON, April 24. (AP)—A floor fight was opened suddenly today by Senator Costigan (D., Col.) for passage of his anti-lynching bill, but was met by threats of as determined a filibuster as the senate has seen since—13 years ago—such legislation was last before it.

Led by Senator Smith (D., S. C.), southern senators served notice of the senate floor that the measure would never be passed or even brought to a vote. They laid plans to provide the senate with enough oratory to fulfill that warning.

The bill would place heavy penalties upon local officers who by negligence permit mobs to seize prisoners under their custody, and enable the dependants of a lynch mob's victim to obtain damages from the county government.

Costigan appealed for consideration of his measure with an assertion that "national wrongs demand national remedies." This, he said, applied to the bill in question.

Black Heckles Costigan

Quickly as Vice President Garner announced the result of the vote on recommitting the farm tenant bill, leaving the senate without immediate business, Costigan moved that the senate proceed to the consideration of his measure.

Just as quickly a half dozen southerners were on their feet, ending his expressed hope for an immediate vote on the motion. Trammell (D., Fla.) and Connally (D., Tex.) announced they both wished to speak but Costigan took the offensive and began his speech.

Attendance quickly dwindled, except for the southerners. They stood guard on the floor or in adjacent cloak rooms.

Costigan was interrupted only once and then by Senator Black (D., Ala.) who said the bill would give peace officers a "wonderful excuse" to molest strikers on the ground that they would be subject to penalties for not enforcing the law.

ANTI-LYNCH BILL FOES THWARTED

Victory, However, May Be Short Lived With Bonus Issue Looming.

WASHINGTON, April 26.—(AP)—Senate advocates of a federal curb on lynching today scored a one-vote victory, a victory hailed by those who met defeat as destined to be as short-lived as it was close.

By 34 to 33, northern and southern senators beat down a motion to adjourn, which, had it carried, would automatically have sidetracked the Costigan-Wagner anti-lynching bill.

The vote—in the instance of some senators was influenced by plans for considering the question of paying the soldiers' bonus—capped three days of filibustering by a determined group of southerners.

Senator Robinson, of Arkansas, the democratic leader, offered the adjournment motion.

Defeated, Robinson moved that the senate recess until tomorrow. This was done.

The significance of all the parliamentary jockeying was, principally, that had the advocates of the lynching bill lost on the adjournment motion the bill would not necessarily have retained top place on the senate calendar.

On Monday, at the latest, the senate will be offered a choice between going on with the lynching question or taking up the bonus bill. Heavy odds were on a decision for the latter.

Two Vote "No."

Prior to the vote, Robinson had threatened to keep in session all day tomorrow in an effort to break the parliamentary deadlock. The ballot, when it did come, found the southerners, with two exceptions, voting solidly for adjournment. Logan, of Kentucky, and Bachmann, of Tennessee, broke away from their colleagues to vote "No."

The bill would provide several penalties for local officers for conspiring to turn prisoners over to lynch mobs, or for failure to give their prisoners proper protection. Counties would be made liable for damages to the dependents of persons lynched.

Shortly before, Senator Costigan presented a hand full of telegrams encouraging him to continue the battle for the bill, one dated Atlanta, Ga., and sent by the members of the Commission on Inter-Racial Co-operation.

The message stated that the organization comprises 130 citizens, educators, ministers, and leaders of women's organizations in southern states, and was affiliated with organizations with membership "running into thousands."

Barely were the telegrams read when Senator Smith, democrat, South Carolina, filibuster leader, leaped to his feet shouting:

"Who are these patriots? Tell me their names."

Costigan promised to supply the names of the commission.

Destroys Freedom.

Senator Bailey, democrat, North Carolina, picked up his argument where he left off when the senate recessed last night.

"What power has congress over a sheriff of North Carolina?" he asked. "He is not responsible to congress but to the people of his community. When that responsibility is destroyed you destroy free government in this country."

He denounced the bill as unenforceable and unconstitutional. If a county should refuse to pay damages awarded against it, he said, they could not be collected without sending troops into that county.

The bill, he said, is an "effort to restrain the constitution and write into it powers not contemplated" by its framers.

When he concluded, Capper, republican, Kansas, read a brief statement in favor of the measure and regretting that "apparently the senate is not to be given an opportunity to vote" on the bill.

"Lynching," he said, "is a menace to law and order. It holds up to scorn our protestations of democracy and justice."

Floor Fight On Anti-Lynching Bill Is Opened

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Led by Senator Smith (D), South Carolina, Southern senators served notice off the Senate floor that the measure would never be passed or even brought to a vote.

The bill would place heavy penalties upon local officers who by negligence permit mobs to seize prisoners under their custody, and enable the dependants of a lynch mob's victim to obtain damages from the county in which the victim was slain.

Active in that fight was Senator Harrison, of Mississippi, chairman of the finance committee, to whom the opponents of the pending measure are looking for the first break in their battle.

His committee is working out the administration compromise bill for payment of the bonus. When it is ready for presentation, they are confident that, on a test, the Senate will decide to drop the Costigan-Wagner measure and take up the bonus issue.

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Just as quickly a half dozen Southerners were on their feet, ending his expressed hope for an immediate vote on the motion. Trammell (D), Florida, and Conally (D), Texas, announced they both wished to speak, but Costigan took the offensive and began his speech.

Costigan was interrupted only once and then by Senator Black (D), Alabama, who said a crowd of several hundred miners recently went into a mining camp in his State and accused those there of violating the labor clause of the codes, and that a serious tragedy resulted. He asked if such cases would come under the Costigan bill.

Costigan said he realized Black was concerned lest the bill be converted into anti-strike legislation and added that he would see nothing in it that "need alarm organized labor."

Columbia, S. C. Record
April 17, 1935

NOT TO BE APOLOGIZED FOR.

Senator Ellison D. Smith, of South Carolina, would have been on sound ground in opposing the federal anti-lynching bill if he had chosen to oppose it as an attempt to concentrate power in Washington, if he had condemned it as an "experiment noble in motive" but doomed to accomplish little more in eradicating lynching, North or South, than that other experiment accomplished in eradicating liquor.

But the senator, who voted against, not with the state rights group when federal prohibition was concocted, did not, as the Washington news reports tell it, base his opposition to the Costigan-Wagner measure on any such grounds.

"When this bill is taken up by the senate," he was quoted, "the senate will be advised of the necessity of going outside the law to safeguard our fireside and the sancity of our womanhood."

And this of course is nonsense, for all the repetition of it by all the defenders of lynching. The best and the legitimate defender of "our fireside and the sancity of our womanhood" is not the mob—lynchings do not prevent crime—but the law and the courts, which lynchings undermine. The law never was upheld by law-violation.

Six out of every seven persons lynched in the last 30 years have not even been accused of rape. The figures for the 43 years from 1880 through 1933 show that of 3,745 lynching victims 1,406 were accused of homicide, 215 of felonious assault, 623 of rape, 255 of attempted rape, 267 of theft, 67 of insults to whites, 902 of other things, not all of them crimes. Some of them, even of those accused of rape, were innocent; all of the guilty could have been convicted in the courts.

What Senator Smith, despite his good intentions, to the contrary, presents when he defends lynching is an argument for the enactment of some federal anti-lynching bill, not against it. His is the kind of stuff that makes it possible for the Wagners and the Costigans to argue that the states will not punish lynchers and that the federal government must take over the task and something of state sovereignty with it.

There isn't any apology for lynching.

Our billion-dollar government recently accepted a voluntary $35 contribution from a California man. We wouldn't be surprised now to learn that Newcastle was in the market for coal.

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MACON, GEORGIA NEWSPAPER NOW FAVORS FEDERAL ANTI-LYNCH LAW

Forceful Editorial Commends the Disinterestedness Of Senators Costigan and Wagner, Both Democrats

FEDERAL CHECK ON LYNCHING

Macon (Ga.) Telegraph.

The measures by which the Federal Government undertook to encroach upon the jurisdiction of the states, particularly in the matter of holding "fair" elections, used to be known as "force bills." One of them made the name of Senator Lodge odious in the South for many years.

But public sentiment in the South has about crystallized into the feeling that only by federal intervention can we ever hope to wipe out lynching, and the committee in charge of the Costigan-Wagner anti-lynching bill has begun to hold hearings in Washington. Because of the crowds, white and black, which filled the House committee room at the last session of Congress, when this bill was being considered, it has been decided to hold the hearings in the large caucus room of the Senate office building.

Under the Hoover administration Representative Dyer of Missouri offered an anti-lynching bill, but he suffered under the handicap of representing a Negro district, and perhaps that was at least one of the reasons why the bill did not get any further.

No such charge can be brought against Senator Wagner or Representative Costigan, good, sterling Democrats from a white constituency and it is believed that the bill has a chance of success.

Under the terms of this bill local officers who fail, neglect or refuse to make all diligent efforts to protect prisoners from mobs and to apprehend mob participants would be guilty of a felony, punishable by a fine of $5,000 and imprisonment for five years.

Any officer, having a prisoner in custody, who conspires with others to lynch, also would be guilty of a felony, along with members of a mob, punishable by imprisonment from one to twenty-five years.

If, within thirty days of an injury or lynching, the state where it occurs shows no disposition to prosecute offenders, the federal court could take jurisdiction.

Finally, any county in which a person is seriously injured or killed by a mob would be liable to the injured person or his heirs in an amount not less than $2,000 nor more than $10,000 as liquidated damages."

There will be a certain amount of opposition to this bill here in the South, but it is a fair question to ask what else are we to do? Lynching goes on year after year and punishment for the crime is practically unknown. One of the most recolting of these crimes was the latest to gain general attention, which a Florida mob, near Marianna, after bringing the victim from an Alabama jail, where he had been taken for safe keeping, sent out invitations in the morning to attend the lynching, which resolved itself into slow torture, with gruesome details hardly fit to be printed.

Members of the mob were well known to the officers of the law, who indeed, might have prevented the lynching in the first place if they had cared to do so, and yet no one was ever punished, as no one in that state has ever been punished for such a crime, although, as the women of the state themselves point out, there have been thirty lynchings.

This brutality simply cannot go on. The states have had ample opportunity through the years to do something to prevent this barbaric crime. The time has come when something must be done and the federal anti-lynching bill appears to be the answer.

Rockville Center, N. Y.
NASSAU DAILY REVIEW
APR 1 1935

Passage of Anti-Lynching Bill Would Outlaw Murder by Mob

Editor, Nassau Daily Review:

Current discussion of the Costigan-Wagner Anti-Lynching Bill shows that some people still place credence in the old fallacy that the crime of lynching originates in the righteous indignation of reputable citizens at the slow processes of the law or miscarriage of justice. However, the facts indicate that lynch mobs do not uphold, but violate the law, justice and civilization.

Murder by mob is still murder, but its effects are worse because the active participation of many persons debauches entire communities and plunges them into anarchy. The lynch mob solves no problems of personal, social or economic maladjustment, but institutes a reign of terror and lawlessness, and sets an example of impunity for the brutal and degenerate.

In the last fifty years there have been 5,073 recorded lynch victims, both white and colored, of whom 83 were women. In many instances, the crime with which the victim was charged was trivial, and in only a small percentage of the cases was there an accusation of rape or murder. The methods of execution include beating to death, hanging, shooting, burning and prolonged and obscene tortures.

States where lynchings most frequently occur have taken no steps to prevent them, so it devolves upon the federal government to enforce the amendment to the Constitution which guarantees to all citizens the equal protection of the law. Each year when there has been a campaign for federal legislation against lynching the number has decreased during the time Congress was in session. When Congress adjourned without action on anti-lynching bills, the weeks following brought renewed outbreaks of this crime.

America's lynch record is better known in other parts of the world than to many of our own citizens and our proclamations on the rights of small nations and minority races are regarded as hypocritical so long as the federal government abandons those within our own borders to barbaric torture and death at the hands of mobs.

The Senate Committee on the Judiciary considers the Costigan-Wagner Anti-Lynching Bill constitutional and has recommended its enactment as "appropriate legislation". Printed copies of the recent hearing on the Bill before the Committee can be obtained by addressing a request to your congressional representative or to Senator Wagner or Senator Costigan. The facts regarding lynching in America, as disclosed at that hearing, will astonish many of our citizens, and I suggest that you try to get this information and then urge Congress to pass a law which will discourage and punish lynchers.

GERTRUDE B. STONE,
Washington, D. C.
March 28, 1935.

CHARLOTTE, N. C.
NEWS
MAR 27 1935

On the Spot.

The Costigan-Wagner anti-lynching bill has been reported out of the senate's judiciary committee. By the terms of it, the responsibility for not preventing lynchings is put upon the officers of a state or any subdivision thereof where a lynching occurs, and they would be liable to a maximum $5,000 fine or five years' imprisonment or both. For convicted mobsters, the penalty would be five to 25 years' imprisonment, and there are other provisions by which the federal court would assume jurisdiction after a state government had failed to apprehend and prosecute the offenders.

So far in this year 1935 there have been two lynchings, one in Mississippi and the other in Louisiana. In neither instance have the offenders been apprehended or prosecuted. And those, it will not be overlooked, are the states from which come, respectively, Senators Bilbo and Long.

In view of which circumstances it is going to be interesting to see how the Hero of the Sands Point Washroom and The Man Bilbo vote on the Costigan-Wagner anti-lynching bill. They will be, so to speak, on the spot.

TOLEDO, O.
BLADE
MAR 28 1935

The Anti-Lynching Bill

THE race relations committee of the Toledo Y. W. C. A. should experience no difficulty in obtaining the five thousand signatures it seeks to petitions urging President Roosevelt to recommend for passage the Wagner-Costigan anti-lynching bill. If passed, as it should be, this measure will make state and local officials answerable to the federal government and subject to heavy penalties for failure to protect prisoners and other individuals against mob violence. It further provides that persons injured by mobs, or the heirs of persons lynched, may receive $2,000 to $10,000 from the county in which such crime is committed.

In 1894, 192 persons were lynched in the United States. That was peak. Until very recently the number of lynchings decreased steadily, but the new trend is upward. In 1933, 28 persons in this country were slain by insensate mobs. Few, if any, of the victims had been convicted of crime. Some were taken from jails and from sheriffs who offered little resistance in protection of their prisoners awaiting trial. A former governor of a western state virtually justified mob law on one occasion.

Lynchers are seldom arrested; almost never convicted under the state laws. The federal government has passed drastic new laws to discourage kidnaping. It should do as much to prevent lynchings, and to provide some compensation for the dependents of mob victims.

GEORGE ATTACKS ANTI-LYNCH BILL

Constitution

Demands Vote Delay Until He Returns; Says States' Right Abolished.

4-17-35

By GLADSTONE WILLIAMS.

WASHINGTON, April 16.—The problem of lynching can better be solved by the individual states themselves than by the federal government Senator Walter F. George, of Georgia, today told his colleagues in the upper chamber of congress during debate on the Wagner-Costigan anti-lynching bill. Atlanta, Ga.

Denouncing the measure as unconstitutional, he expressed the hope it would not be pressed to final action by its sponsors because to date "the means we have already adopted are making more for the safety and security of life against mob violence than any that it may be possible to inject by proposed legislation of this character."

While the Wagner-Costigan measure was not formally before the senate for discussion, Senator George asked the indulgence of his colleagues because he was obliged to leave Washington late this afternoon to visit his aged father who is seriously ill at Cordele, Ga. The senator did not wish the bill to be brought up for final action in his absence without an opportunity to first voice his opposition.

While admitting that no section of the United States more deeply deplored lynching than the south, Senator George said he did not entertain the slightest doubt but what the Wagner-Costigan bill was unconstitutional, is not authorized or justified under the constitution and that if it were justified under the constitution we would have broken down every semblance of state sovereignty through the enactment of this kind of legislation.

"Not because the south has a peculiar interest in this proposed legislation," he added, "but because it has a just interest in it."

He did not discuss the merits of the measure or any particular provision but rather confined his remarks to a legal analysis of it.

"I have never been an apologist for lynching and never shall be," the senator continued. "In days past, when I have been honored by my people with judicial position, I have taken my own life not politically but physically in my hands in an effort to give full protection to men who were charged with crime and against whom mob violence was threatened. And I would do so again.

"This deplorable offense against society probably would be better handled by the states themselves if there were no attempt to interfere through federal legislation."

It was at this point that the senator urged his colleagues not to force final action on the bill.

"Those of us who believe, as I believe," he said, "that this measure is clearly beyond the scope of federal power certainly have a right to be heard. The assertion of the congress of the constitutionality of this bill completely and ultimately would destroy any possibility of the functioning of a dual system of government under our constitution.

"I want to say to those who propose the legislation that had they lived in sections where they may think the crime of lynching is condoned altogether, and had they been called upon at the dead hours of the night to stake not only their political but physical lives for the protection of the humblest of our citizens against a threatened mob, they would understand something of the real attitude of honest men and women not only of the south but of every part of this nation, who do not condone lynching.

"We have made marvelous progress in every part of the country in ridding civilization of the blot of this offense, and nowhere has this progress been better than in the south."

The senator insisted that surer progress would be made in the future if no attempt was made to stretch the constitution and if extra-constitutional means and measures were not resorted to to drive upon a people already conscious of their obligations and determined to meet their duty, the will and edict of the federal congress.

Continuing he said:

"If I wished to promote the cause against lynching, if I wished to hasten the day when lynchings would be no more, I would oppose any effort by the federal government to resort to extra-constitutional means to enforce upon any section or upon any state, or upon all the states the so-called national will upon the nebulous theory that the offense itself has become a national evil and a national problem, as if all problems are not, in the final analysis, national.

"I am no apologist for mob violence. Long ago I set my face like flint against it.

"I know very well that a mob, whatever may be the motivating cause, is simply primitive humanity in motion.

"If it is possible to define a mob within the meaning of the constitution and to bring into force and play federal powers upon the flimsy pretext asserted in this measure, then like federal power may be invoked against kidnaping, against every other conceivable crime in the category when committed by three or four persons; and the state with all its power of local self-government must inevitably disappear from the American system if the supreme court ever holds legislation of this kind constitutional."

Senator Smith, democrat, South Carolina, asserted that the nation had gone through one war because of a "misapprehension of the social structure of this country."

"When this bill is taken up by the senate," Smith shouted, "the senate will be advised of the necessity of going outside the law to safeguard our fireside and the sanctity of our womanhood.

"As one individual, and I am sure certain of my colleagues agree, I resent this attempt to pass a federal law.

"We in our sovereign capacity can battle with this problem. We do not invite interference of those who have not had the bitterness of the trials we have endured."

Anti-Lynch Bill Halted By Senators

Journal Constitution

McKellar and Russell Block Passage By Objections

4-20-35

BILL PASSED OVER

Montgomery Ala.

N. A. A. C. P. Officials Urge Rushing Petitions

WASHINGTON—The first senators in this session of Congress to interpose objection to the consideration of S. 24, the Costigan-Wagner federal anti-lynching bill, are Senators Richard R Russell, Jr., of Georgia, and Kenneth D. McKellar of Tennessee.

The bill came up in the regular order of business Tuesday, April 9. Senator McKellar explained that the reason he was asking for the bill to be passed over was that he thought it ought to be debated and not passed under the 5-minute rule then being used by the Senate. The exchange of remarks in the Congressional Record on the occassion follows:

Mr. Russell and Mr. McKellar asked that the bill go over.

Mr. Costigan, Mr. President, a parliamentary inquiry.

The Vice President. The Senator from Colorado will state his parliamentary inquiry.

Mr. Costigan. Was exception taken to the immediate consideration of Senate bill 24?

The Vice President. It was.

Mr. Costigan. Does the record show by whom the objection was made?

Mr. McKellar. I was one of those who objected, I take great pleasure in saying to the Senator.

Mr. Russell. I also asked that the bill go over.

Mr. McKellar. I think the bill ought to go over, because it ought to be debated and not passed under the 5-minute rule. There is no secret about it at all.

"The Vice President. The bill will be passed over."

Petitions Being Signed

The petitions urging passage of the bill are being signed and returned to the national office of the N. A. A. C. P. in a steady stream, but N. A. A. C. P. officials point out that the time is nearing for the presentation of the petition to President Roosevelt, and they are asking that signatures be rushed and petitions sent into New York as fast as possible. It is hoped all the petitions will be in hand and ready for presentation by May 1.

The New York office of the Association also reiterated its request for funds and pointed out that the bill is now entering its most difficult stage, when personal conferences are required with senators and when constituents of particular senators must be acquainted with the latest attitude of their representatives.

The fight for the anti-lynching bill is eating into the regular budget of the Association, its officials stated, and special contributions for anti-lynching work are badly needed. They should be sent to the national office of the N. A. A. C. P., 69 Fifth Avenue, New York.

SMITH THREATENS FILIBUSTER BAR TO LYNCHING BILL

Constitution

4-25-35

Carolinan's Warning Disrupt's Costigan's Fight for Measure To Penalize Officers

Atlanta, Ga.

WASHINGTON, April 24.—(AP)—A floor fight was opened suddenly today by Senator Costigan, democrat, Colorado, for passage of his anti-lynching bill, but was met by threats of as determined a filibuster as the senate has seen since—13 years ago—such legislation was last before it.

Led by Senator Smith, democrat, South Carolina, southern senators served notice off the senate floor that the measure would never be passed or even brought to a vote. They laid plans to provide the senate with enough oratory to fulfill that warning.

The bill would place heavy penalties upon local officers who by negligence permit mobs to seize prisoners nuder their custody, and enable the dependants of a lynch mob's victim to obtain damages from the county government.

Active in that fight was Senator Harrison, of Mississippi, chairman of the finance committee, to whom the opponents of the pending measure are looking for the first break in their battle.

"National Wrongs—Remedies."

His committee is working out the administration compromise bill for payment of the bonus. When it is ready for presentation they are confident that on a test the senate will decide to drop the Costigan-Wagner measure and take up the bonus issue.

Costigan appealed for consideration of his measure with an assertion that "national wrongs demand national remedies." This, he said, applied to the bill in question.

As quickly as Vice President Garner announced the result of the vote on recommitting the farm tenant bill leaving the senate without immediate business, Costigan moved that the senate proceed to the consideration of his measure.

Just as quickly a half-dozen southerners were on their feet, ending his expressed hope for an immediate vote on the motion. Trammell, democrat, Florida, and connally, democrat, Texas, announced they both wished to speak but Costigan took the offensive and began his speech.

Attendance quickly dwindled, except for the southerners. They stood guard on the floor or in adjacent cloak rooms.

Labor Angle.

Costigan was interrupted only once and then by Senator Black, democrat, Alabama, who said a crowd of several hundred miners recently went into a mining camp in his state and accused those there of violating the labor clause of the codes and that a serious tragedy resulted. He asked if such cases would come under the Costigan bill.

Costigan said he realized Black was concerned lest the bill be converted into "anti-strike legislation" and added that he could see nothing in it that "need alarm organized labor."

Black contended, however, that it would give peace officers a "wonderful excuse" to molest strikers on the ground that they would be subject to penalties for not enforcing the law.

Florence, S. C., News
April 18, 1935

THAT—Senator Smith has threatened to filibuster for weeks against a proposed anti-lynching bill, if it comes before the senate, he made known recently. The Senior South Carolina senator declared that no such bill as the Costigan-Wagner proposal would pass as long as he was in Congress. Senator Smith was immediately joined by Senators George of Georgia and Byrnes of South Carolina, an administration spokesman.

Columbia, S. C. Record
April 19, 1935

WOMAN SCORES ATTACK ON ANTI-LYNCHING BILL

JACKSONVILLE, Fla., April 19—(AP)—Telegrams "repudiating" an attack by Senator Smith of South Carolina on the Costigan-Wagner anti-lynching bill were dispatched to Washington yesterday by Mrs. William P. Cornell, Florida chairman of the Association of Southern Women for the Prevention of Lynching and other leaders.

On the senate floor Tuesday, Smith expressed concern for "the purity and sanctity of our women-hood and declared he believed in the bill was to "penalize when there has been an act beyond the law force which no law can

Lynchings - 1935
Legislation Relating to.

5097

SCHENECTADY, N. Y.
GAZETTE

MAR 2 1935

ANTI-LYNCHING BILL

The fact that crimes "of organized banditry, cold-blooded shooting, lynching and kidnaping have threatened our security" was sharply called to the attention of Congress by President Roosevelt in his annual message.

Our senators and representatives now have the opportunity of responding to that declaration insofar as it relates to lynching. The Wagner-Costigan bill is an attempt to correct a condition which has long been America's shame.

Favorably reported by the Senate judiciary committee last year but not brought to a vote in either house, the measure would give the federal courts jurisdiction to try, under the laws of a state, any member of a lynching mob if either state officers are lax or jurors obtainable in a state court are manifestly opposed to punishment of lynchers. These conditions would exist automatically if within 30 days of a mob's offense no effort had been made to apprehend, indict or prosecute the guilty parties.

For a decade and a half, bills of like purpose have been introduced at every session of Congress. As long ago as 1922 the House passed the Dyer bill by a vote of nearly two to one. Southern senators, feeling that lynching was the South's problem, killed the measure by obstructive tactics.

Since that time, however, the nation has been made conscious of mob law by cases of murder and violence outside the South, particularly in the double lynching at San Jose, California, in 1933. The South therefore need no longer feel that lynching is its problem alone. It has become the nation's problem. It must be solved!

SPARTANBURG, S. C.
JOURNAL

FEB 20 1935

Anti-Lynching Legislation

Approved by President Roosevelt hearings have begun in Washington on an anti-lynching bill whose sponsor is Senator Wagner of New York. Its proponents and those who favor such Federal legislation are earnest and sincere. There can be no defense raised for lynching, the supplanting of law and order by mob force and rule. But the right way to go about handling this problem is not through Federal Courts and under Federal direction and jurisdiction.

It is something for the states themselves. Wherever there is one lynching, whether in the South or in any other section, it is one too many. With the Federal government encroaching in nearly every other line it is doubtful to say the least if the ends sought can be achieved by Congress passing anti-lynch laws.

Merely to change the authority and courts from state to Federal within itself accomplishes no miracles. It does not insure more respect for law and order when the mob gets the lust and urge for shedding human blood.

PROVIDENCE, R. I.
NEWS TRIBUNE

MAR 2 1935

ANTI-LYNCHING

Once again the question is very much toward as to whether Congress shall enact an anti-lynching bill. For years the fight raged around what was known as the Dyer bill: now it is the Wagner-Costigan proposal which holds the limelight.

This bill was reported favorably by the Senate Judiciary Committee last year but never came to a vote in either chamber of the Congress. It had, and has, the support of President Roosevelt. Nevertheless it is not going to have easy-going. Though the Dyer bill, for example, easily made the grade in the House, it failed in the Senate, and the same sort of opposition which it met with there is lying in wait for the Wagner-Costigan measure.

The latter provides that Federal courts shall have jurisdiction to try, under the laws of the State concerned, any member of a lynching mob, but not in all cases. The right shall exist only if State officers have been lax in prosecution or if available jurors are manifestly opposed to punishment for the crime of lynching. These pre-requisites shall be deemed to exist if within 30 days of the crime no serious effort has been made to apprehend, indict or prosecute guilty parties. The bill has several punitive aspects, notably one providing for a fine of from $2000 to $10,000 to be paid to the person injured, or his estate, in any act of mob violence by the county in which the crime took place.

The old objection raised against the Dyer bill, namely that it was unconstitutional, will be raised against the new measure. To get round it, the new bill declares that "if any State or political sub-division fails to protect a person against mob violence or to punish his attackers such person shall be held to have been denied due process of law and equal protection of the laws, as guaranteed by the Constitution."

As a practical matter, regardless of how we may abhor lynching, as all good citizens should, it may be doubted whether the new legislation would prove really effective. What does it matter whether a man is tried in a State or a Federal Court if his jury is drawn from the same community? Perhaps the psychological factor in a Federal Court would be more in favor of a fair trial, and almost anything which operated in that way would seem worth trying. But, as we have said, it is very doubtful whether the well-meaning proposals of Messrs. Wagner and Costigan will ever pass. One of the consequences of national prohibition is that legislators are more than ever chary of trying to do by congressional act what States should do for themselves.

Jacksonville, Fla., Times-Union
March 14, 1935

Anti-Lynching Bill Favored

Ministerial Body Expresses Stand in Resolution.

The Jacksonville Ministerial Alliance went on record yesterday as favoring the passage of the Costigan-Wagner anti-lynching bill, now set for public hearing by the Senate judiciary sub-committee.

In announcing their stand on the bill, the ministers explained that the measure will not be invoked except in cases where State officials have failed to fulfill their duty.

Th resolution adopted follows:

"Be it resolved that this body go on record as approving the Costigan-Wagner anti-lynching bill, and further,

"Be it resolved that a copy of this resolution be sent to our Senators and Representatives, urging upon them the necessity of favoring the passage of this bill, further

"Be it resolved that a copy of this resolution be furnished to the papers of the City of Jacksonville.

"The Ministerial Alliance deplores the lack of law enforcement on the part of our State officials. It is particularly deplorable in such tragedies as occurred in our State at Marianna."

Anti-Lynch Bill Report Creates New Momentum

Afro-American
3-23-35
Baltimore, Md.

Measure Now on Senate Calendar Awaiting Call for Vote.

10 LEGISLATURES ASSERT APPROVAL

More Funds Needed in Campaign.

WASHINGTON.—New momentum gathered behind the Costigan-Wagner anti-lynching bill last week as soon as the favorable report of the Senate judiciary committee was made public.

The bill now goes on the Senate calendar, where it faces the difficulty of being called up for a vote.

The task of getting it called up for consideration and vote on the floor is the main job of the supporters at present, according to NAACP officials. The bill reached this same point in 1934; it got through the committee favorably, but was blocked repeatedly when Senators Costigan or Wagner called for it to be debated or voted upon.

Support Increasing

This year there is more support behind the bill than before. The NAACP reports that it has received requests for more than two thousand petition blanks in one day. Six hundred petitions were requested and distributed by the YWCA; three hundred by the Women's International League for Peace and Freedom; three hundred for students of both races in Southern colleges; 250 to a special mailing list; two hundred to the Cleveland NAACP; one hundred to Danville, Va.; one hundred

to Indian Head, Md.; eighty to the District of Columbia NAACP; and numerous shipments of ten, twenty-five and fifty to various points.

Legislatures Endorse Bill

The bill has been endorsed by the New Jersey, California, Minnesota and Kansas state legislatures; by the Massachusetts state senate, the Illinois house of representatives, the New York and Indiana state assemblies; also by the city councils and Cleveland and Duluth, Minn. The Akron (Ohio) city council is expected to act upon a resolution of endorsement shortly.

Although the support behind the bill is growing in volume, it is not as well co-ordinated and effective as it might be, observers here point out. They declare that if a little money could be spent in organization, correspondence, and personal contact work, the bill would have better than an even chance.

ANTI-LYNCHING BILL ATTACKED BY MITCHELL

Congressman Says It Won't Work; Wants Commission On Negro Affairs

By Jesse O. Thomas

ATLANTA. — (ANP) — Congressman Arthur W. Mitchell, guest speaker on the occasion of the celebration of the fiftieth anniversary of the founding of Morris Brown college, as founder's day speaker, said both yes and no to the same proposition.

The meeting was held in the famous Big Bethel church on Auburn avenue and Butler street, and the congressman spoke to a capacity audience of 1100 Atlanta citizens. The meeting was covered by representatives of the Associated Press, the Atlanta Constitution, the Atlanta Daily World and the Macon, Georgia, Telegraph.

"This country has been made to suffer all the time by the introduction of the color question," Mr. Mitchell asserted. "Pushing it in has always meant more harm than good. We have eventually got to get away from it."

Attacks DePriest

He reiterated his accustomed statement that he doesn't represent 10 million Negroes. He represents the constituency of the first congressional district of Illinois, he said.

"Go see your congressman," he advised. "Because I am a Negro is no reason why 10 million Negroes should expect me to represent them. I am not going to draw the color line. Congressman DePriest didn't recommend a single white man from the congressional district of Illinois to West Point or Annapolis. The white boys have just as much right to be represented from that district as Negroes."

He took a whack at the Costigan-Wagner anti-lynching bill and criticized the National Association for the Advancement of Colored People for its activities, which, according to Congressman Mitchell, itself has caused some 25 bills to be introduced.

"We can't stop lynching by the enactment of anti-lynching bills, he insisted. "We have anti-murder laws and people are still killing; anti-larceny bills, and people are still stealing. Lynching will be stopped through Christian education."

Coincidentaly, while the Congressman was speaking, a Negro was being lynched by a mob in the school yard three miles east of Slayden, Miss.

When he learned this, the congressman quickly reversed himself. "I have introduced the best anti-lynching bill that has been introduced, and the only bill that is going to pass," the congressman confided. "I have introduced a bill creating a commission on Negro affairs."

Throughout his address he advised Negroes to look to their southern white friends for their salvation claiming that the northern white man did not understand the Negro. His best friends were here in the South, with whom he should work out his salvation.

The unthinking element of his audience was pleased with the address. The thinking element was very much disappointed and distressed. It was the consensus of opinion among the leaders of the Negro population that the coming of Congressman Mitchell contributed nothing to the constructive development of race relations in Atlanta. For an hour and a half, Congressman Mitchell blowed both hot and cold.

Massachusetts Backs U.S. Anti-Lynch Law

BOSTON.—The state senate of Massachusetts has adopted resolutions calling upon Congress to enact legislation for the prevention of lynchings and the punishment of the crime.

At first the senate defeated the resolutions on a voice vote count of 13 to 15, but when Senator Thomas M. Burke demanded a roll-call, they were adopted by a vote of 19 to 16. The switch in the vote is attributed to fear on the part of opponents of the resolutions that voters might be aroused against them.

Mitchell in South Blames NAACP for 25 Anti-Mob Bills

Congressman Predicts the Passage of His Own Proposal.

REPEATS STAND ON REPRESENTATION

Censures DePriest for Not Appointing Ofays.

ATLANTA, Ga.— (ANP) — Addressing 1100 persons during the celebration of the fiftieth anniversary of the founding of Morris Brown University at Big Bethel A.M.E. Church, last week, Congressman Arthur W. Mitchell reiterated that he represented the first district of Illinois in Congress, not any particular racial group.

"This country has been made to suffer all the time by the introduction of the color question," Mr. Mitchell asserted. "Pushing it in has always meant more harm than good. We have eventually got to get away from it.

"Go see your own Congressman," he advised. "Because I happen to be one of you is no reason why ten millions should expect me to represent them. I am not going to draw the color line. Congressman DePriest didn't recommend a single white man from his district to West Point or Annapolis. The white boys have just as much right to be represented from that district as any other group."

Criticizes NAACP

The speaker took a crack at the Costigan - Wagner anti-lynching bill and criticised the N.A.A.C.P., which, according to him, has caused some twenty-five bills to be introduced.

"We can't stop lynching by the enactment of anti-lynching bills," he declared. "We have anti-murder bills and people are still killing; anti-larceny bills, and people are still stealing. Lynching will be stopped through Christian education."

Coincidentally, while the Congressman was speaking, Ab Young, a farm hand, was being lynched in a school yard near Slayden, Miss. Following these statements on the lynching bills, the speaker asserted:

"I have introduced the best anti-lynching bill that has been introduced, and the only bill that is going to pass."

Mr. Mitchell also advised his hearers to look to their southern friends for their salvation, claiming that the northern whites lack understanding of the problem.

TRANSCRIPT
Freehold, N.J.
MAR 15 1935

LOCAL NEGROES ASK ANTI-LYNCHING LAW

Assured By Barbour And Sutphin That Measure Will Have Their Support

In an effort to secure Congress ona support for the Wagner-Costigan anti-lynching bill, now pending, Freehold Negroes have contacted Senator W. Warren Barbour and Representative William H. Sutphin. The support of these two members of Congress was indicated in letters received by the Colored Civic group, local backers of the bill.

The Costigan measure, designed to afford the Negro added assurance of constitutional rights of trial by jury, and reduce the number of lynchings, has the support of the New Jersey legislature which in a January resolution petitioned Congress to incorporate it into the law of the land. Since 1875, 3,975 Negroes have gone to death by lynching. Occasionally in the South and West a white is lynched but for the most part the crime is perpetrated against Negroes.

The Colored Civic group petitioned the Congressmen to pass the legislation to afford "due process of law" and guarantee of rights as provided in the fifth, sixth, 13, 14 and 15th amendments to the Constitution.

In reply Sutphin answered: "I am happy to assure you my favorable view toward the Wagner-Costigan anti-lynching bill. I will continue to support same to its fullest extent during the present Congress or at any other time. I have always considered lynchings uncivilized and un-American and want to see them stamped out."

Barbour struck a note of uncertainty as to the fate of the bill, but assured the local group of his support when he answered thus: "I assure you I am strongly in favor of the prompt enactment of the anti-lynching bill. It is apparent, however, that this bill will not be passed as long as its parliamentary position is such that the objections of one senator can prevent consideration of the bill. I am in favor of making the measure the order of business in the Senate, so that a record vote may be had."

Officers of the Civic group are: Mrs. Zella Baskerville, president; Mrs. Betty Height, secretary; Wayatt Baskerville, treasurer; Mrs. Ida Sparks, Mrs. Ella Davis, Mrs. Alice Rice, the Rev. T. S. Rice, Mrs. Emma Ward and Mrs. Frank Little, executive committee.

He's Against Passage Of Anti-Lynch Bill

Editor, The Post:

I wish to differ with your editorial, "Obstruction," in The Post of March 26, in which you characterized the action of "Southern Democrats" in Congress who defeated the Dyer anti-lynching bill in 1923 and pigeon-holed the Costigan-Wagner anti-lynching bill in 1934 and who will oppose its passage at this present session of Congress, as "obstruction of the most irresponsible variety."

The late Senator Oscar W. Underwood was the leader of the Southern Democrats in the Senate who defeated the Dyer anti-lynching bill in 1923. No one stood higher in the esteem of the people of the United States as a statesman than did Senator Underwood. If men of his type considered the passage of a Federal anti-lynching bill inimical to the best interests of the South, there must have been good grounds for such an opinion.

Southern Democratic congressmen representing the views of their constituents have always contended, and rightfully so, that the lynching problem growing out of the racial question is one that must be handled by the local authorities and not by the Federal Government. The states have already given up too many of their powers to the National Government.

It seems to me that Senators Wagner of New York and Costigan of Colorado are the ones who are playing politics in their unsuccessful attempt to force passage of this bill on a section of the country which they apparently know little about.

ROBERT CLARKE REDUS JR.

Lynchings - 1935
Legislation Relating to.

5898

GROUND LOST IN ANTI-LYNCHING DRIVE

BALTIMORE, MD.
EVENING SUN
FEB 19 1935

"After twelve years of careful record of the Honor Roll of States free from lynching there is only one more state on the Roll than at the beginning of the period," says a statement issued by the Department of Race Relations, Federal Council of Churches, 105 E. 22nd Street, New York. "In 1934 the total number o fstates free of lynching was 40, only one more than in 1923," the statement continues. "This meager result has come in the face of increased activities of church and religious organizations, social and civic agencies, increased efforts of local officers of the law to protect prisoners and the almost united voice of the press. In each of three of these years there was one state less on the Roll than at the beginning; in two years there was the same number as at the beginning; in one year two less than at the beginning. In each of two years there were four more states free than at the beginning and in two other years there was an increase of one and two respectively, but the years of gains have been less than those with losses with a net gain in twelve years of only one state.

"Kentucky and Florida whcih were free of lynching in 1933 lost their places on the Roll in 1934. California, Maryland, Missouri, North Carolina and South Carolina which had lynchings in 1933 regained places on the Honor Roll in 1934."

In releasing the statement, Dr. George Edmund Haynes, Executive Secretary of the Department of Race Relations, said "The persistence of the evil and its hold upon local areas are indicated by the fact that seventeen states during ten years have fluctuated on and off the Honor Roll. The number of victims of the mob has shown a similar unfavorable tendency. After a downward trend from 33 victims in 1923 to 10 in 1929 there has been a tendency to increase except in 1932 when there was a decrease to 8 victims. There were 28 victims of lynching in 1933 and 15 in 1934. There has been as much savagery in torturing victims as in former years, if not more. The determination and spirit of mobs have been seen in the large number of attempted lynchings prevented by officers of the law. The failures of the law-abiding citizens in many local areas to wipe out lynching point clearly to the need of national assistance to state and local officers through legislation which will bring Federal power to the aid o fthose officers who struggle to protect life and limb of accused persons."

The States free of lynching last year, according to available records, are:

Arkansas, Arizona, California, Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, Nevada, North Dakota, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming.

The Evening Sun Forum

Please be brief. As a rule 200 words should be enough. Your name and address must accompany each communication as an evidence of good faith. Your name will not be published unless you wish it, but signed letters will be given the preference.

Strange That This Gentleman Hasn't Discovered Mr. Mencken's Attitude On Lynching Ere This

To the Editor of The Evening Sun—Sir: For once Mr. H. L. Mencken is on the side of God as when he goes to the Capital to speak in favor of the anti-lynching bill. We are with him in this heart and soul. Yet one is amazed at his complex.

I suppose on an average we have four or five lynchings in the U. S. A. yearly. The question arises what prompts this man to make a special trip to the Capital, laudable as it may be, to save from torture and death four people yearly, while 4,000,000 are slowly tortured and starved to death under our economic system?

I have read Mr. Mencken in *The Evening Sun* and elsewhere for twenty years. If I have ever known him to write or utter one serious word in behalf of the countless thousands of sufferers in this country, I miss my guess. With him the "common herd" doesn't count in the social order.

On the whole *The Sun* and *The Evening Sun* have been very fair to the poor during these heart-burning years, for which thank God. (Rev.) Albert Turkington.

Baltimore, Feb. 17.

DESPATCH, N. Y.
REGISTER
FEB 23 1935

Women's Association Urges Roosevelt Back Anti-Lynching Bill

Briarcliff Congregational Church Group Sends Letter To President

A letter to Franklin D. Roosevelt, urging his support of the Costigan-Wagner Anti-Lynching Bill, has been forwarded to the White House by the Woman's Association of the Briarcliff Congregational Church.

Names of the president and 12 association members were signed to the letter. They are Jessie W. Schuman, president, Edith Lehner, Frances A. Christopher, Frieda J. Kossow, M. E. Hamlin, Emma O. Rayburn, S. M. Davis, Florence M. Drewry, Margaret Wright North, Nellie M. Heyer, Mary J. Minshall, Marie J. Applegate and M. V. Williams.

The letter reads as follows:

"In your letter of Jan. 24 to Dr. Everett R. Clinchy, Director, the National Conference of Jews and Christians, you stated:

"Brotherhood Day offers an opportunity to mobilize the forces of good will across the country and to promote common effort in all that makes good citizenship.'

"It occurs to us that the government of the United States itself could do nothing finer in mobilizing the forces of good will across the country and in promoting common effort in all that makes good citizenship than by making the Costigan-Wagner Anti-Lynching Bill the law of the land.

"Lynching remains a horrid blot upon our national honor. It is the denial of good will. It is the destruction of good citizenship. When any group of people take the law into their own hands, the violence they commit against the individual is serious, but not more so than the violence they commit against the state.

"Therefore, while we applaud your endorsement of 'Brotherhood Day,' we would also appeal to you, who are the President of our colored citizens not less than of the white, to urge upon Congress the enactment of the Costigan-Wagner Bill, thereby strengthening the forces of good will and good citizenship and serving notice on local governments that they will be held accountable wherever and whenever basic human rights are trespassed upon and violated for any reason, real or imagined, by mobs of misguided men and women.

"With appreciation for the repeated evidence of your courageous leadership."

CLARKSBURG, W. VA.
EXPONENT
FEB 24 1935

ANTI-LYNCHING LAWS

The anti-lynching bill sponsored by Senators Costigan and Wagner was reported favorably to the Senate last year by the Senate judiciary committee, but did not come to a vote in either house of Congress. The bill was supported by President Roosevelt, who had declared in his annual message to Congress: "Crime of organized banditry, cold-blooded shooting, lynching and kidnaping have threatened our security." Bills similar to the Costigan-Wagner bill have been introduced in every session of Congress since 1920. In 1922 the Dyer anti-lynching bill passed the House of Representatives by almost a two to one vote. The bill was killed in the Senate by obstructive tactics of southern Senators opposed to federal intervention in what they considered purely a problem of the states.

The Costigan-Wagner bill provides that the federal courts shall have jurisdiction to try, under the laws of the state concerned, any member of a lynching mob, but only if (1) state officers are lax in prosecution; or (2) jurors obtainable for service in a state court are manifestly opposed to punishment for the lynching. These two prerequisites are held automatically to exist if within 30 days of a mob offense no effort has been made to apprehend, indict or prosecute the guilty parties.

Any county in which mob violence occurs is made subject to a fine of from $2,000 to $10,000, to be paid to the injured person or his estate. Action to recover these damages shall be brought by the federal government. If more than one county is involved in a lynching, each is liable for the damages assessed. And any state employe who neglects his duty of protecting an individual against mob violence or of prosecuting persons guilty of such violence is guilty of a felony. On conviction, he may be fined up to $5,000 or imprisoned up to five years, or both.

The Costigan-Wagner bill attempts to get around the question of constitutionality by declaring that if any state or political subdivision fails to protect a person against mob violence or to punish his attackers such person shall be held to have been denied due process of law and equal protection of the laws, as guaranteed by the constitution.

Many persons opposed to lynching doubt

the effectiveness of legislation to meet the evil. These persons point out that lynchings occur, and go unpunished, in many states with anti-lynching laws of their own. It is argued also that if jurors in a state court will not vote to punish lynchers, jurors in a federal court in the same community may well take the same position. To which advocates of a federal law retort that it might minimize lynchings even if it did not fully prevent them.

The number of lynchings in the first 11 months of 1934 was 17. This was fewer than in 1933, but more than in 1932, which was the low water mark. The trend is rather steadily toward fewer lynchings. In the last 45 years, more than one-third of the victims of lynchings were accused of murder, and less than one-fourth of rape or attempted rape. The proportion of lynchings has been lower in the so-called Black Belt, where negroes are in the majority, than in counties with less than one-fourth negro population.

ALBANY, N. Y.
NEWS

FEB 19 1935

Adopt Lynch Law

THE United States government has proved its efficiency in the battle against kidnapers and gangsters when it had opportunity under the law to act. The federal government, under the Wagner-Costigan bill, would have opportunity to aid materially in stamping out lynching in this country. There are some prospects now that this bill may be passed. Lynching is one of the worst of crimes. It constitutes, as Senator Wagner said, "almost every type of infamy that blots the record of civilization."

One of the weakest points has always been that too often local authorities condone lynching. In many cases there have been no prosecutions although the ringleaders of lynching mobs were known and evidence was plentiful as to their culpability. County officers have been reluctant to move against their neighbors who have taken part in lynchings. Many lynchings have been condoned and there has been no redress.

Under the proposed law severe penalties are prescribed for lynchers and not only for the actual lynchers but for officers who conspire with mobs or fail to protect prisoners, and also against counties where lynchings occur. It is proposed to make counties or civic divisions responsible for such lynchings. Counties might even be held liable for damages.

It is not expected that legislation only can curb lynching but a federal law will enable the government to act. It will make it impossible or difficult for any county authorities to condone mob law or to fail to prosecute. Mob law never will be curbed so long as local authorities refuse to take action against lynchers. Lynching has been, and continues to be, one of the blackest blots on the country. Other nations cannot understand why lynch law is tolerated in some states and why mob members who take the law into their own hands are not even prosecuted.

KINGSTON, N. Y.
LEADER

FEB 18 1935

CIVIC FORUM APPROVES ANTI-LYNCHING MEASURE

Resolution is Sent to President Asking Costigan—Wagner Bill Be Enacted

A resolution to be sent to President Roosevelt, asking that Congress enact the Costigan-Wagner bill now in the Senate in an effort to eliminate lynchings, was adopted yesterday at St. Mark's Civic Forum for Adult Education. The resolution points out that less than a dozen convictions have resulted although 5,068 persons have been lynched in the United States since 1882.

The letter to the President and the resolution follow:

Hon. Franklin D. Roosevelt,

White House, Washington D. C.

Mr. President:

The following resolution unanimously adopted by the St. Mark's Civic Forum now in session, in the City of Kingston, County of Ulster, State of New York.

"WHEREAS: since 1882 there have been 5,068 persons lynched in the United States with less than a dozen convictions resulting therefrom, and, moreover that in each of these onvictions, only nominal prison terms were given lynchers; and furthermore during the year 1934, there was a total of eighteen lynchings, bring into the picture America's major crime—LYNCHING—which is a travesty on justice in our country, and

"WHEREAS: further miscarriage of justice should be prevented, now therefore:

"BE IT RESOLVED by the St. Mark's Civic Forum: that Congress is respectfully importuned to enact the Costigan-Wagner bill, which is now before that legislative body."

Professor Dumm Speaker

Professor Clarence Dumm, principal of Kingston high school, was the speaker at the session. He was introduced by the Rev. M. J. Broomes, pastor of the church and executive secretary of the conference.

Carrying out the thought of adult education, Professor Dumm said that while many persons believe their education is complete when they finish high school or college, this is really only the beginning of our lives, not only from the earning part but also from the educational.

"The mind is the greatest gift God has given us," he said, "and we must keep it active, receptive and in constant training." At the present time, he said, adults seem to be striving more for education than do the younger people. The depression is partly responsible for this, he said, as it has made so large a number of people idle, and also because the adults see how their opportunities can be increased.

Mr. Dumm pointed to Abraham Lincoln and Booker T. Washington as two examples of men who were forced to obtain practically all of their education after they had grown to manhood.

Athens, Ga., Banner-Herald
March 10, 1935

THE WAGNER-COSTIGAN BILL

An anti-lynching bill tinged with the days of reconstruction outrages has been introduced in the senate of the United States by Senators Wagner and Costigan. The bill contains many objectionable features, one in particular is that which requires counties in which lynchings occur to pay to the family of the victim a sum of money amounting to several thousand dollars. The aim and purpose of the bill is directed at the southern states, but, of course, is general in its application. While it is not expected that the bill will pass, yet it has received support from a number of Democratic senators, principally those representing northern states. The Republican contingent in the senate are solidly in favor of the bill.

The grand jury of the Superior court of Butts county has started the ball to rolling in opposition to the measure. In a resolution condemning the bill, the members of the jury, said:

"Resolved, that while we deplore lynchings and have no disposition to condone or excuse the same, still we feel this proposed bill is a direct violation and invasion of states's rights. We point with pride to our country's record in this regard, and feel we can safely rely upon our officers to do their duty in the future as they have in the past, in protecting all prisoners and affording them a fair and legal trial in our county. We also call special attention to the unfairness and, in our opinion, unconstitutionality, of a measure which makes a county liable for such large damages, whether the citizens of that county participated in the lynching or not; and can easily imagine the many injustices that might be engendered thereby. Further

"Resolved, we call upon our senators and representatives in Congress to vote in the negative and to use their influence in every possible way to prevent the passage of this unfair bill, which we feel is an unwarranted aspersion upon our officers and courts."

We presume that the two Georgia senators are opposed to the bill, and will so cast their votes when it is put on its passage. However, the grand jurymen of Butts county are to be commended for the manly way in which they went about showing to the world how they felt on a proposed law that would not improve conditions, but merely would cast aspersions on the people of this section of the country.

Such measures tend to revive the conditions that existed during the days of carpetbag rule following the closing of hostilities of the War Between the States. No good can come from the enactment of such a law, which is nothing more nor less than a breeder of strife and turmoil among a reunited and law-abiding nation.

Lynchings-1935.
Legislation Relating to.

5099

OSSINING, N. Y.
REGISTER
FEB 6 1935

Women Urge Passage Of Lynching Bill

Society Of Briarcliff Congregational Church Praises Measure

A letter of appreciation, signed by the members of the Woman's Society of the Briarcliff Congregational Church, has been sent to Senator Robert S. Wagner in support and praise of his efforts as co-author of the Costigan-Wagner Anti-Lynching Bill. A similar letter, seeking his support of the legislation, was sent to Senator Royal S. Copeland.

The letter reads:

"The undersigned women of the Woman's Society of the Briarcliff Congregational Church wish to express their appreciation to you in supporting the Costigan-Wagner Anti-Lynching Bill in the Congress of the United States.

"The recent manifestations of lynching have not only been a disgrace; they have been downright barbarous.

"We are frankly concerned for those who are lynched and their relatives and friends, and for those who by reason of color are forever in danger of being lynched; but more fundamentally we are concerned with basic human rights and justice, for lynching is vastly more than a crime; it threatens the very foundations of our nation.

"We therefore welcome and applaud your leadership in placing upon the Federal Government the responsibility of guaranteeing to American citizens their legal and human rights and of holding such states accountable wherever and whenever those rights are trespassed upon and violated for any reason, real or imagined, by a mob of misguided men and, we are ashamed to say, women who presume to take the law into their own hands.

"With admiration for this evidence of your social vision for which we have repeatedly had reasons for rejoicing, we remain,

"Respectfully and gratefully yours"

The signatures on the letters include: Jessie W. Schuman, Hazel B. Brady, Frieda J. Kossow, Mrs. Henry H. Law, Josephine C. Bishop, Mrs. J. Harold Whitson, Mary J. Minshall, Nellie M. Heyer, Azda E. Courreges, Margaret Wright North, Helen Fetzer, Jennie Baker, Marie Applegate and Edith Lehner.

PATERSON, N. J.
CALL
FEB 6 1935

Asks Congress To Curb Mobs

New Jersey Assembly Seeks To Prevent Violence And Lynching

Trenton, Feb. 5 (AP)—A resolution calling upon congress to enact laws to prevent lynching and mob violence was passed by the New Jersey assembly today at the request of J. Mercer Burrell, Negro assemblyman from Newark.

Asserting 4,000 lives had been lost in lynchings in the United States during the past 50 years, Burrell told the assembly it was time congress took steps to "stamp out this national blot."

The senate passed a bill by John C. Barbour, of Passaic, majority leader, to authorize the presiding supreme court justice in any county to call on the attorney general to take over any part of a criminal prosecution. Under present law, where the attorney general goes into a county he must entirely supplant the prosecutor.

Other bills passed by the senate included:

Woodruff, Camden—To provide that condemnation commissioners shall value property for highway purposes when the court of chancery refuses to enforce agreements between the state highway commission and property owners.

Woodruff—To forbid workmen from returning any part of wages to employers in order to secure or retain employment on public works projects and make such demands on the part of employers a violation of the crimes act.

Leap, Salem—To allow local governing bodies and the highway commission to grant permission to railroad companies to maintain warning signals at highway and railroad intersections, and legalize existing signaling devices.

Leap—To require that copies of governmental reports be filed in the state library for purposes of centralization.

Reeves, Mercer — To fix new schedule of fees for licensing private dectectives, so they would pay $100 a year instead of $150 every five years.

Reeves—To increase fines for overloaded vehicles on interstate bridges from $100 to $250 for first offense and $250 to $500 for subsequent offenses.

Powell, Burlington—To provide that auditors of third class counties be named by the board of freeholders instead of elected.

Powell—To shorten the hunting season for foxes as set forth previously.

Bills passed by the assembly included:

Barbour—To extend to April 1, 1935, the law permitting counties and municipalities to issue bonds covering arrearages in state road

King, Morris—To perfect title to tax and soldiers' bonus payments, land sold by the quartermaster general's department.

Stout, Hudson—To authorize mortgage cancellation upon authorization by federal agencies.

Giuliano, Essex—To permit the showing of dogs with cropped ears provided they belong to non-residents.

Rafferty, Middlesex—To vest title to real and personal property of insolvent foreign corporations in resident receivers.

Paul, Essex—To require approval of banking and insurance commissioner for the reinsuring by life insurance companies of outstanding risks or policy obligations.

Jamieson, Mercer—To prescribe methods for discharging mechanics' liens.

Pascoe, Union—To provide that police and fire department economy dismissals shall be from members most recently appointed.

Kerner, Union—To allow informers in gaming cases five per cent of penalty recovered, balance to go to county.

Goldberg, Essex—To require that wage payments have prior claim on company's income.

BLOUNT RESOLUTION ENDORSED BY N.A.A.C.P. OF TOPEKA AND K. C., ALSO LINCOLN AND DOUGLASS CLUB

The Kansas City, Kansas local branch of the NAACP, went on record last Sunday endorsing the Blount Resolution, which passed the House last Friday without a dissenting vote, and is now awaiting consideration in the Kansas Senate. House Concurrent resolution No. 10, a resolution memorializing Congress to pass the Costigan-Wagner anti-lynching bill, was introduced by Representative Blount during the early part of last week.

The Kansas City Branch of the NAACP sent Prof. G. A. Gregg, president of Western university, to lobby the Senate, to concur the House Resolution. Many letters and telegrams have been received by the State Senators from all parts of the state. If this resolution is adopted, it will be the first state in the Union to pass a resolution urging the passage of the Costigan-Wagner Bill, and will no doubt be an incentive for other states to follow this action.

TALLAHASSEE, FLA.
DEMOCRAT
FEB 12 1935

Innocent Will Pay

The family of a person lynched in any county of the United States would be able to recover damages of not less than $2,000 nor more than $10,000, if an anti-lynching bill proposed in the senate by Senator R. F. Wagner, of New York, should become a law, and the money to pay the judgment of the court would come out of the county treasury.

The unjust feature of this measure is that it would require the taxpayers, including those disapproving of lynchings, to pay for a thing over which they had no control.

South Carolina has a law requiring the county in which a person is lynched to pay the family of the deceased a sum of $2,000. No action in court is required, the payment is mandatory and the taxpayers in general are taxed to secure the money.

It seems like a far cry from state's rights for the federal government to enact a measure that would require taxing the people of any county in the United States to pay a lynched man's family damages.—Sarasota Herald.

Write Your Three Letters Now to Help End Lynching

Have you written your three letters to the two United States senators from your state and the representative from your district urging them to vote for the Costigan-Wagner anti-lynching bill?

Last week many widely known individuals, practically all of whom are white, appeared before the senate judiciary sub-committee hearing on the Costigan-Wagner bill. They urged the law-makers to pass the measure without delay, calling lynching "a blot upon civilization."

You may not be called upon to testify before the senate committee but you can make your voice heard by spending nine cents to urge your senators and representatives to make this anti-lynching bill a law.

Several persons have already sent their names to us as we requested, indicating they have sent their letters. They are included in THE CALL's roll of honor. But that is the least important part of it. We are hoping that you will shower your congressmen with letters—and your names should be legion—from a high sense of duty, loyalty and self-defense.

Any citizen who doesn't care enough to put forth some small effort to help save himself from this savage monster of lynching doesn't deserve the name.

Address your letters to senators at the Senate Office building, Washington, D. C. For Missouri, the two senators are Bennett C. Clark and Harry S. Truman; for Kansas, Arthur Capper and George McGill; for Oklahoma, Elmer Thomas and Thomas P. Gore; for Arkansas, Joseph T. Robinson and Hattie W. Caraway.

Your city or county clerk will give you the name of your representative. Send those three letters now. Don't delay!

ROLL OF HONOR

THE CALL is happy and gratified at the response shown by its readers who have written their senators and representative urging them to vote for the Costigan-Wagner anti-lynching bill.

When you write your three letters to Washington, notify us wherever you are, and we will be glad to place your name on this roll of honor.

Here is the first list:

Robert Artemah Brown, Weleetka, Okla.

Otis K. Harris, Frankfort, Kas.

William R. Ferguson, Kansas City, Mo.

Richard R. Walker, Kansas City Mo.

Roland Locke, Kansas City, Mo.

Harold W. Johnson, Kansas City Mo.

Lucius Stewart, Kansas City Kas.

Rodger Frazier, Kansas City, Mo.

Ollie Beams Sr., Kansas City, Kas.

Mrs. Bessie Davis, Hannibal, M

Henry C. Green, Platte City, M

R. H. Johnson, Northe Platt Nebr.

Birmingham, Ala. Post
February 20, 1935

ANTI-LYNCHING BILL OPPOSED IN GEORGIA

Legislators Assert Measure Is 'Reflection On South'

By United Press.

ATLANTA, Feb. 20.—Branding the measure as a violation of state rights and a reflection on Southern citizens and officials, the Georgia House of Representatives today was on record as opposing congressional passage of the Wagner-Costigan anti-lynching bill.

The resolution said that the bill, pending before Congress, permits Federal intervention "in the enforcement of local criminal laws."

NEW YORK TIMES

FEB 24 1935

'SENATE' AT VASSAR VOTES FOR LEAGUE

'Bilbo' Surprises Delegates by Backing Anti-Lynching Bill, Also Adopted.

Special to THE NEW YORK TIMES.

POUGHKEEPSIE, N. Y., Feb. 23.—Student members of the "Model Senate" meeting at Vassar College today ratified a resolution to bring the United States into the League of Nations and voted for "unemployment assurance." The latter measure was approved only after it had been rewritten and subjected to a forty-minute argument from the floor. Anti-lynching legislation also was approved.

The "Model Senate," organized by the Political Association of Vassar College, received recognition from President Roosevelt.

In a letter to Virginia J. Canavan, chairman of the committee, the President expressed the opinion "that this project should be of real value nationally as well as to the universities participating. Without a doubt it should go far toward giving the youth of our country insight into the intricacies of present-day government."

The delegates, from twenty-six colleges, voted to make the senate a permanent body, with annual sessions at different colleges.

Miss Canavan was named president of a continuation committee. A vice president will be selected from the university where the senate will convene next year.

Miss Margaret Lacy of the New Jersey College for Women was named secretary and Clark Vogel of Rutgers was made treasurer.

A committee-at-large includes Miss Carnzu Clark of Vassar, John Turner of Princeton, Carl Jensen of Hamilton and Leonard Meeker of Amherst.

"Bilbo" Backs Lynching Bill.

A question arose among the delegates today as to whether or not it is wise to have the delegates attempt to carry out the policies of their political counterparts.

Clark Vogel of Rutgers, cast in the rôle of Bilbo of Mississippi, voted in favor of the anti-lynching bill, which all agreed was out of character. Mr. Vogel's action, however, was met with cheers from the gallery.

Arthur J. Reeves Jr. of Princeton, impersonating Vice President Garner of Texas as presiding officer, pushed business along to accord with the time schedule for the day. Final action on bills was taken this afternoon at the last session.

The first sign of Senatorial displeasure occurred this afternoon. The bill providing for employment assurance was drawn by the majority members of the financial committee and read on the floor.

The minority members objected strenuously to the form of the bill and for forty minutes arguments flew back and forth to the accompaniment of hisses, boos and cheers from the gallery.

Finally, the majority report was overruled and the minority report accepted. Minority members withdrew from the floor and wrote a new bill which was conditionally passed just before adjournment.

Graduated Taxes Proposed.

This measure guarantees employment assurance for all workers from the ages of 18 to 65, whose yearly income does not exceed $3,000, with a minimum weekly payment of $10 and $20 additional for each dependant.

It was proposed to pay this money from the funds, the first of which would be used for the first fifteen weeks of unemployment and would come from a 3 per cent tax on payrolls. The second fund would be used for benefits paid to workers after the first fifteen weeks and would be raised by graduated taxes on individual incomes and corporations' surpluses.

The Anti-Lynching Bill was passed with hardly a dissenting voice. This bill would make it a Federal offense to incite or participate in lynching if the State within which the lynching occurs does not take steps within thirty days to prosecute the crime.

Individuals responsible for death by lynching would be guilty to the maximum penalty of the State; the penalty for inciting a mob to lynching would be not less than one year or more than life imprisonment; members of a mob inflicting property damage in connection with lynching would be imprisoned for not less than six months or more than five years.

Every county in which a lynching takes place would be held liable for damages ranging from $2,000 to $10,000, the damages to be paid to the victim's estate.

Arguments for and against adherence to the League were similar to those made on the floor of the Senate in Washington.

Economic nationalism was advocated and opposed, but when the vote was polled, dummy voting being allowed, it was found the ratification had been approved by a full two-thirds majority.

"Huey" Is Centre of Attraction.

By The Associated Press.

POUGHKEEPSIE, Feb. 23.—"Huey Long" and a 180-pound bodyguard are the centre of attraction of the "model Senate" at Vassar College today.

"Huey Long" was impersonated by Harold K. Ellis Jr. of Pheonixville, Pa., a senior at Lehigh University. His bodyguard is George D. Manson, also from Lehigh. Mr. Manson, when he was not "Huey's" bodyguard, doubled as "Senator Overton" from Louisiana.

For the benefit of reporters "Senator Long" explained his "share the wealth" program. "Put more tax on those big oil companies; pile it on heavy on the rich." As for Jim Farley: "He can't scare me. I ain't no stamp collector."

Mr. Ellis admits he is enjoying the rôle of "Senator Long." "Gives me a feeling of importance," he explained.

GREENVILLE, TEX.
EVENING BANNER

FEB 18 1934

Anti-Lynching Law

Pending is a proposal to enact a federa law regarding lynching, the object being, o course, to prevent them. States righters, most ly of the South, will immediately resent fed eral interference with a purely Southern crime; not that the crime ought not to be curbed, but that it is a matter for the states wherein the crime occurs.

So far as that is concerned, it is a state natter, but the states guilty of permitting ynchings to continue to be black spots on Americanism's record to do nothing about prevention nor even punishment after crime. Why? You know the answer; timidity in going into tournament with mob rule; law officers' fearfully cringing before a form of insane anarchy.

Will a federal law be able to cope better with a human aberration than a state law? A federal law unenforcable can and will be no more efficacious in dealing with otherwise law-abiding, even if cowardly, criminals than an unenforcable state law.

Lynchings—1935
Legislation Relating to

5100

Senator Black Hits DePriest and National Association

Congressman Mitchell Termed Different; Alabama Senator Has Praise Also for Tuskegee; Says Dr. Moton Hasn't Endorsed Costigan Bill.

WASHINGTON. — Senator Black (Dem. Ala.) said the anti-lynching bill was backed by a group whose purpose was to stir up strife between the races.

Without mentioning the NAACP by name, he said members of this group were only anxious to draw their salaries and raise funds to pay themselves.

Hits at DePriest

He referred to ex-Congressman DePriest as one who had gone abroad raising the torch of prejudice, passion and hate and his successor Congressman Mitchell was different.

Tuskegee Praised

Black praised Tuskegee, Booker Washington, Dr. R. R. Moton and Dr. George Carver and told of their fine relationships with Southern white people. He intimated that these people were different from Mr. DePriest and the NAACP.

Senator Bankhead said he was sure Dr. Moton didn't favor the anti-lynching bill, had never read it or endorsed and would not endorse it.

Senator Costigan pointed out Tuesday that Dr. Moton was a vice-president of the Southern Interracial Commission, which, this week, endorsed Congressional action against lynching.

NIAGARA FALLS, N.Y.
GAZETTE
APR 26 1935

THREAT OF FILIBUSTER

Southern senators generally resent the sectional reflection in the Costigan-Wagner anti-lynching bill on the ability and willingness of their states to enforce their statutes in the face of mob terrorism. Some of these senators personally deplore lynchings even for "the unmentionable crime." Privately they might admit that official laxness is, in many instances, making lynchings possible. But against a bill that would lay heavy fiscal and prison penalties on law officialdom in the South they are adamant.

The threat of a prolonged filibuster against this measure at a time when the senate is in a legislative jam with the bonus, the banking bill, social securities legislation and other measures yet to be acted upon is a serious thing. It rests upon a condition, not a theory. That condition is deeply imbedded sectional pride.

It is beside the question to argue with opponents of the bill that resolute law enforcement by any state will preclude the operation there of an anti-lynching law. Though most of its opponents believe the bill is unconstitutional, and if it became law would be thrown out by the highest court, they are determined that no senate vote shall be taken to discredit their section.

In such a impasse Senator Costigan will be unwise to press his bill. It would invite a filibuster to protect the repute of the South would be found some senators otherwise eager to go along with the administration's program. However meritorious the measure may seem to its supporters in the light of weak surrenders to the mob spirit in many sections of the South, defeat of major legislation at this time is too great a price to pay for a persistence that cannot win in any event.

WASHINGTON, D. C.
NEWS
APR 19 1935

Sen. Smith's View of Justice Is Bit False, They Think

Editor, The News:

AFTER reading certain statements of Sen. Smith, of South Carolina, concerning the Costigan anti-lynching bill, I fail to understand how he can maintain that "some crimes" are outside the law.

The Senator intimates that he considers lynching a "just penalty" for some crimes. I cannot conceive there being anything "just" in taking a man from authorities or from jail and murdering him. Smith has a strange conception of justice.

MOUTON COOPER.

Editor, The News:

THE Senator from South Carolina, who stated that the Costigan-Wagner anti-lynching bill is "a reflection on the South," surely did not think before he spoke.

If he had, I am certain that the outrages, the barbaric "festivals" which have taken place there, would have struck him as being the greater "reflection" on the South.

The passage of this bill, supported by southern congressmen, will do much to dim this pronounced "reflection."

EULALIA L. BOWIE.

McGILL VOTES ON LYNCH BILL TO ADJOURN

Southerners Train Guns of Oratory Against Anti-Mob Measure

VOTERS WIRE McGILL

WASHINGTON. — Senator George McGill of Kansas, who voted Tuesday for adjournment during the filibuster that is being waged against the anti-lynching bill, was besieged with a flood of telegrams from Negroes in Kansas City, Kas., urging his support of the bill. If a motion for adjournment is carried the bill is automatically reversed to the bottom of the calendar.

Senator Carter Glass of Virginia and Senator Bankhead of Alabama were leaders in the filibuster Tuesday. Glass used the age old device of warning against the invasion of states rights.

WASHINGTON.—(ANP)—While most of Negro America and most of white America went about their daily duties last week, with little knowledge and conviction about the effort to have enacted a federal law as a deterrent to lynching, there was being staged in the United States senate here an historic battle, involving once more, the simple issue—justice to [illegible] men.

Day after day, from Wednesday on, the fight continued with the north and west lined up almost solidly on one side and the south just as solid on the other.

States Have Failed

The struggle was staged for and against the Costigan-Wagner anti-lynching bill. In the face of 5,000 lynchings in the last 50 years, and the failure of the states to wipe out the crime, Senators Costigan of Colorado and Wagner of New York, both seek the enactment of a federal statute to enable the federal government to proceed against lynchers when mobs within the states have unlawfully usurped the powers of the states and committed murders.

But the issue, as stated here, is not so simple in the senate. There, after all, last week, one once more saw arrayed, the representatives of one section of the country which fought to keep Negroes in slavery and has since fought to degrade them in every manner possible. You saw men, still refusing to accord the Negro a status as a citizen and human being, busy defending the concept of their section which cannot accommodate itself to justice for the Negro and to the political supremacy of the white race at the same time.

Senator Ellison D. "Cotton Ed" Smith, South Carolina, best expressed the attitude of these southerners. He was willing to be frank. He believes in lynching. When the virtue of a white woman is in question and a culprit is suspect, Senator Smith is quite willing that a mob should murder him, that no white woman should be forced to come into court to prove that the suspect is guilty. Senator Smith "argues" that the anti-lynching bill is a "reflection" on the state and section of the country where lynching predominates.

Argument on Low Plane

But Senator Smith's southern colleagues recognize that such a "reflection" is not a powerful "argument." There was tacit agreement among them, therefore, that Senator Smith's "argument" was on a "low plane," although he was expressing the honest conviction of them all, and that such an "argument" would not get them very far. They therefore decided to mask their real "argument" and place the debate on a "high plane" of their own, ignoring, in so far as possible, the "low-grade" sallies of "Cotton Ed."

Banded together on the "high plane" were Senators Tom Connally of Texas, Black of Alabama and Bailey of North Carolina, backed by heavy, though for the time being, silent, reserves from the cotton states.

The "high plane" argument, believe it or not, was based upon:

First, state sovereignty.

Second, the United States constitution.

Third, the jeopardy of organized labor.

To describe the ramifications of these "arguments" as attenuated by the southern senators, would require more space than any newspaper can afford, but before touching lightly upon them, some of the other forces against which the advocates of the Costigan-Wagner bill have had to struggle, should be described.

Correspondents in Opposition

The most powerful opposition force has been the daily press of the nation, as represented in its Washington correspondents. Individual newspapers, throughout the nation, have endorsed the bill, but the Washington correspondents, during all of last week's battle cunningly contrived to keep the importance of the issue from the people of the country and belabored the sponsors of the measure by informing the public that they were obstructing other "more important" legislation.

The Washington correspondents gave much space to the "argument" of the southern opponents of the bill but very little to that of its sponsors. Senator Costigan spoke at length on the merits of the bill, but in the press dispatches received only one quoted line: "National evils demand national remedies." He addressed himself to the constitutionality of the measure, to the question of the invasion of states' rights, and to the probable use of the law in labor disputes.

What the southerners said on these issues was freely quoted by the correspondents, but nothing of what both Senators Wagner and Costigan had to say. In fact, except in the New York papers, nothing was quoted from Senator Wagner's speech. And this is the same Wagner whose bills in behalf of labor have received so much public print.

The Washington correspondents completely ignored the avalanche of telegrams and other messages which poured in on senators from

all sections and all groups within the country, attesting the importance of the Costigan-Wagner bill in relation to other measures before the senate. They deliberately played it down and apparently sought to incite the public to demand the sidetracking of the lynching measure for other proposed legislation.

Sought to Kill Bill

The attitude of the Washington correspondents probably had an administration bearing. In spite of insistent pleas from many sources, President Roosevelt declined to say one word for or against the Costigan-Wagner bill. The administration leaders in the senate deliberately sought on several occasions to kill the bill. Thus the correspondents knew that in playing the bill down, they were not going contrary to the wishes of he administration. They were following the wind straws.

At the same time that they implied that the anti-lynching measure was "in the way," they knew that one word from the President would have so weakened the opposition that the bill would have been speedily passed, and the way cleared for the so-called "must" legislation which the President pleaded for in his radio talk Sunday night.

The issue was placed squarely up to the President in a telegram sent by Charles Houston of the National Association for the Advancement of Colored People Friday. He received no answer. All efforts on the part of Walter White, secretary of the N. A. A. C. P. to see the President failed.

Won't Offend the South

The President, by his action, definitely let it be known that he is not going to offend the South on an issue involving justice to Negroes. He took this position in spite of a majority in the senate which favored such justice.

All of the so-called "must" legislation, old age pensions, extension of NIRA, unemployment insurance and whatnot, were held up, not by Senators Costigan and Wagner, but by the southern oligarchy in the senate which declared in effect that the nation could go to ruin for other legislation before they would allow the anti-lynching bill to pass.

The picture of the America of today for the historian of the future is that of a few men, blinded by prejudice, fighting against a just measure in behalf of human beings, and at the same time, prolonging the suffering of millions by preventing the discussion of remedial legislation.

The most spectacular skirmish in the last week's battle occurred between Senator Connally of Texas, expressing constitutional objections to the measure, and Senator Clark of Missouri. Senator Costigan had already cited the constitutional authority of the measure in that section of the Fourteenth amendment which gives the congress authority to guarantee to every citizen the equal protection of the law, and enables it to pass appropriate legislation to enforce that guarantee. When citizens are lynched, in spite of the efforts of state authorities, he argued, they have not been given the equal protection of the law and Congress is expressly enabled to enact proper legislation.

Clark Takes Issue

However, Senator Clark took with poor grace the effort of Senator Connally to drag in the Constitution in oppostion to the effort to blo out lynching. He was amazed that Senator Connally had been able to ignore the Constitution for so long and on so many occasions and found it convenient only to use against the Costigan bill.

Senator Costigan nailed the issue of states' soverignty by pointing out that, under the terms of his bill, the federal government was only empowered to act after the states had failed or neglected to do so, and then, not against the states, but against lawless mobs which had taken over the authority of the states and against which the states had found themselves powerless.

The argument to the effect that the anti-lynching law was a threat to organized labor, was scotched with the publication in the Congressional Record of a resolution, passed by the American Federation of Labor, endorsing the bill. It was also pointed out that the laws against murder apply in instances of killings in labor disputes.

Significant among the friends of the Costigan-Wagner bill were Senators Barkley and Logan from Kentucky, and Senator Bachmann of Tennessee. Conspicuous as opponents were Senator Dieterich, Illinois; Tydings, Maryland, a lynching state, and Norris of Nebraska, one of the old big timers in the senate.

White Women Repudiate Smith

The fight of the southerners to beat the bill, however, brought new support to it. The Southern interracial commission, which had been wavering, released to the press Friday an endorsement of the measure. Southern white women's groups, aroused by Senator Smith's "defense" of them, repudiated him in scores of telegrams dispatched to the senate.

Thus in spite of the verbal pyrotechnics of Smith, Bailey, Connally and others, when the opposition forces moved in to kill the measure Friday, they found themselves up against a brick wall. Senator Robinson, Arkansas, moved to adjourn the senate over the week-end, in an effort to kill the bill as pending legislation when the body reconvened Monday Monday. He was unsuccessful. By a vote of 34 to 33 the senators rejected his motion.

The senate was therefore recessed until Saturday. Again the motion to adjourn was made. But Saturday, it met worse defeat 37 to 28, showing conclusively that if the measure is ever allowed to come to a vote, it will become law, barring the President's veto.

Senator Dieterich's opposition to the bill will probably cause a bitter fight against him in Illinois. He has objected to some of the penalties in the bill, but instead of lending his influence to improvements in the measure, his action of last Friday and Saturday in voting to kill it by adjourpment, stamped him as being definitely opposed to it, and uninterested personally in any legislation to combat the lynching evil. He has already offended his constituents by his vote on the World court. Serving his first term in the senate, his stand on that issue and his stand on the lynching bill, are certain to seriously jeopardize his chances for re-election.

SENATE HOLDS FIRM FOR LYNCHING TEST

Southerners' Plan to Adjourn and Thereby Sidetrack Bill Is Defeated Again, 37 to 28.

CONCEDE ACT COULD WIN

Meanwhile, Filibuster Snags Bonus and All Other Legislation, Confusing Leaders.

Special to THE NEW YORK TIMES.

WASHINGTON, April 27.—Southern Senators, fighting desperately the Costigan-Wagner anti-lynching bill, were beaten back by a vote of 37 to 28 today, when, as on yesterday, they tried to adjourn the Senate and, by this parliamentary move, throw the bill into the discard for the rest of this session.

Their defeat left the legislative program in a confused and disturbing state, for immediately afterward, by a vote of 49 to 10, the Senate recessed with Senator Costigan's motion to take up the disputed bill still in preferred position, with soldiers' bonus advocates demanding quick action on their measure, and with a Southern "battalion of death" swearing that the Costigan motion must never reach a vote.

Debate leading up to the recess was characterized by amusing incidents and parliamentary suggestions, in a Senate reminiscent of times of "the old days." Once Mr. Connally, without a smile upon his face, tried to amend Senator Costigan's motion to bring up the anti-lynching bill by substituting "HR3896," the title of the bonus bill, for "S24," the title of the Costigan-Wagner measure.

Other Bills Seen Blocked.

Vice President Garner, Senator Robinson, the Democratic leader, and other parliamentary experts hold that the Costigan motion must be disposed of before the bonus can be taken up.

Senators Costigan and Wagner are willing to have the bonus considered if they first can have a record vote on bringing their measure up for debate.

But Southerners, including Senator Bailey of North Carolina, Smith of South Carolina, Trammell of Florida, Black of Alabama, Bilbo of Mississippi and Connally of Texas announced that they would never consent to this vote.

Democratic leaders strove to smooth out the inter-party dissension, Mr. Robinson urging the Senate to vote on the Costigan motion, then temporarily lay aside the lynching bill and proceed with the bonus debate. His words had no effect. As soon as he made this formal proposal, Mr. [illegible] said sharply:

"I object."

Tonight the leaders were trying to "call off" the more militant Southerners, but, armed with books, documents, and even Bible, Mr. Bailey and his forces were prepared to talk indefinitely, they said. One of them stated in a private conversation that his ranks hoped to "keep the feet of the bill's backers right up to the fire" until the nation's veterans could bring pressure for consideration of the bonus bill.

The surprising strength of the support for the Costigan-Wagner bill was readily conceded by its bitterest antagonists.

Foes Admit Bill Could Win.

They agreed that if it came to a direct vote the bill would win in the Senate, and therefore they said they would use every strategy to present such a test, battling to prevent even a vote on the motion to take it up, despite the fac that it might then be laid aside for other business.

Democratic leaders are willing to permit the vote on the motion, believing that even if the bill had a preferred status it could constantly be shoved aside for other business and not be acted on before the session closed. The bonus, they argue, will consume days of debate, while discussion of the Naval Bill, NRA, AAA amendments and other pressing bills is looming in the background.

Frm othe galleries today it appeared that the leaders' plan was to allow the bill to be taken up formally without a record vote, as a roll call might place some Senators in an extremely disadvantageous attitude. But this plan, offered in the midst of an hour-and-a-half session, produced only defiance from the extreme opponents of the bill.

Further debate on the bill Monday seems almost certain, but by the end of that day, some compromise may be reached whereby the Bonus Bill can be brought to the front. Meanwhile, Democratic chiefstains will try to compose differences within their ranks, to calm the extremists, and to check recalcitrants, such as Senators Bachman of Tennessee and Barkley and Logan, both of Kentucky, who voted against Mr. Robinson's motion to adjourn.

Roll-Call on Adjourning.

Today's roll-call vote on the motion to adjourn, made by Senator Robinson, was as follows:

FOR ADJOURNMENT—38.

Democrats—26.

Adams	Dieterich	Robinson
Bailey	Fletcher	Russell
Bankhead	Glass	Shepard
Bilbo	Gore	Smith
Black	Harrison	Thomas
Brown	Hatch	(Okla.)
Bulow	King	Thomas
Byrnes	Lonergan	(Utah)
Caraway	Radcliffe	Trammell
Connally		
Cousens		

Republicans—1.

Shipstead

Farmer-Labor—1.

AGAINST ADJOURNMENT—37.

Democrats—22.

Ashurst	Donahey	Neely
Bachman	Hayden	O'Mahoney
Barkley	Lewis	Schwellenbach
Bone	Logan	Truman
Bulkley	McCarran	Van Nuys
Burke	Minton	Walsh
Copeland	Murphy	
Costigan	Murray	

Republicans—15.

Austin	Hale	Nye
Borah	Hastings	Schall
Capper	Johnson	Steiwer
Frazier	Keyes	Vandenberg
Gibson	McNary	White

PAIRS.

For adjournment — Reynolds, McKellar, Overton, Tydings, George, Duffy, Gerry, Byrd, Democrats; Norris, Republican.

Against adjournment — Wagner, Moore, Clark, Guffey, Democrats; Barbour, Townsend, Carey, Metcalf, Republicans; LaFollette, Progressive.

Lynchings-1935
Legislation Relating to.

5101

CLEVELAND, O.
PLAIN DEALER

FEB 11 1935

2,000 BACK U. S. ANTI-LYNCH BILL

Mass Meeting Hears Bishop Schrembs, Walter White and Rabbi Rosenthal.

Bishop Joseph Schrembs, Rabbi Rudolph M. Rosenthal, Walter White, secretary of the National Association for the Advancement of Colored People, and other speakers urged support for the Costigan-Wagner federal anti-lynching bill in a mass meeting attended by 2,000 persons in Public Music Hall yesterday afternoon.

A resolution in favor of the bill was unanimously adopted. Hearings will begin Thursday before a subcommittee of the Senate judiciary committee. The rally was sponsored by the Cleveland branch of the N. A. A. C. P.

Bishop Schrembs called lynching "the crime that cries to heaven for vengeance."

"Surely the blood spilled by the lynching mob cries to heaven with a thousand times the strength of the blood of Abel, killed by his brother Cain in the first crime," the bishop said.

"If it is true that a sixteen-year-old youth recently convicted of murder, was the product of a social system he was in no way responsible for, then it must also be true of the poor Negro, who perhaps has gone wrong. Society, when it undertakes to punish him by lynching, is committing the most terrible crime on earth, the crime of deliberate murder.

"You are assembled here to appeal to Congress and the president to apply all forces of the law to bring justice to your people," he went on. "The Costigan-Wagner bill is a decisive step in the war against injustice: I am with you heart and soul in your fight to wipe out the menace of lynching."

White, who at one time in his investigation of lynchings in the south had a price put on his head, said the chief opposition to the Costigan-Wagner bill was coming from southern senators and congressmen.

"They do not approve lynching," he said, "but they are afraid of what their constitutents at home will say.

"Because of the key positions southern senators and congressmen hold on committees, the Costigan-Wagner bill may lose unless you raise your voices and demand its passage.

"During the time the Costigan-Wagner bill was up for consideration by Congress last year, not one lynching took place anywhere in the United States. But when Congress adjourned in June without taking action the bars were down, and fourteen Negroes were lynched between June and December of last year.

"Huey Long, speaking of a lynching in his state late last year, said 'They slipped that one over on us. They will continue slipping lynchings over on the American people unless we take active measures to stop it.'

"I bring you support from a people that has itself long known persecution," Rabbi Rosenthal said. "The Jewish people are as anxious as the Negroes that the crime of lynching be wiped out."

Frank W. Sotak, president of the All-Nations League, and Rev. W. H. McKinney of Antioch Baptist Church were other speakers.

Negro spirituals were sung by a group of choruses from colored churches and the Central High School a capella choir.

Kansas Legislature Urges Passage of Anti-Lynching Bill

TOPEKA.—The Kansas house of representatives in session here adopted last week a resolution urging passage of the Costigan-Wagner anti-lynching bill pending before congress in Washington, according to Representative W. M. Blount from the eighth district. action will be relayed to Kansas representatives and senators in Washington.

Approval of this legislation is being sought this week in the state senate.

House members were unanimous in voicing sentiment for the measure.

Lynch Evil Worse Than Communism, Senate Told

COMPLETES HEARING ON BILL

WASHINGTON, D. C., Feb. 22.—"I think the forces which bring about lynching in this country are more dangerous than the activites of the few Communists we hear so much about," declared Representative-at-large Caroline O'Day (D.) of New York, testifying before the Senate Judiciary subcommittee Thursday in support of the Costigan-Wagner anti-lynching bill. The Congresswoman, who was born in Georgia presented the woman's view on lynching, asserting that l... law is uncivilized and is responsible for the loss of A... prestige abroad.

Another star witness was H. L. Mencken, the celebrated critic who said "no government pretending to be civilized can go on condoning such atrocities Either it must make every possible effort to put them down, or it must suffer the scorn and contempt of Christendom." He suggested that "the best plan will be to make a beginning by passing that bill, and then waiting for the proper courts to pass upon it..... Nothing can be accomplished until an actual experiment is undertaken."

Senator Guffey Appears

In addition to Senators Edward P. Costigan and Robert F. Wagner, co-authors of the bill and Representative Thomas F. Ford of California who presented it in the House, Senator Joseph Guffey, the new Democratic senator from Pennsylvania, appeared voluntarily and declared the bill had his wholehearted support. Others who spoke were W. E. Woodward, noted author and chairmna of the Writer's League Against Lynching, who expressed the belief that anti-lynching sentiment in the South was growing; Vice-Dean Charles H. Houston of the Howard University law school and Walter White, secretary of the National Association for the Advancement of Colored People which with other organizations, is actively sponsoring the bill.

"Lynching Open Anarchy"-Costigan

"Lynching is a flagrant violation of not one but many constitutional rights," Senator Costigan testified. "It is open anarchy." In urging passage of the bill, he reviewed events which had happened since a year ago when the first bill was introduced, and pointed to the coincidence that while it was pending in the Senate there were no lynchings but that when Congress adjourned without doing anything about it 14 lynchings took place at the rate of one a week.

Dean Houston scored the Department of Justice and the Attorney General for inactivity in connection with the Claude Neal kidnap-lynching and attributed mob rule in the South to basic economic causes.

Citing separate lynchings which

Lynch Evil Worse Than Communism

Continued from Page 1

he said "constitute almost every type of infamy that blot the record of civilization." Senator Wagner declared that "The plea that the lynching problem can be solved by local authority alone is a travesty upon reason and experience. There is no local authority when sober public sentiment is engulfed in the passions of the mob and when officers of the law condone it if they do not connive in the subversion of law to lawlessness. That is why we need a federal anti-lynching law."

Walter White testified that "it is evident beyond any question now that only federal legislation can cope with the lynching evil." He sharply criticized reactionary and radical forces opposing the bill, declaring that the former consisted mainly of lynchers and the latter of insincere agitators. He scoffed at the fear expressed by some people that a federal anti-lynching law might be used against labor and pointed to the endorsement of the bill by the American Federation of Labor.

WHEELING, W. VA.
REGISTER

FEB 13 1935

The Anti-Lynching Bill

There are many evils which not only cannot be cured by the simple process of passing a statute forbidding them, but which on the contrary may even be aggrevated by such a statute if it undertakes to go too far, or does not deal with the matter in a practical way.

Drinking and gambling belong in that class, but lynching certainly does not. Everyone must agree that the severest possible laws against lynching would be entirely justified; and that the passage of severe laws against lynching could not possibly have the effect of encouraging the perpetration of such crimes.

Public sentiment against lynching should also be built up. But in this case the passing and enforcement of laws cannot in any way conflict with public sentiment. Severe laws should be passed and should be enforced. The Costigan-Wagner bill, which is now before Congress again, should be passed. It has been pointed out that there was a decrease in lynching when this bill was up for consideration before; and that the crime increased during the time when the bill was shelved. This may of course have been merely a coincidence. But the fact remains that in the interest of law and justice, the Costigan-Wagner bill should be passed. And it would not be amiss to mention this fact to any of your representatives in Washington with whom you may happen to be communicating.

CLEVELAND, O.
NEWS

FEB 19 1935

Council Approval Asked On Anti-Lynching Bill

A resolution will be introduced into council next Monday night asking that it go on record in favor of the Costigan-Wagner anti-lynching bill, now before Congress. Councilman Finkle is sponsor.

This is the second piece of social legislation to come before council in the last two weeks, it having recently asked the state legislature to repeal the criminal syndicalism law.

BOSTON, MASS.
Christian Science Monitor

FEB 16 1935

Wagner-Costigan 'Alliance' Pushing Anti-Lynching Bill

Measure Calls for Federal Action Against Mobs When States Fail To

Special from Monitor Bureau

WASHINGTON, Feb. 16—Senators Robert F. Wagner (D) of New York and Edward P. Costigan (D) of Colorado, co-authors of the latest anti-lynching bill, are good friends. They see eye-to-eye on most things, and occasionally get their heads together—in fact, get them very close together, indeed—as during the incident in this week's hearings of the special committee when the bellicose Henry L. Mencken appeared as witness. Mr. Mencken was in favor of the bill and gave energetic testimony in behalf of it.

Senate committee hearings are frequently informal affairs and dignified legislators occasionally are not above whispering advice in the handling of testimony from the one to the other. In this particular committee, Senator Frederick Van Nuys (D) of Indiana is chairman. Though there are moments of relaxation in almost every congressional inquiry, the sponsors of this one are deeply serious. Lynching in America is on the wane; Senators Wagner and Costigan, along with Mr. Mencken, hope to give it a final coup de grace by new federal legislation.

The same bill was reported favorably to the Senate last year by the Judiciary Committee but failed to get a vote. The bill was backed by President Roosevelt who declared, in his annual message, "Crimes of organized banditry, cold-blooded shooting, lynching and kidnaping have threatened our security." Bills similar to the present one have been introduced in every session of Congress since 1920, and in 1922 the Dyer anti-lynching bill passed the House by almost a 2-to-1 vote.

The pending bill would give federal courts authority to try members of a mob if state officers fail to prosecute or if jurors are manifestly opposed to punishment. These two conditions are held to be met automatically if no effort has been made to indict or prosecute guilty parties 30 days after mob violence. Any county in which mob violence occurs is made subject to a fine of from $2000 to $10,000, to be paid the injured person or his estate. State employees failing to act against mob violence may be fined up to $5000 or imprisoned up to five years.

Arguments for the bill are obvious. Arguments against the bill are that lynching is gradually disappearing in any event, that federal courts are not likely to secure justice when state courts fail to do so, and that state anti-lynching laws have failed.

Conference



id-World

Senate Committee Debates Anti-Lynching Bill

Senators Edward P. Costigan (Left) of Colorado Having a Whispered Conversation With Senator Robert F. Wagner of New York as the Committee Chairman, Senator Frederick Van Nuys of Indiana, Looks On.

ROCHESTER, N. Y.
DEMOCRAT & CHRONICLE

FEB 18 1935

ANTI-LYNCHING ADVOCATE TO GIVE ADDRESS

William Pickens, field secretary of the National Association for the Advancement of Colored People, will speak on "Nationalism in America" tomorrow evening at 8 o'clock in First Unitarian Church.

The lecture is one of a series sponsored by the Rochester committee of the League for Industrial Democracy. A graduate of Talladega College and Yale University, recipient of honorary degrees from several American universities, Mr. Pickens is a former dean and vice-president of Morgan College, Baltimore.

For the past 15 years he has been actively identified with the work of the National Association for the Advancement of Colored People and has been a strong advocate of the anti-lynching bill.

DAYTON, O.
HERALD

FEB 23 1935

MR. MENCKEN ON LYNCHING

THE WAGNER-COSTIGAN BILL which would give the federal government power to impose severe penalties upon lynchers, upon officials who conspire with mobs or fail to protect prisoners from mobs, and upon counties where such lawlessness occurs, has drawn a large amount of comment. But no statement has seemed more to the point than that made by H. L. Mencken, the Baltimore columnist and former editor of the American Mercury, before a senate judiciary subcommittee. Assuming that federal action was necessary to check mob killings, Mr. Mencken said:

"The states are charged with punishing all such invasions of the common right of citizens, but some of them have failed to do so and others have not honestly tried. Meanwhile lynchings continue, and though they do not increase in number, they show a tendency to increase in savagery. * * * No government pretending to be civilized can go on condoning such atrocities."

Several other persons who testified at the senate hearing on the anti-lynching bill reported that people in foreign lands have the impression that the United States "condones lynching." The wonder is, after recalling recent mob acts that showed "a tendency to increase in savagery," that many more observers have not questioned our right to be considered a civilized nation.

LOWELL, MASS.
EVENING LEADER

MAR 4 1935

Before the Maryland legislature is a bill that is designed to put a check upon lynching. It would make the city of Baltimore or any county in the state in which a lynching occurred liable to the victim's estate in a sum ranging from $2000 to $10,000. It is argued that this would promote zeal for law enforcement against mob action. And it is urged that the family of a victim is entitled to some recompense for the failure of the state to protect him. Such a measure might tend to make officials zealous to do their full duty in discouragement of mob violence. But that it would serve to dampen the mob spirit is not so sure. One suspects that it would be of benefit chiefly as and if it operated to arouse general public sentiment against a relic of barbarism.

24th Anti-Lynching Bill in House

WASHINGTON, D.C.—The number of anti-lynching bills pending in this session of Congress has reached twenty-four. 3-16-35

The twenty-third was introduced by Representative Melvin C. Maas, Republican, of Minnesota, Monday, March 4, and the twenty-fourth by Representative Herman P. Kopplemann, Democrat, of Connecticut, last Friday.

Lynchings - 1935
Legislation Relating to.

5102

New York Herald-Tribune

FEB 15 1935

Hearing Speeds Senate Vote On Anti-Lynching Measure

Costigan Demands U. S. Curb on 'Open Anarchy'; Mencken Pleads for Test

By The Associated Press

WASHINGTON, Feb. 14.—An excoriation of lynching by H. L. Mencken and other witnesses today gave impetus to the drive for a Federal anti-lynching law.

Frederick Van Nuys, Democrat, of Indiana, chairman of a Senate judiciary subcommittee, predicted that his group would report the Wagner-Costigan anti-lynching bill after Mr. Mencken, Baltimore writer, had said that no civilized government could "condone such atrocities." Senator Robert F. Wagner, Democrat, of New York, asserted that lynchings constituted "almost every type of infamy that blots the record of civilization." Senator Wagner and Senator Edward F. Costigan, Democrat, of Colorado, are co-authors of the bill.

Rewritten from the bill proposed last year, the measure prescribes severe penalties for lynchers, peace officers who conspire with mobs or fail to protect prisoners from riotous assemblages, and counties where such lawlessness occurs.

Lynching was described by Senator Costigan as "open anarchy."

Explaining that he could offer no opinion on the wisdom or the constitutionality of the bill, Mr. Mencken urged its enactment as an "experiment." "Even if the worst comes to the worst and we find that preventing lynching is actually impossible, that discovery will at least be something," he said.

Assuming that Federal action was necessary to check mob killings, Mencken said:

"The states are charged with punishing all such invasions of the common right of citizens, but some of them have failed to do so and others have not honestly tried. Meanwhile, lynchings continue, and though they do not increase in number they show a tendency to increase in savagery."

No opposition witnesses appeared at the one-day hearing, and Senator Van Nuys said that the measure probably would be recommended to the full committee soon, possibly with some slight changes in phraseology.

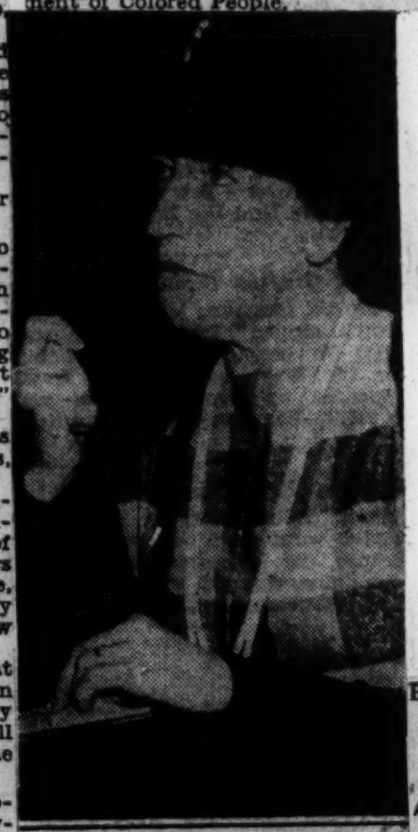
Senator Vincent H. Dieterich, Democrat, of Illinois, criticized the county-liability clause as making it possible to subject Chicago to damages "to indemnify gangland" when a gangster was taken for a ride. Senator Costigan then suggested a modification to make counties liable only where they did not exercise "due diligence."

"The record of the last five years is stained with the life blood of ninety-five unjudged victims, largely because local authority failed to prevent and failed to punish," said Senator Wagner.

"Legislation alone cannot quench the fires of intolerance and hate, but the speedy passage of this bill will rally and sustain all the forces of enlightenment in the United States."

With a small group of Negro educators and spectators in the committee room nodding approval, Representative Caroline O'Day, Democrat, of New York, a native of Savannah, Ga., told of a visit to South Africa, where, she said, the impression prevailed that the United States "condoned lynching."

Others supporting the bill were Representative Thomas F. Ford, Democrat, of California, who has introduced it in the House; W. E. Woodward, of the Writers League Against Lynching; and representatives of Howard University (Negro), of Washington, and the National Association for the Advancement of Colored People.



Herald Tribune photo—Acme

Caroline O'Day, New York Representative, at yesterday's session of Senate subcommittee

Anti-Lynch Bill

In an editorial appearing in the Houston Post of the issue of February 16 it is pointed out that the Costigan-Wagner Anti-Lynching Bill, now awaiting the approval of the senate judiciary committee, came into being because of the failure of the states, mostly southern, to suppress mob violence.

The Houston Post's point is well taken.

The South will raise a storm of protest over some of the provisions of the Costigan-Wagner bill for various reasons, chief among which are provisions which penalize counties in which lynchings take place; and a consequent invasion of state's rights.

The INFORMER doubts that there ever would have been a Costigan-Wagner bill, or that any bill designed to eradicate lynching would have received the approval of the nation's highest law-making bodies, if lynching had not spread to sections in the north, and if white people had not been the victims of them.

However, only the South is to blame for the fact that lynchings of Nordics have taken place in the North in recent years; for the traditions of mob-violence have been gradually absorbed all over the country with a consequent disregard for law and the orderly process of the law.

If, apparently said our Northern cousins, Southern folks can lynch and burn people, so can we. And they did—only the victims of their mob-lust, in most cases, happened to be white.

It was then, and then only, that such a bill, as the Costigan-Wagner measure, came into being; and it was because of such things as recorded above that it will be passed.

If the Southern states had seen fit to suppress the crime of mob violence, it would not now be necessory to draft a measure which brings lynchings within Federal jurisdiction.

Birmingham, Ala., Age-Herald
February 15, 1935

LYNCHING OPPOSED

Approval Of Bill To Urge Stringent Penalties Sought

WASHINGTON, Feb. 14—(AP)—The United States was told Thursday by Henry L. Mencken, the writer, that "either it must make every possible effort" to stop lynchings "or suffer the scorn and contempt of Christendom."

He testified to a Senate judiciary subcommittee after Senator Costigan (D., Col.) had urged approval of his bill to impose stringent penalties against mob participants, officers who fail to protect prisoners and counties where lynchings occur.

Lynching was described by Costigan as "open anarchy."

Explaining he could offer no opinion on the wisdom or the constitutionality of the bill, Mencken urged its enactment as an "experiment."

NEW YORK JOURNAL

FEB 15 1935

LYNCH LAW HIT BY MRS. O'DAY

WASHINGTON, Feb. 15.—Women don't want to be protected by "the barbarous practice of lynching," Rep. Caroline O'Day (D), of New York, today had told a Senate Judiciary sub-committee hearing on the Wagner-Costigan anit-lynching bill.

Mrs. O'Day, for whom Mrs. Franklin D. Roosevelt campaigned last Fall, described herself as "a Southern woman" despite her New York residence. She declared:

"A few years ago I was in South Africa, and I visited all the towns on the east coast. The racial problem there is far more difficult than ours. But I cannot tell you the horror our lynchings evoke there, especially our policy of condoning such a barbarous practice."

The bill failed to reach the floor at the last session of Congress.

New York Herald-Tribune

FEB 13 1936

Anti-Lynch Bill Sponsor Cite Lincoln's Exampl

Wagner and Costigan Ask U. S to Help Race He Freed

WASHINGTON, Feb. 12 (AP).—Co authors of anti-lynching legislation pleaded with the nation tonight in memory of Abraham Lincoln to make effective by law his words, "with malice toward none."

Speaking over the Columbia Broadcasting System, Senators Edward P. Costigan, Democrat, of Colorado, from Washington, and Robert F. Wagner, Democrat, of New York, from New York, branded as appalling the number of lynchings in the United States.

"Within the lifetime of many of my listeners," Senator Costigan said, "more than 1,400 white men and women and about 3,700 Negroes, often for trivial, unproven offenses and without court trials or sentences, have been lynched in the United States."

Reviewing their proposed legislation, which he said had been studied carefully for any possible constitutional defects, Senator Costigan said it provided that:

Any state that fails or neglects to protect a person against mobs will be deemed to have denied equal protection of the law.

A peace officer failing to exercise diligence in protecting such persons will be liable for a fine of $5,000 or imprisonment for five years.

If a peace officer conspires to aid a mob, he will be liable for imprisonment from five to twenty-five years.

If a state fails to bring action against members of a mob within thirty days after the crime, judgment from $2,000 to $10,000 may be obtained in Federal courts by representatives of the wronged citizen.

Senator Wagner declared that lynching, "directed as it is chiefly against the race that he released from bondage, is a constant profanement of the shrine of Lincoln."

BOSTON, MASS.
POST

FEB 8 1935

ANTI-LYNCHING ACTION URGED

State Committee Would Strengthen U. S. Laws

Strict enforcement of the federal lynching law was recommended by the legislative committee on constitutional law at the State House yesterday in reporting favorably resolutions which will be sent to President Roosevelt and Congress.

The resolutions, based on the petition of Arthur R. Hall of Cambridge, state "Resolved that the General Court of Massachusetts respectfully represents to the President and Congress of the United States the necessity of the more strict enforcement of existing federal statutes prohibiting and punishing the crime known as lynching and the passage of additional federal statutes further to prohibit or punish such crime."

BOSTON, MASS.
EVENING GLOBE

FEB 6 1935

LYNCHING PENALTY URGED ON CONGRESS AT HEARING

The Massachusetts Legislature was urged to adopt resolutions memorializing Congress in favor of pending legislation providing a penalty for the crime of lynching at a hearing today before the Legislative Committee on Constitutional Law.

Representative Samuel Cohen of Boston scored lawlessness in Southern States and expressed the hope that Massachusetts would be placed definitely on record in favor of drastic Federal laws to curb such practices. Representative Abraham Zimon of Boston spoke along similar lines.

Joseph Mitchell, attorney and president of the Roxbury Civic Guild, Inc, spoke in favor. He said there were 16 lynchings in the United States last year.

There was no opposition.

NEW YORK AMERICAN
FEB 15 1935

LYNCHING BILL WINS SUPPORT

WASHINGTON, Feb. 14 (AP).—An excoriation of lynching by H. L. Mencken and other witnesses today caused a Federal proposal against the crime to gather momentum.

Chairman an Nuys (., Ind.), predicted his sub committee would report the Wagner-Costigan bill after Mencken, Baltimore writer, said no civilized government could "condone such atrocities."

Senator Wagner (D., N. Y.), asserted lynchings constitute "almost every type of infamy that blot the record of civilization."

The measure prescribes severe penalties for lynchers, officers who conspire with mobs or fail to protect prisoners from riotous assemblages and counties where such lawlessness occurs. Senator Costigan (D-Col.), suggested a modification to make counties liable only where they did not exercise "due diligence" to protect a mob victim.

CLEVELAND, O.
PRESS
FEB 11 1935

BISHOP INSPIRES WIRED DEMANDS FOR LYNCH BILL

Cleveland Prelate Says Time for Pleading to Congress Has Passed

• Scores of telegrams and hundreds of letters were sent to Washington today by Cleveland supporters of the Costigan-Wagner anti-lynching bill to be presented to a subcommitte of the Senate Judiary Committee Thursday. The messages today were worded as demands to the Government, instead of pleas as heretofore.

The change in tone is due to an address by the Rt. Rev. Joseph Schrembs, bishop of Cleveland, at a meeting in Public Music Hall yesterday afternoon sponsored by the Cleveland Branch of the National Association for the Advancement of Colored People. Bishop Schrembs said the time had arrived for the association to put aside soft words and humble pleas and insist on the passage of anti-lynching legislation.

"Surely the blood spilled by the lynching mobs," he said, "cries to heaven with a thousand times the strength of the blood of Abel, killed by his brother Cain."

Cites Cleveland Crime

If it is true, he said, that a 16-year-old Cleveland boy, convicted of murder, was the product of a social system he was in no way responsible for, then it must also be true of the poor Negro who has gone wrong but who is often lynched before guilt is even proven.

"I am with you heart and soul in your fight to wipe out the menace of lynching," Bishop Schrembs said.

Walter White, national secretary of the association, New York, gave the audience of 2000 a sketch of the provisions of the Costigan-Wagner bill and explained the difficulties of getting it enacted. The obstacles in the way are Southern legislators dominated by financiers and industrialists who prefer a wide breach of racial hatred between the whites and blacks.

Fear Economic Upset

"The legislators would like to pass the bill but their influential backers fear the economic system may be upset should there be accord and peace between the whites and blacks because of the power the combination could exert in the labor market," Mr. White said. "Nothing keeps them farther apart than lynchings."

One of the provisions of the Costigan-Wagner bill would put a fine of from $2000 to $10,000 on the county in which the lynchings occur and another would take the entire jurisdiction of apprehending lynchers and trying them in courts in the hands of Federal authorities, Mr. White told the audience.

Other speakers were Rabbi Rudolph Rosenthal, Temple on the Heights; Frank W. Sotak, president of the All-Nations League, and the Rev. W. H. McKinney, Antioch Baptist Church.

A combined choir from eight colored churches and the capella choir from Central High School sang spirituals and hymns.

BALTIMORE, MD.
MORNING SUN

FEB 1 1935

NICE SIGNS FIRST BILL AS GOVERNOR

Initial Measure Of Assembly Lets Harford Board Aid Firemen

SESSION PERFUNCTORY

Berman Introduces Three Proposals Designed To Keep Down Lynchings

By N. T. KENNEY

[*Annapolis Bureau of The Sun*]

Annapolis, Jan. 31—Governor Nice today signed his first bill as both branches of the General Assembly went through more or less perfunctory sessions.

The bill signed by the Governor, the first one to be passed by the House and the Senate, was a local measure to allow the County Commissioners of Harford county to render financial aid to volunteer fire departments and libraries.

Offers Lynching Bills

In the House of Delegates today Delegate Theodore B. Berman (Rep., Fourth Baltimore) introduced three bills intended to keep down lynching in Maryland. In general, the measures would place more responsibility on sheriffs guarding prisoners who might be the objects of lynch attack, would speed up trials both when the case was to be tried in the jurisdiction in which the crime was committed and when the venue had been changed.

The four women delegates—Mrs. Lulu W. Boucher (Rep., Allegany), Mrs. Mayne A. Collins (Dem., Somerset), Mrs. E. Blanche Phillips (Dem., Third, Baltimore) and Miss Ruth E. Shoemaker (Dem., Montgomery), struck a blow for their sex by introducing legislation permitting women to serve on juries.

Proposes One-Term Limit

The most important developments in the Senate included introduction of a bill by Senator Harry T. Phoebus (Rep., Somerset), which would make it impossible for any Governor of Maryland to succeed himself.

Senator Phoebus, interested in legislation keeping more humble officeholders from becoming "repeaters," announced his intention of making the same rule apply to higher posts as well.

Senator Melvin L. Fine, also a Republican and from the Fourth Baltimore district, brought in a measure which would make it compulsory for all contractors receiving awards from the city of Baltimore to observe a thirty-hour work week for their labor.

The bill also would set a minimum $2 per diem wage for Baltimore city employes in the laboring classification and would place all such classes of employes on an eight-hour day except in cases of extreme emergency. It excluded members of the Fire Department, jail employes and City Hospital employes.

Take Early Adjournment

Both branches adjourned early. They are to meet again at 11 A. M. tomorrow, with prospects of another early adjournment in sight. With much financial legislation in the near offing, however, members of the Legislature consider it probably that longer sessions will be in effect next week.

In the Executive office, Governor Nice announced his approval of a pending "yellow dog" bill which would forbid use of injunctions in labor disputes.

The Governor stated his opinion many injunctions in such cases preclude free speech and lawful assembly It is the first time this perennial measure has had Executive backing in a long while.

One Hearing Held

Only one formal committee hearing was held today. This was a joint hearing of the House of Delegates Ways and Means Committee and the Senate Finance Committee for the purpose of hearing the views of the State Racing Commission on proposed race-track taxation.

No decision was reached following the hearing.

The Senate Finance Committee later held a conference in the Attorney-General's office to determine legal questions arising from the proposed sale of the Northern Central annuity.

TOLEDO, O.
NEWS BEE

FEB 12 1935

SENATORS TO TALK ON LYNCHING LAW

Wagner, Costigan In Discussion Over CBS Network

Senator Robert F. Wagner, Democrat, of New York, will join Senator Edward T. Costigan, Democratic political leader of Colorado, in a radio discussion of the anti - lynching legislation now before Congress, over a Columbia network including WSPD, at 11:15 p. m. Tuesday



Senator Wagner

Senator Costigan will be heard from Columbia studios in Washington and Senator Wagner will speak from Columbia's key station, WABC, New York.

Georgia House Hits Anti-Lynching Bill

Constitutional 2-19-35

The Georgia house of representatives Monday adopted unanimously a resolution asking congress not to pass the Wagner-Costigan anti-lynching bill.

The resolution condemned the bill as a "violation of state rights and a reflection upon the people of the south and their local officials."

The bill, now pending in congress, permits federal intervention "in the enforcement of local criminal laws," the resolution added.

Charges were included that persons were seeking to convey the impressions that white people of Georgia and the south "are in favor of this bill" and that such persons "do not represent truly the white manhood and womanhood of the south."

Lynchings - 1935
Legislation Relating to.

5103

NOTE ON AN ARGUMENT.

This argument over federal anti-lynching legislation, it must have long since been realized, is a resurgent sort of proposition. In event you do not get precisely what we mean:

Only a few days ago Dr. Moton's annual report from Tuskegee institute chronicled a sizable decrease in mobberies for the past year, although the total will remain shockingly high so long as a single lynching occurs. Further than that, the report offered distinct encouragement in the number of mob frustrations; local officers were apparently becoming more alert, more mindful of their obligations and the responsibilities intrusted to them.

But even as that trend won praise, South Carolina re-appeared in the public prints with a continued exhibition.

On the night of December 8, 1933, Bennie Thompson, charged with having threatened white men with a knife, was taken from an unguarded jail at Ninety-Six and beaten to death. Authorities arrested four white men, the quartet who had reported the prisoner's alleged offense. Rather convincing evidence was revealed at the time. Blood was found on the automobile of one of them, and subsequently the owner, it was duly chronicled, made a signed statement in which it was admitted that he and the other three men under arrest had seized and done the negro unto death. So far so good; but last week the state, after lapse of more than a year, got around to the business of trying the quartet. Three were released upon "not guilty" instructions from the court, and the fourth, the confessor, joined them after the jury accommodatingly spent 10 minutes in retirement.

All of which should leave no misunderstanding anent our initial declaration of resurgence.

Federal Lynch Law Is Agitated

ATLANTA, Jan. 13—(AP)—Mob action, such as the lynching of a negro in Louisiana last week "would seem to make it imperative the Federal Government take positive and vigorous steps to protect the lives of its citizens," Dr. Will W. Alexander, director of the Commission on Interracial Cooperation, said today.

Alexander, heading a group of Southern men and women interested in better relationship between the races, issued the following statement from headquarters of the group:

"At Franklinton, Louisiana, early Friday morning, masked men broke into the jail, evidently without resistance from the officers in charge, and lynched a prisoner to whom the Louisiana Supreme Court had granted a new trial.

"The past history of such cases offers no assurance that the Louisiana authorities will make any effort to punish the members of this mob.

"The persistence of these occurrences and the refusal of local authorities either to protect their prisoners or to punish lynchers would seem to make it imperative that the Federal Government take positive and vigorous steps to protect the lives of its citizens.

"Southern representatives and senators now in leadership in Washington will find it difficult to justify indifference or opposition to Federal legislation for the control of lynching."

Jerome Wilson, 30-year-old negro, was shot to death in a jail cell at Franklinton, La., by a group of men and his body dragged away and left on the side of the road.

The negro had been convicted of slaying Deputy Sheriff Delos C. Wood during a general gun fight between officers and negroes at Wilson's home July 22. The Louisiana Supreme Court granted him a new trial.

Birmingham, Ala., Age-Herald
January 24, 1935

Greatly Needed

Last Monday Senator Costigan directed attention to the anti-lynching bill which he and Senator Wagner are sponsoring, and had read into the record the contents of the measure which he said is substantially the same that received the approval of the judiciary committee at the last session of Congress. That proposal did not come up for action in the Senate, largely because Southern senators were opposed to its consideration. It is highly questionable that they will be able to make themselves equally felt this time. The Claude Neal lynching has given a special momentum to sentiment for federal legislation in the premises. That means that the affair is most likely to be fought out on the floor of the Senate.

Southern senators can be relied on to leave nothing undone to prevent enactment. But as matters stand, they are up against an ominous situation. The tide is running against them, and will continue to do so to an overwhelming extent, unless the Legislatures of this section take steps to strengthen their own laws on the score of lynching. A very clear obligation rests on our General Assembly to scrutinize the Alabama statutes for the purpose of implementing them as much as possible. We have anti-lynching laws, which in the hands of an aggressive governor, or under the pressure of a determined public opinion, can serve as a deterrent. The trouble is that we cannot usually be sure of having either force at work.

Gov. Graves has shown his courage in this respect, during his first administration. He can be expected to toe the mark again, whenever the occasion arises. But that assurance does not make less desirable such additions or amendments to existing statutes as shall operate to drive home to all concerned the serious consequences of a lynching bee. There are too many loopholes in the arrangement we have. There is lacking that immediacy between a mob's action and the penalties therefor which ought to exist as a warning to would-be lynchers and the communities in which lynchings take place. We ought to have, as a state law, pretty much what the Costigan-Wagner bill provides, by way of establishing accountability and meting out punishment.

How much better off would our representatives and senators be, if they could cite this step in the direction of state and local responsibity! At this hour, when so much is being done or planned at Montgomery to advance the social well-being of the state and to make government an effective agency, a modern anti-lynching statute would be thoroughly in order. It would be the best answer we can contrive to the criticisms hurled at Alabama on the score of race relations. It would help us to gain that position in the eyes of the country which for one reason or another we have lost—to our very painful disadvantage.

Move for Anti-Lynching Law Spurred by Congress Appeals

WASHINGTON, Feb. 14.—(AP)—An excoriation of lynching in the pungent phrases of H. L. Mencken and other witnesses today caused a federal measure against the crime to gather momentum which promised the approval of a senate judiciary subcommittee.

Chairman Van Nuys predicted his group would report the Wagner-Costigan bill after Mencken, Baltimore writer, said no civilized government could "condone such atrocities." Senator Wagner asserted that lynchings constitute "almost every type of infamy that blot the records of civilization."

Wagner and Senator Costigan are co-authors of the bill.

Rewritten from the form proposed last year, the measure prescribes severe penalties for lynchers, officers who conspire with mobs or fail to protect prisoners from riotous assemblages, and counties where such lawlessness occurs.

No opposition witnesses appeared at the one-day hearing and Van Nuys said the measure probably would be recommended to the full committee soon with possibily some slight changes in phraseology.

Senator Dieterich criticized the county-liability clause as making it possible to subject Chicago to damages "to indemnify gangland" when a gangster was taken for a ride. Costigan then suggested a modification to make counties liable only where they did not exercise "due diligence" to protect a mob victim.

"Lynching is a flagrant violation, not of one but of many constitutional rights," Costigan said. "It is open anarchy. Accusation is conviction. The victim is put to death, with young and old indiscriminately looking on or participating, under crime-breeding circumstances of indescribable savagery."

Wagner said the "record of the past five years is stained with the life blood of 95 unjudged victims largely because local authority failed to prevent and failed to punish."

"Legislation alone cannot quench the fires of intolerance and hate," he said. "But the speedy passage of this bill will rally and sustain all the forces of enlightment in the United States."

With a small group of negro educators and spectators in the committee room nodding approval, Representative Caroline O'Day, a native of Savannah, Ga., told of a visit to South Africa where she said the impression prevailed that the United States "condoned lynching."

She said a Hindu had written a book on lynching and racketeering in the United States which was a best seller in India. Mencken said the government must make every possible effort to put lynchings down, or "it must suffer the scorn and contempt of Christendom."

Others supporting the bill were Representative Ford, who has introduced it in the house: W. E. Woodward, of the Writers League Against Lynching, and representatives of the Howard University (negro) of Washington, and the National Association for the Advancement of Colored People.

Federal Check on Lynching

The measures by which the Federal Government undertook to encroach upon the jurisdiction of the states, particularly in the matter of holding "fair" elections, used to be known as "force bills". One of them made the name of Senator Lodge odious in the South for many years.

But public sentiment in the South has about crystallized into the feeling that only by federal intervention can we ever hope to wipe out lynching, and the committee in charge of the Costigan-Wagner anti-lynching bill has begun to hold hearings in Washington. Because of the crowds, white and black, which filled the House committee room at the last session of Congress, when this bill was being considered, it has been decided to hold the hearings in the large caucus room of the Senate office building.

Under the Hoover administration Representative Dyer of Missouri offered an anti-lynching bill, but he suffered under the handicap of representing a Negro district, and perhaps that was at least one of the reasons why the bill did not get any further.

No such charge can be brought against Senator Wagner or Representative Costigan, good, sterling Democrats from a white constituency, and it is believed that the bill has a chance of success.

Under the terms of this bill local officers who fail, neglect or refuse to make all diligent efforts to protect prisoners from mobs and to

apprehend mob participants would be guilty of a felony, punishable by a fine of $5,000 and imprisonment for five years.

Any officer, having a prisoner in custody, who conspires with others to lynch, also would be guilty of a felony, along with members of a mob, punishable by imprisonment from five to twenty-five years.

If, within thirty days of an injury or lynching, the state where it occurs shows no disposition to prosecute offenders, the federal court could take jurisdiction.

Finally, any county in which a person is seriously injured or killed by a mob would be liable to the injured person or his heirs in an amount not less than $2,000 nor more than $10,000 as "liquidated damages."

There will be a certain amount of opposition to this bill here in the South, but it is a fair question to ask what else are we to do? Lynching goes on year after year and punishment for the crime is practically unknown. One of the most revolting of these crimes was the latest to gain general attention, when a Florida mob, near Marianna, after bringing the victim from an Alabama jail, where he had been taken for safe keeping, sent out invitations in the morning to attend the lynching, which resolved itself into slow torture, with gruesome details hardly fit to be printed.

Members of that mob were well known to the officers of the law, who, indeed, might have prevented the lynching in the first place if they had cared to do so, and yet no one was ever punished, as no one in that state has ever been punished for such a crime, although, as the women of the state themselves point out, there have been thirty lynchings.

This brutality simply cannot go on. The states have had ample opportunity through the years to do something to prevent this barbaric crime. The time has come when something must be done and the federal anti-lynching bill appears to be the answer.

The Mob in Harlem

SPEAKING TUESDAY night over the Columbia broadcasting system in observance of Lincoln's Birthday, Senator Costigan, co-author of the Costigan-Wagner anti-lynching bill now pending in Congress, made it clear that lynching is not a fate reserved exclusively for Negroes. Fourteen hundred white persons have been lynched in the United States during the past five decades, he reminded hearers over a national hook-up.

Mr. Wagner was right. Last week a mob of Negroes (that is not a pretty term) wrecked a bakery shop on Lenox avenue and injured Samuel Tonicci after he was accused of kicking a Negro woman in the stomach. Some 200 persons menaced the proprietor and smashed his windows and fixtures while he fled through the rear. Arrested later for assault, Tonicci charged that he was slashed by a member of the mob.

It is regretful that Harlem should have such a demonstration while agitating for an anti-lynching bill. When militiamen fired upon a mob in Shelbyville, Tenn., a few months ago Negroes were loud in applause of the authorities of that state. What should we expect peace officers to do in Harlem when we threaten summary execution? Do we not have full recourse in the law?

However, we believe that there is a valuable lesson in the incident. We must have a federal anti-lynching law to protect white as well as colored people. Lynching is a social disease common to both races, and must be eradicated by education of the masses and punishment of law officers and citizens who tolerate or abet it.

BOSTON, MASS.
TRANSCRIPT
FEB 6 1935

Asks Resolution Against Lynching

Scoring lawlessness in the South in the matter of lynchings, a group of legislators today appeared before the committee on constitutional law and urged that Massachusetts be placed definitely on record in favor of drastic laws to curb such practices.

The group asked adoption of resolutions by the Legislature, memorializing Congress in favor of pending legislation providing for a penalty for the crime of lynching.

BOSTON, MASS.
AMERICAN
FEB 6 1935

LYNCH PENALTY Demanded Here

Adoption by the Massachusetts Legislature of a memorial to Congress in favor of legislation providing for a penalty for the crime of lynching today was strongly urged before the legislative committee on constitutional law.

Joseph Mitchell, attorney and president of the Roxbury Civic Club, Inc., favored the resolutions. There was no opposition.

NEW ORLEANS, LA.
STATES
JAN 31 1935

ANTILYNCHING BILL URGED FOR PASSAGE AT GATHERING HERE

At a mass meeting of several hundred negroes Wednesday night the immediate passage of the Costigan-Wagner antilynching bill was urged. The meeting was held under the auspices of the National Association for the Advancement of Colored People at Pythian Temple, Gravier and Saratoga streets.

A copy of the resolutions urging the passage of the bill was sent to Senator Joseph T. Robinson, majority floor leader of the Senate, after being signed at the meeting. Sixty-two negro civic, fraternal and business organizations co-operated in calling the gathering.

The resolution asserted that the recent lynching at Franklinton, La., of Jerome Wilson, slayer of a deputy, "has shown how hopeless is the condition of the negroes in the state of Louisiana." It also pointed out that President Roosevelt has called attention to the need of anti-lynching legislation.

A resolution was also adopted urging the establishment of a separate negro division of the ERA in the city, stating that the majority of persons on the relief rolls are negroes and that an individual office will give employment to negro office workers.

Speakers at the meeting included James E. Gayle, representing the National Association for Advancement of Colored People; Mayme Brown, editor of the Louisiana Weekly; Richard Whitten, Socialist party leader; A. W. Brazier, president of the Good Samaritan Association, and Charles C. Ross of the Third Ward Negro Civic League.

MILWAUKEE, WIS.
LEADER
JAN 31 1935

THE LYNCHING BILL

This bill (the proposed federal anti-lynching bill, sponsored by Senators Cutting and Wagner) should have been enacted at the last session of congress when public sentiment was strongly behind it, but executive interest was lacking, the two legislative houses were absorbed by the new deal and other matters, and no vote was had. In recent months horrifying events have taken place.

Lynchings have suddenly multiplied in the south, and one recent lynching—that of a Negro named Neal—was an event of such incredible ferocity as to shock even this nation long since become inured, unhappily, to atrocities of this description. Public opinion is, therefore, aroused anew. The current issue of The Crisis, for example, lists the church and other organizations which are now in favor of having the federal government intervene in this situation, and shows that in these organizations is a constituency of 41 million people.

The truth is, of course, that the American people have been patient for a long time with the individual states of the union. For a half century, now, Negroes and also white men, and not only men but women, have been hanged, burned, disembowled, tortured, butchered, by mobs more cruel than the wildest savages. In all this time the states concerned have done nothing. So rare is such action as that in Tennessee recently, where a mob was met with bullets, as to constitute a major news sensation. But even in Tennessee, the leaders and members of the mob are not brought to justice.

What we have in this lynching business is not only a defiance of the law in the beginning, but a complete breakdown of the law in vindicating its authority in the end. The states have failed, in other words, and the patience of the people is at an end. What the states cannot or won't do, the federal government can do and must do.—Unity.

WASHINGTON, D. C.
POST
FEB 3 1935

Support Given Mitchell's Bill On Mob Rule

Anti-Lynching Measure to Be Discussed at Howard Today.

Support of the first bill introduced into Congress by Representative Arthur W. Mitchell (Democrat), of Illinois, an anti-lynching measure, was indicated yesterday by a number of invitations received by him to speak before organized groups of colored citizens.

The administration and faculties of Howard University extended an invitation to meet with them on the university campus at 5:30 p. m. today in an informal get-together, when legislation of mutual interest to the university and the Representative will be analyzed by students of political science.

The Mitchell bill, introduced last Tuesday, contains the provision that if a person is taken from a State or county peace officer and injured or killed, that fact, when established, shall be prima facie evidence that such officer suffered or permitted such person to be taken from his custody.

It contains another provision that such officer shall be guilty of a felony punishable by a fine of not more than $5,000, or imprisonment of not more than five years. From two to ten years imprisonment is provided for such persons as conspire, combine or confederate with a peace officer to suffer a person to be taken from his control and killed or injured.

Lynchings - 1935
Legislation Relating to.

5104

TEXT OF MITCHELL'S ANTI-LYNCH BILL

H. R. 4457—74th Congress, 1st Session
IN THE HOUSE OF REPRESENTATIVES
January 22, 1935

Mr. Mitchell of Illinois introduced the following bill; which was referred to the Committee on the Judiciary and ordered to be printed.

BILL

To assure to persons within the jurisdiction of every State the equal protection of the laws, and to punish the crime of lynching.

Be it enacted by the Senate and House of Representatives of the United Sttaes of America in Congress assembled, That (a) if any officer, agent, or employee of any State or governmental subdivision thereof shall have any person in his custody by virtue of his power or authority as such officer, agent, or employee, and shall, without lawful justification or excuse, suffer or permit such person to be taken from his custody and injured or put to death or to be unlawfully injured or put to death while in his custody. the said State shall be deemed to have denied to the said person the equal protection of its laws.

(b) Proof that any person being in the custody of any such officer, agent, or employee was unlawfully injured or put to death or unlawfully taken from such custody and injured or put to death, shall be prima facie evidence that such officer, agent, or employee suffered or permitted such person to be so taken from his custody or injured or put to death therein.

Sec. 2. (a) Any officer, agent, or employee of any State or governmental subdivision thereof who shall have any person in his custody by virtue of his power or authority as such officer, agent, or employee, and who shall, without lawful justification or excuse, suffer or permit such person to be taken from his custody and injured or put to death or to be unlawfully injured or put to death while in his custody, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding $5,000 or by imprisonment not exceeding five years, or by both such fine and imprisonment.

(b) Proof that any person being in the custody of any such officer, agent, or employee, was unlawfully injured or put to death or unlawfully taken from such custody and injured or put to death shall be prima facie evidence that such officer, agent, or employee suffered or permitted such person to be so taken from his custody or injured or put to death therein.

Sec. 3. Any officer, agent, or employee of any State or governmental subdivision thereof, acting as such officer, agent, or employee under authority of law, having in his custody or control a prisoner, who shall conspire, combine, or confederate with any person to injure or put such prisoner to death, or who shall conspire, combine, or confederate with any person to suffer or permit any person to take such prisoner from his custody or control, to be injured or put to death, shall be guilty of a felony, and those who so conspire, combine, or confederate with any officer, agent, or employee shall likewise be guilty of a felony. On conviction the parties participating therein shall be punished by imprisonment for not less than two years and not more than ten years.

Sec. 4. If any person shall be taken from the custody of any officer, agent, or employee of any State or governmental subdivision thereof and unlawfully injured or put to death, or shall be unlawfully injured or put to death while in the custody of any such officer, agent, or employee, the said State and the said governmental subdivision of the said State shall be deemed to have denied to such person the equal protection of its laws, and the said governmental subdivision of said State shall be liable to the injured person or, in the event of death, to the legal representatives of the deceased for a sum not less than $2,000 nor more than $10,000, which sum may be recovered in a civil action against such county or other governmental subdivision of a State in the United States District Court of the judicial district wherein such person is injured or put to death: Provided, That when any such person shall have been taken from the custody of any such officer, agent, or employee of any governmental subdivision thereof, the county or other governmental subdivision of said State wherein the said person shall have been so injured or put to death shall be liable to the injured person, or in event of death to the legal representatives of the deceased as aforesaid. When any person shall have been injured as aforesaid, the cause of action for such injury shall not abate with the death of the person.

Sec. 5. If any provision, sentence, or clause of this Act or the application thereof to any person or circumstances is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

MITCHELL HAS BILL TO STAMP OUT LYNCHING

Submits Measure For Approval Of Congress

2-2-35

WASHINGTON, D. C.—Differing materially from the provisions of the Costigan-Wagner anti-lynching bill, the measure introduced in the House by Representative Arthur W. Mitchell, Democrat, of Illinois, is directed solely against non-action by state officials in discharging the duty of affording to persons in their custody the equal protection of the laws.

The phrase "mob or riotous assemblage," used frequently in the Costigan-Wagner bill, is nowhere to be found in the Mitchell bill. This is considered an improvement in some quarters, since the presence of a mob or riotous assemblage will not have to be proved for the proposed law to be effective.

By the terms of the Mitchell bill, a state is deemed to have denied to a person the equal protection of its laws if any officers of the state, county, or other local governmental subdivision, without lawful justification or excuse shall suffer or permit a prisoner to be taken from his custody and injured or put to death or to be unlawfully injured or put to death while in his custody.

Penalties Listed

Any officer, having any person in his custody by virtue of his power or authority, who shall, without lawful justification or excuse, suffer or permit such person to be taken from his custody and injured or put to death or to be unlawfully injured or put to death while in his custody, shall be guilty of a felony, punishable by a fine not exceeding $5,000 or by imprisonment not exceeding five years, or both, under the bill.

Proof that any person being in the custody of an officer was unlawfully injured or put to death or unlawfully taken from such custody and injured or put to death is made prima facie evidence that the officer suffered or permitted the prisoner to be taken from his custody on injured or put to death.

Officers conspiring or confederating with other persons to injure or put a prisoner to death or to suffer or permit any person to take a prisoner from their custody to be injured or put to death, and those who conspire with the officers are guilty of a felony under the terms of the bill, and subject to imprisonment for not less than two years and not more than 10 years.

Penalties on County Etc.

The county or other governmental subdivision of a state where a prisoner is taken from the custody of an officer and injured or put to death, or injured or put to death while in the custody of an officer, is made liable to the injured person or his legal representatives for a sum of not less than $2,000 nor more than $10,000. The penalty is to be recovered in a civil action against the county or other governmental subdivision of a state in the United States District Court of the judicial district where the person is injured or put to death.

Only the county or other governmental subdivision of the state where the person is injured or put to death shall be liable for damages.

The provisions of the Costigan-Wagner bill make the county in which a prisoner is seized and the county in which he is injured or put to death, jointly liable for liquidated damages in the event the

Senator Edward P. Costigan of Colorado introduced H. R. Bill 4457, to assure to persons within the jurisdiction of every state the equal protection of the laws, and to punish the crime of lynching.

It is to be hoped that the churches of the nation will perform their duty in moving their congregations to urge their various senators and congressmen to aid in the passage of such legislation. The failure of the Department of Justice to take official notice of the lynching of Claude Neal, October 26, in Marianna, Florida, leaves little to be expected from the office of the attorney general of the

THE ANTI-LYNCHING BILL

nation unless compelling force can be brought about to national legislation.

This particular lynching and its attending circumstances was revolting beyond words and indicated that those who were a party to it represented head hunters rather than a supposed civilized people. So bold were the perpetrators of this crime that they planned and advertised in advance, seizing their victim in Georgia; carrying him into Florida for execution.

That the attorney general of the United States should remain silent in a case of this nature is not quite clear for the average citizen to understand. However, it is refreshing to note that the kidnapers can be speedily apprehended when they seek to enrich themselves by attacking the wealthy for ransom.

It is not to be denied that the law moves swiftly when the right of property is involved but slowly when human rights are at stake. All of which lends growth and stimulation to the communistic program in America.

Clarendon, Va., Chronicle
January 25, 1935

THE ANTI-LYNCHING BILL IN CONGRESS

EVERY TIME that an anti-lynching bill has come up in Congress southern Senators and Members have fought it on the ground that it violated the sacred rights of the states. Now that this administration has violated every sacred right of the states with the approval and applause of southern Democratic Senators and Members a national anti-lynching bill should not find opposition from that source. A member of Congress who voted for the Agricultural Adjustment Act and amendments thereto should close his mouth about the sacred rights of the state and put a padlock on it.

The federal anti-lynching bill should be copied and adopted in every state. It provides that an officer who is charged with the duty of protecting a prisoner from a mob and who neglects to carry out that duty, is guilty of a felony, punishable with a fine not exceeding five thousand dollars and imprisonment up to five years or both. An officer who conspires with a mob to allow a prisoner in his control to be injured or killed is subject to from five to twenty-five years imprisonment. Any county in which a person is seriously injured or killed by a mob is liable in damages of from two thousand to ten thousand dollars. Jurisdiction to try cases arising out of the act is vested in the United States District Court where the state authorities fail to act within thirty days or where jurors obtainable for service are strongly opposed to punishing the offenders. The United States District Court may try cases arising under the act in any part of its District.

It would strengthen the bill if it defined that a mob was where two or more persons act in concert to injure or kill a prisoner or to kill or injure one sought for an alleged crime, but not yet in custody of the law.

And the bill should prohibit the trial of any person charged with a crime for which the death penalty may be inflicted in less than thirty days after his arrest.

And the bill should declare a mistrial in all cases where a mob was in the neighborhood of the court while a trial for an offence punishable with life imprisonment or death was in progress.

There is a popular idea that lynching of negroes in the South is because of assaults on women. Not a third of those lynched were charged with assault on women. Not one negro in a million ever assaults a woman. A negro was lynched in Tennessee for walking on the same side of a bridge that the white people used. Another in the same state for being "impudent" to a white woman. A negro in Georgia was to be burned at the stake without a chance to prove his innocence. His wife rushed to the scene and pleaded with the mob not to burn her husband. He was tied to a tree, gasoline thrown over his body and the mob seized his wife and burned her to death. A small colored boy playfully grabbed at a playmate, a small white girl and tore her dress. She told her mother. A mob gathered and hanged the boy without a trial. There have been hundreds of such cases, and yet none of the mob murderers has been punished. Lynching is crowd murder. Everyone counselling advising, aiding or in any way participating is legally and morally guilty of murder, just as guilty of murder as one person would be if he alone committed the crime. No effort is ever made for the proper identification of the negro charged with criminal assault, and tortures are inflicted that would make any innocent person however exalted, confess. The only chance to convict those who commit mob murder is in the federal courts where juries can be drawn from places remote from the scene of the lynching and a high class of persons drawn for jury duty. Lynching is our national disgrace. President Roosevelt is opposed to lynching. He can cause Congress to pass the anti-lynching bill. That is more important to the negroes of the country than appointing a few colored politicians to office. More important than entertaining them at luncheon and their wives at tea.

Last Stand for State Rights

Senator Costigan, of Colorado, has again introduced an anti-lynching bill, and again it should be defeated. The "liberal press" is supporting the bill, and it is expected that the "liberal" senators and representatives will vote for it.

The News and Courier believes that the state of South Carolina has the right to manage its own affairs.

Southern senators and representatives will probably oppose the bill—but their arguments against it will have little weight.

Mr. Costigan will say to them: "You prate about 'state rights'? What do you care about state rights? Or know about them? Are you not voting every day for the amalgamation of the states? You are supporting dozens of measures that will centralize government in Washington, to which this little measure is as nothing. When you enpower Washington to tell your people how much cotton or tobacco they shall plant, when you ask it to take over the guardianship of your poor as if your states were rural parishes, why balk at my anti-lynching bill? It looks as if the right to lynch a negro were the only state right which you are really concerned to preserve."

Costigan cares nothing for state rights. Colorado is a fresh state, created not so long ago by act of congress and was never a "nation", as South Carolina was.

Mr. Costigan is an amalgamationist, he would change this republic into a glucose mass and so most of the Southerners are voting to do. Costigan will twiddle his fingers at them if they yawp about state rights—and there will be no answer.

Yes, the Southerners in congress are about to make their last stand for state rights on the ground that the United States of America should leave to the Southern states the right to "lynch a nigger" whatever other rights it appropriates.

The News and Courier hopes that the Costigan bill will be defeated, but it would not enjoy the exhibition that the Southern New Dealers make of themselves when they oppose it.

Were The News and Courier a congressman and a New Dealer self-respect would compel it to support the Costigan bill.

Respect for South Carolina's rights would not let it be a New Dealer.

Lynchings - 1935
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5105

ANTI-LYNCHING BILL GIVEN WIDE SUPPORT

Legislation Designed To Impose Harsh Penalties on Peace Officers.

WASHINGTON, Jan. 5.—(AP)—Senators backing a federal anti-lynching bill said today a determined drive would be made to put it across at this session.

Several efforts to obtain such legislation have been made in the past but failed. One argument voiced against it has been on the ground of constitutionality.

A bill written by Senators Costigan, democrat, Colorado, and Wagner, democrat, New York, was approved by the senate judiciary committee last session but the senate itself did not act on the bill.

Costigan and Wagner already are laying plans to push their bill again at this session. It is designed to penalize local officers who fail to prosecute lynch mobs, and to give the federal government jurisdiction in case of such failure.

Officers convicted of failing to protect prisoners or prosecute lynchers would be guilty of a felony and subject to a fine of $5,000 or imprisonment up to five years, or both.

Such an officer convicted of conspiring with the lynchers would be subject to a jail sentence of from 5 to 25 years.

If local officials failed to apprehend lynchers within 30 days after the offense, the federal court would have jurisdiction to prosecute the case. It could also step in if local sentiment was so strong there was no chance for justice to be administered.

One of the most important provisions of the proposed law would make a county in which a lynching took place liable to civil damages of from $2,000 to $10,000. The money would go to the family of the lynch victim.

Must Legislation

Among America's achievements last year were 16 lynchings.

The record includes the Claude Neal lynching, probably the most sadistically barbarous demonstration of mob fury in the history of 5000 American lynchings since 1882.

It would be futile to blazon this dishonor if 1935 did not hold promise of something better.

Congress today has before it the Costigan-Wagner anti-lynching bill, holding counties financially liable for mob lawlessness in their borders. The very threat of this measure checked lynching last year. While the bill was pending in Congress lynchings stopped completely, but when it became apparent that Congress would not act they broke forth with renewed frequency. It is believed that the publicity given the measure was responsible for a drop of lynchings from 28 in 1933 to 16 last year.

Organizations with total membership of 42 million people are requesting President Roosevelt to put the Costigan-Wagner bill on his "must" program. The Government should not ignore this evil and the popular outcry against it.

MINNEAPOLIS, MINN.
STAR
JAN 10 1935

Lynching Must Go

A PLEA is made through Everybody's Ideas for support of the Costigan-Wagner anti-lynching bill which will soon be placed before Congress.

The plea comes from a local representative of the National Association for the Advancement of Colored People, but the measure it publicizes can be said to aim directly at the advancement of white people who perpetrate the foul outrages which so long have been a black stain on the South.

Lynch law is the law of the mob, the insane, sadistic and perverted mob whose only emotional outlet is blood-letting. It is intolerable in a country that professes to be enlightened and "civilized." Not once has it been invoked to mete out justice that the ordinary processes of law could not have dealt. It is a base survival of moronic savagery that should once and for all be stamped out.

The Costigan-Wagner bill, blocked at the last session, should have the active support of all decent people everywhere, and enough pressure should be brought to bear on Congressmen to make it, this session, a law of the land. Southern states won't enact this law for themselves. Uncle Sam will have to do it for them.

N. Y. SUN
JAN 15 1935

FOR ANTILYNCH BILL

Mrs. O'Day Says She Wil Support It to Utmost.

WASHINTON, Jan. 15 (A. P.).—Representative Caroline O'Day Democrat, of New York, today made her first statement to the press on specific legislation, a strong indorsement of the anti-lynching bill.

"I have been interested in the efforts Southern women have been making to curb this horrible thing," said Mrs. O'Day, who was born in Perry, Ga., "and I am only too glad to be of real service in the movement. Being a Southern woman, I know how the women of that section feel on the subject."

Mrs. O'Day added that she had already assured Senators Wagner and Costigan, the authors of the antilynching bill, that she would support it to the utmost in the House.

MRS. O'DAY ON LYNCHING

From the Associated Press.

Representative Caroline O'Day, democrat, New York, today made her first statement to the press on specific legislation, a strong indorsement of the anti-lynching bill.

"I have been interested in the efforts southern women have been making to curb this horrible thing," said Mrs. O'Day, who was born in Perry, Ga., "and I am only too glad to be of real service in the movement. Being a southern woman, I know how the women of that section feel on the subject."

Mrs. O'Day added she already had assured Senators Wagner and Costigan, authors of the anti-lynching bill, that she would "support to the utmost" the twin bill in the House, introduced the first day in the session by Representative Thomas Ford, Democrat, California.

EL PASO TEX.
HERALD
JAN 2 1935

WOMEN TO BACK ANTI-LYNCH LAW

Measure Would Fine Counties In Which Mob Hangings Are Committed

The El Paso Woman's City Government Club is backing the Costigan-Wagner anti-lynching bill in the coming session of Congress, Mrs. Robert Townsend, club president, said today.

Support of the bill was sought by El Paso Negro organizations.

The club has been active in Negro welfare work, and is raising funds for improvements to the Negro civic center near Washington Park.

Dispatches from Washington said that organizations representing total memberships of 42 million Americans from church, labor and other circles are actively preparing to push pasage of the anti-lynching bill.

The National Association for the Advancement of Colored People is sponsoring the measure.

The measure provides federal fines of from $2000 to $10,000 against counties in which lynchings have been committed. The fines collected would be turned over to the victims' heirs.

A group of 48 organizations presented a memorial to President Roosevelt stating that since 1882 3068 persons have been lynched in the United States, with less than a dozen convictions of those responsible.

Caroline O'Day Backs Anti-Lynching Bill

WASHINGTON, Jan. 15.—(AP)—Representative Caroline O'Day, democrat, New York, today made her first statement to the press on specific legislation, a strong indorsement of the anti-lynching bill.

"I have been interested in the efforts southern women have been making to curb this horrible thing," said Mrs. O'Day, who was born in Perry, Ga., "and I am only too glad to be of real service in the movement. Being a southern woman, I know how the women of that section feel on the subject."

Mrs. O'Day added she already had assured Senators Wagner and Costigan, authors of the anti-lynching bill, that she would "support to the utmost" the twin bill in the house, introduced the first day in the session by Representative Thomas Ford, democrat, California.

SELMA, ALA.
TIMES-JOURNAL

JAN 7 1935

ANTI-LYNCHING BILL FORECAST

It is quite possible that some form of anti-lynching legislation will be enacted at the present session of Congress, Senator Costigan having already announced that he will push his own bill, which may be materially modified before passage. It is earnestly hoped that Southern Senators and Representatives will not take the familiar course of blindly arraying themselves in opposition to all measures designed to cope with this indefensible evil. It is admitted without argument that the legislatures of the Southern states will do nothing to abate this blight on our civilization.

It would be well also to frankly recognize the fact that Federal courts and grand juries may be equally impotent, because lynchings are usually supported either by a passive or a dominant public sentiment in the communities where they occur. However, there is believed to be a growth of healthy sentiment in opposition to mob violence in this section, although the South was besmirched by the odium of 17 lynchings last year.

Numerous organizations are speaking out boldly in detestation of mob violence. The objective of the Costigan-Wagner bill, is in addition to other penalties, to impose a heavy fine on a county permitting a person to be lynched. Of course, if it should be necessary to establish in court the guilt of county officials where a lynching had occurred, the act would be of little value. Courts and officials are reluctant to affront, or defy an aggressive public opinion. The "guilt" of the community would not be proven and hence the imposition of the fine would not be ordered.

It is also a matter of serious doubt whether the effect of the bill would in another respect be what its supporters think. Courthouses or jails or both of them have been burned by mobs at Sherman, Texas and Shelbyville and Chickasha, and it is extremely doubtful if a mob that is sufficiently desperate to destroy a $100,000 county building would be deterred from violence by any $20,000 fine against innocent taxpayers. However, the proposed measure has sufficient virtue to justify it serious consideration.

KNOXVILLE, TENN.
NEWS SENTINEL

JAN 9 1935

FEDERAL ANTI-LYNCHING BILL

From time immemorial some representative has introduced an anti-lynching bill either in the House or Senate annually, but no action has ever been taken on these bills other than in committees. Last year Senators Costigan, of Colorado and Wagner of New York, introduced an anti-lynching bill which received the approval of the judiciary committee, but for some reason it never reached the floor of the senate. This year, however, it is alleged that a determined effort will be made to enact a bill that will have as one of its outstanding provisions a requirement that counties in which a lynching occurs pay damages from $2,000 to $10,000 to the family of the lynched victim.

While the authors of the proposed anti-lynching bill are both Democrtas, it is not believed that the Democratic members will consider it a party matter, but on the other hand it is thought the bill will be killed by the votes of the Democrats.

Tifton, Ga. Gazette
January 16, 1935

These southerners who throw a fit everytime a national anti-lynch law is mentioned, might take note of what a congresswoman said in endorsing the anti-lynching law because she is a native of the South and knows how southern women feel.

Milton, Fla., Gazette
January 24, 1935

A FEDERAL LYNCH LAW

There's now considerable agitation in favor of a federal anti-lynch law. I don't know how far this notion will go, and it doesn't matter, anyway. Just so long as dam phool technicalities and other folderol can be invoked to obstruct justice in the courts, just that long will criminals be the main attraction at necktie parties. I cringe when I read of what some mobs do. It's hard to believe that human beings of this day can hark back to pre-civilization times. But that's neither here nor there, speedy trials and sure punishment is the only thing on this earth that will ever stop lynchings.—The Enterprise (Ala.) Ledger.

Moss Point, Miss. Advertiser
January 18, 1935

ANTI-LYNCHING LAW.

Congressman Costigan of Colorado addressed a meeting in New York and indicated that he would introduce a bill to make it a federal offense to lynch a person. New York is very receptive of this sentiment. It has several societies which continually berate the South and call for federal action, appealing to the President, and doing other things to threaten the South. Lynching in any other place is not so bad; but in the South it is terrible. We admit that; but it must apply, with other Eastern and Western disorders en masse for industrial reasons only. We do not defend lynching; though it must be admitted that some things are done which are so fiendish and brutal that the people naturally are maddened by them. The people of New York would have lynched Hauptmann at one time, and also the man who killed the little Brooklyn girl. They did not do it, but they had all the feeling animating a lynching crowd. It must be understood that no population, nor any considerable part of any Southern community or any community takes part in a lynching. But it is proposed that a community in which one occurs may, under the proposed bill in congress, be compelled to compensate the family of the person lynched. Why? Do the taxpayers as a whole lynch anybody? Do they know that this or that group of five or more men are about to lynch somebody? Are they conspirators or connivers? Are they consulted? It is a most unreasonable and officious proposal.

One thing may be noted by observers of these Eastern persons who have threatened the South for years with a Force Bill, an Anti-Lynching Bill, and so forth, they never have a word of sympathy for the poor victims of the scoundrel lynched. They seem to care more for the form of law than the human elements aroused in men who commit the lynching and who are in many cases good, quiet and peaceable citizens impelled and carried away by the character of crime and criminal. Their sympathy is with him only. It is absurd to claim that these critics are concerned only with an orderly trial.—Daily Herald.

Washington, Ga., News-Reporter
January 31, 1935

PREVENTION OF LYNCHING

By EDWARD P. COSTIGAN
Senator From Colorado.

ONE by one the arguments against the inevitability of lynching have yielded. To those who say that the practice cannot be halted, we confidently point to the record last spring when word was passed to peace officers to go slow in permitting lynching or the result would be early enactment of a punitive federal law.

During the five and one-half months in which the last congress was in session lynchings virtually ceased in this country. Then, promptly following the adjournment of congress, which did not enact the considered legislation, the stream of lawlessness again began to flow at the rate of approximately one lynching a week, until the whole country was saturated with its revolting recitals.

Roanoke, Ala., Leader
January 30, 1935

WHAT ARE WE TO DO ABOUT THE LYNCHING EVIL?

Elsewhere there is published in this paper a news story revealing the increasingly strong support being given a bill now pending in Congress providing for federal action against states and counties where death by lynching occurs. This bill has already received surprising support by members of Congress, and now influential people and various organizations are preparing to push it still more strongly upon the attention of the present Congress.

Plainly and candidly, we have no one to blame but ourselves if this rather officious and obnoxious federal bill becomes a law. Few people having a proper regard for state's rights would prefer it. On the other hand no thoughtful citizen can condone the curse of mob law, no matter under what pretense it is practiced. Mob law means no law. The more it is indulged, the less assurance of protection there is for the innocent.

We must admit that one trouble is the fact that public sentiment has not been as strong and combative at this point as it should have been. All too frequently there has not been sufficient efforts put forth to prevent mob murder or to arrest and convict those who are guilty of it. Who ever heard of a conviction for this grave offense? Certainly convictions are exceedingly rare.

Now comes the United States government ready to place the iron heel of punishment upon the civil sub-divisions that permit this travesty upon law and human rights. What else can we expect? Our states and counties are to be penalized wherever lynchings occur. And who can say nay, unless and until we arouse public sentiment and give practical proof of our purpose to protect prisoners and see that they shall have a fair trial as provided by law and justice.

manufacturers are demanding that the processing tax be taken off them and cotton farmers subsidized direct from the national treasury, using PWA funds for that purpose. And the amazing thing is that the part of the press which rages loudest against government spending is giving this drive by the textile manufacturers the utmost favorable publicity as a means of embarrassing the administration. Suppose the drive succeeds; what then? If the processing tax is taken off cotton, other processors will demand that it be taken off wheat, corn, hogs, tobacco and so on. That will require that all the farmers, now being buoyed up by those taxes, be put on direct federal subsidy. (The senate approved this precise use of PWA funds in an amendment which it attached to the gigantic public works bill.) But the nation will not put up long with the idea of directly subsidizing a whole basic industry from the federal treasury. When the subsidies are ended, the farm population will relapse into bankruptcy and despair. And then . . . well, who can say what then?

Have the Poor Better Manners Than the Rich?

THE great objection of solid citizens to the extension of democracy into the economic field is not, as they themselves confess, that they selfishly wish to hold on to their privileges, but that they cannot bear to see civilization delivered into the hands of the mob. However, the mob cannot always be judged by its moblike actions. A man who is the speaker on a comparatively highbrow radio program was talking the other day with a movie executive who told him about the tons—literally—of fan mail which come to stations after certain popular radio features. On the other hand, certain other features, such as symphony programs, which are enjoyed by thousands of cultivated persons, do not bring even a proportionately smaller fan mail, but a markedly disproportionately small response. Why? Here is the executive's answer: "The poor have to work so hard for what they get, and are usually treated with so little consideration, that when they get anything in the way of a gift or a kindness, they are grateful, and they want to express their attitude. The rich are so used to getting things for nothing that they take it as a matter of course; they think it is their due. After all, they *are* swine." Far be it from these columns to endorse any such incitement to class hatred as the *ex cathedra* assertion that the rich are swine. But a business executive with somewhat unusual facilities for observation seems to have got that impression. He may be quite wrong. Yet his belief that poor and underprivileged people have an innate sense of the fitness of things, a sense that a favor received naturally calls for a response, is something that will bear thinking about. That they may often be grateful for the wrong gifts does not affect the issue; education will take care of that whenever they begin to get real education and not the inadequate "schooling" now doled out by bankrupt cities and uneducated school boards. Perhaps trouble and a first-hand experience of the neighbors' troubles have already given that education in essential social decency which this fan mail habit illustrates—a social decency which may well prove the major factor in making democracy, in fields other than the purely political, a success when we achieve it.

A Federal Curb for Lynching

NOT since 1922 has there been such widespread discussion of the lynching evil as the nation is experiencing today. On the floor of the senate, in the columns of the press and on the programs of innumerable civic, educational and religious groups there are overwhelming evidences of a renewed stirring of the national conscience with regard to mob violence.

The immediate occasion of all this concern is the Costigan-Wagner anti-lynching bill, S. 24, easily sidetracked in the 73rd congress, but like Banquo's ghost, haunting the 74th and refusing to be shouted out of existence by the eloquent but not always convincing threats of certain senators. And behind this immediate occasion of another bill before congress there lies the stark fact of an alarming upward trend in the curve which charts the occasions of mob violence throughout our country. Official records have been kept since 1882. The count to date is over 5,000. The yearly average up to 1920 was more than 100.

At that time an outraged public opinion, realizing that the various states were either helpless or unwilling to offer effective resistance to lynching, demanded that the federal congress assume responsibility. Representative L. C. Dyer of Missouri introduced an anti-lynching bill and pushed it through the house. Under the leadership of the late Senator Underwood, however, ably assisted by the present Senator Pat Harrison and others, the bill was filibustered to death in the senate. The nation did not immediately forget its lesson, however, for in 1924 and 1925 lynchings dropped to the new low figures of 16 and 18. But succeeding years registered a steady increase so that by 1933 the number had climbed back to 28, and last year's victims were estimated at from 25 to 42.

Once again public opinion demanded federal action. This latest demand received powerful impetus from two particularly atrocious lynchings. The first, in San Jose, California, was publicly endorsed by the late Governor Rolph. He not only commended the mob but promised a pardon in advance to any lyncher who might be convicted. The other case was the lynching of Claude Neal in Florida. Neal, a youthful Negro, was obviously guilty of a very serious crime and would undoubtedly have paid for it with his life even under the fairest conditions of legal procedure. For safekeeping he was moved out of Florida and lodged in a small Alabama prison, easily accessible to a mob bent on finding him. From there he was forcibly removed and taken back to Florida where, after such prolonged torture and such unspeakable mutilation as would

shame the most degraded savages, he was finally put to death.

The Costigan-Wagner bill is based on the "due process" clause of the fourteenth amendment which reads: "All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the state wherein they reside. . . . Nor shall any state deprive any person of life, liberty, or property without *due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*" Upon the basis of this phrasing hinges the constitutionality of the proposed measure. It declares: 1. that mob action deprives persons of that due process of law provided in the fourteenth amendment; 2. that failure on the part of any local or state officer to apprehend, indict and prosecute the members of a mob shall constitute a crime punishable by fine or imprisonment or both; 3. that failure on the part of local or state authorities to take such action within 30 days after the offense shall automatically charge the federal district court with the responsibility of initiating legal proceedings; and 4, that injured persons, victimized by mob violence—or their heirs—may recover indemnity from $2,000 to $10,000 from the county or counties guilty of failing to prosecute.

While it is true that lynching is primarily a southern problem Senators Costigan and Wagner, staunch democrats and supporters of the administration, have taken every precaution to give their proposal the characteristics of a national measure in no way reflecting on particular states or individuals. Senator Costigan has repeatedly pointed to the fact that lynching is likely to break out in any state, north or south, as recent events in Ohio, Indiana, California, Colorado and Missouri indicate. Despite its careful wording, however, and its tactful sponsorship, several factors are cooperating to make the passage of this bill extremely difficult. There is, first of all, the administration's "must" program consisting of the bills that are considered of major importance in furthering the cause of the new deal. Needless to say, the anti-lynching bill is not among these. In view of the fact, therefore, that many of the President's supporters are from those states where mob violence is most likely to find expression, and where federal intrusion will be most embarrassing, the administration's "must" program becomes a convenient excuse for refusing to permit the Costigan-Wagner bill to come up for a final vote. Administration leaders are not likely to succeed in thus sacrificing this measure, but their slightly less loyal colleagues who are determined that S. 24 "shall not pass" consider it their paramount duty to defeat the bill even if they must filibuster it out of existence. Such at any rate is their threat.

When other tactics fail against a proposal of this nature its enemies can always fall back on the claim that it is unconstitutional. That this bill is an assumption of prerogatives which states have usually claimed for themselves is frankly admitted; but the force of the argument is lost in view of the fact that it seeks to provide that very process of law which the constitution of the United States has guaranteed but which states and local communities have seen fit to deny victims of mob violence for more than fifty years. Lynchers have not been indicted because the administrators of law in their communities have either sympathized with them or have been afraid of them. The plea that the bill is unconstitutional therefore comes with little grace and with even less consistency.

Constitutionality is a favorite political cloak under which to conceal one's real objections to unpalatable measures. Congress has often passed laws similarly encroaching on states rights; and by virtue of implementing the government with such emergency laws it has been able to place a check upon kidnaping, and to run down gangsters with a degreee of efficiency which the several states themselves were never able to develop. The fight against this bill, based more on tradition and prejudice than on an orderly presentation of facts, inevitably betrays the weakness of its position.

It remained, in this instance, for Senator Smith of South Carolina to contribute the classic objection, resurrected from the reconstruction era, that the "sanctity of the home" and the "purity of womanhood" was at stake. One could not hope to find any more effective answers to all these objections than those emanating from the very states and constituencies which these opponents to the anti-lynching bill represent. Telegrams, letters and editorials have flooded Senator Costigan's desk, and he has spread many of them on the pages of the Congressional Record. Hardly had Senator Smith completed his impassioned plea when southern women—working girls, college students, church and civic groups—repudiated all he said, and urged the passage of this measure. All the major women's organizations of the Southern Methodist church are behind it, and Senator Wagner has stated that petitions representing 40,000,000 American citizens have asked for its passage.

But will this bill achieve all that its sponsors expect of it? To their credit it must be said that they have never cheapened it with extravagant claims. The deep rooted prejudices of race will remain to frustrate every legislative attempt to secure for the Negro that modicum of justice which, if granted him at all, is granted as a gift rather than as a right. It may be counted on to hamper and evade the provisions of this bill also, if and when it is passed. But every one knows that mob violence with its attendant brutalities has never yet been met with stern resistance. After each bloody deed there are the usual regrets and apologies, the public expressions of horror, the editorial rebukes and the commissions of inquiry—and then the refusal on the part of the authorities to make a single indictment. Conscientious and intelligent citizens have recommended remedial measures without number, but the inertia of state legislatures has made any sort of progress practically impossible.

The only recourse that now seems practicable is federal action. The Costigan-Wagner bill would apply that remedy only after the community in which the crime occurs has been given thirty days of grace to initiate action of its own and thereby to save its prestige. And in the event of a default the trial, now under the auspices of the federal courts, may still be held somewhere

within the same geographical area, and probably will be; but it can then be held outside the immediate neighborhood where men's passions have been aroused, and where a greater degree of justice is possible for every one concerned. The fine, moreover, which the federal government would collect for the benefit of the victims, is intended as a corrective as well as a punitive provision. In South Carolina, where a $2,000 fine has been imposed on communities in which lynching has gone unpunished, there has not as yet been a second lynching in the same community.

Public opinion should therefore demand the prompt passage of this bill, not merely for the sake of the intended victims of mob violence but for the sake of all decent men and women who would implement their abhorrence of this type of lawlessness with the legal machinery necessary to offer it vigorous resistance.

Shackles for Scholars

ONCE again a minority of anxious souls is working itself into a fever of unnecessary excitement over the supposed prevalence of radical and subversive influences in our institutions of higher education. That the active agitators in this campaign to put the bit and blinders upon scholarship are relatively few does not mean that the movement is unimportant. A large element of the public is readily suggestible in regard to imagined perils of this sort, and the exigencies of politics are such that a determined and fanatical few in almost any state legislature have a fair chance to get formidable support from those who really know better but are interested in getting, in return, votes for their own favorite measures. Thus the Illinois senate recently adopted, by a large majority, a resolution calling for an investigation of communistic teaching in the colleges and universities of the state, both public and private, with the implied threat of withdrawing support from one class and tax exemption from the other if their teachings are found not to conform to the senatorial committee's standard of social and political orthodoxy. Similar attempts are being made elsewhere.

The dangers inherent in such investigations are far more serious than those that may reasonably be apprehended from any teachings that there is ground to believe are being given in Illinois or any other state.

There is, in the first place, the overwhelming probability that such legislative investigations will be conducted by persons who have no qualifications for determining whether or not any given body of social or economic doctrine is communistic or subversive. Communism is, to be sure, a definite creed and program; in our judgment, a bad one. But for most Americans, including legislators, it is not a program which they can define clearly and discuss unemotionally on its merits and demerits; it is a label to paste upon any set of opinions or any plan of economic organization which leans more to the side of collectivism than their own. It is a term of reproach employed to take the place of argument. If it were proposed to investigate the purity of a city's water supply, it might be taken for granted that the investigation would be conducted scientifically by qualified experts. But none of those who clamor for an investigation of the purity of the intellectual streams which flow from our educational fountains has thought of suggesting that the investigators should pass any sort of qualifying examination or that, before beginning their work of analysis and criticism, they should establish any standards of purity by comparison with which the quality of the suspected teachings should be judged, or even that they should be able to define the thing that they are looking for and prove that they know it when they see it.

One has only to recall the black lists and red lists that have been issued in recent years to realize how badly such standards and qualifications are needed if an investigation is to be anything more than a political witch-hunt. Jane Addams and Graham Taylor are set down as reds. *Mrs.* F. D. Roosevelt and *Mrs.* Louis D. Brandeis are listed as persons exercising a subversive influence. The Federal council of churches is characterized as a perfect hotbed of red radicalism. Practically all the new-dealers have, at one time or another, been described as either communists or socialists. (One test in the qualifying examination for investigators should be to define communism and socialism and state clearly the difference between them.) And Colonel Hadley, of the Paul Reveres, was recently quoted as saying that the subversive radical teaching of the universities is proved by the fact that so many of their graduates are now among the advisers of the President of the United States!

It is fantastic to suppose that the movers of these resolutions to investigate would welcome the suggestion that the appointment of the investigators should be conditioned upon some proof of their competence. But even if it were so ordained, the policy would be open to objection. Universities cannot exist under restraints imposed by the political power. Institutions bearing that name may continue and perform certain academic gestures, but they will not be universities. A nation or a state can take its choice. It can have universities, or it can have no universities. But it cannot have them without paying the price. Part of that price is money, and part of it is willingness to have its ideas, its culture and its institutions subjected to scholarly scrutiny. President Robert M. Hutchins of the University of Chicago recently stated the case with precision when he said: "Freedom of inquiry, freedom of discussion, and freedom of teaching—without these a university cannot exist. Without these a university becomes a political party or an agency of propaganda. It ceases to be a university." What has happened to the universities of Germany, Italy and Russia is an impressive and sobering object lesson.

Universities have periodically been objects of suspicion and attack since first they began to exist; and before that, individual scholars, thinkers and investigators often felt the heavy hand of the state, the church or the mob. Socrates lived, during his later years, in a period of Athenian hundred-percentism and of popular resentment against the influence of highbrows and

difference between the standards of athletics at Cambridge and the personality of the newcomer was not easy to reconcile for anyone who read the newspapers, and the director found some difficulty at the start in explaining why one of the most notorious go-getters in college athletics should have been called to Harvard. He did admit that the gentleman's unfortunate reputation had preceded him, but explained this away by some curious logic. It appeared that an investigation had proved that notwithstanding the new leader's proselytizing at his former post, his freshmen had lost twenty-eight out of thirty-five games. This astonishing ratiocination drew no objections from his listeners, and the new coach, R. C. Harlow, stood up.

Why was he chosen at all? Simply because Harvard couldn't take it any more. Five or six years of unsuccessful football teams were too much; the graduates rebelled. They couldn't take it, neither could the Director of Athletics, who saw his gate receipts falling away in an alarming manner and his job endangered. That Harvard had in the past been asis of sanity in an athletic-mad college world meant ting. Standards of value were not considered. The only tion was to get a winning team, a winning team at any That meant the right kind of coach, and Harlow of stern Maryland turned out winners. Never mind his hods, results count. So there he was, the new executive g officially presented to the stockholders of the corpo-on.

In a sentence, he is the kind of man you'll never meet psychoanalyst's anteroom. For he is a typical extrovert he big, broad-shouldered type who calls you by your first e ten minutes after he has met you. He looks like what is, a successful football coach. No doubts about life. tball is a great game. Those who deserve to win will . Fight to the end. Morale. Team play. Block. kle. Fight.

He knew his audience—or was it that he had been rned? In any event he dealt wisely in generalities which ld mean everything or nothing according to one's point view. He gave them exactly what the majority had come hear, ringing sentences that seem full of significance when rd but when taken to pieces are fustian. "I have long eamed of being here with you men of Harvard tonight... ir generous loyalty...your unwavering support...the nderful bunch of boys at Cambridge...justify the trust u have placed in me. . . . Football is a dike against the od of soft living. . . . Never saw a football player at the ad of a Communist parade. . . . Let's keep the old game rugged...the fine spirit of Harvard..."

He cleverly avoided any details about important matters at issue, neglecting carefully to inform his hearers just how he would obtain prep-school stars if prep-school stars showed a tendency to matriculate at New Haven and Princeton. Nor did he explain that a slightly different attitude toward sport would prevail at Cambridge, that next fall each man would have his name plastered across the front of his jersey. These and other details were left in the background. He said just enough and not too much. Deftly flattering, subtly insinuating that victory was just around the corner, he ended with a paean to the Harvard spirit and its sudden effect upon the Sassenach from the South, which left his hearers in a rosy glow.

Who were they, those open-mouthed idolators? They were not merely citizens of the metropolitan area; their mental existence was not, as Ellis Roberts remarked, "bounded by a cocktail shaker and the *New Yorker*." No, they were graduates of a great university. Heaven help us all, they were educated men.

But we do not choose our heroes. They are made for us; high-school boy or college graduate, we worship as we are told. Like sheep those men sat transfixed by the platitudes and banalities from their hero's mouth, exactly like the boys and girls on the station platform staring at their friend in the coach. The man standing before them was the new head coach. Above criticism, a superman, as aloof and mighty in his sphere as the recruit for the Cardinals was to the boys with whom he had attended classes.

If a single person in the audience realized that this was a formal surrender of Harvard, one of the last ramparts of sanity in sport, to the god of victory-at-any-cost, he kept still. If one listener untouched by mass emotion retained enough perspicacity to raise a voice of protest, he was unheard. Not a word of criticism for this man coming to change all the athletic traditions of a great university. In this body of presumably mature men were the same wide-eyed admiration, the identical signs of hero-worship, that shone on the faces of the boys and girls who watched their friend and schoolmate ride off to the training camps of Florida. The hero of the high school is the hero of the college man.

Reflection on the South

By MARTHA GRUENING

SHARP attacks have been made in the Senate upon the Costigan-Wagner anti-lynching bill. Among the most vocal of those opposed to the bill is Senator Smith of South Carolina. According to the New York *Times* for April 17, Senator Smith "described the bill as a reflection on the South, insisted that Southern womanhood be protected, demanded that the matter be left to the states, and said the measure indicted the South as lawless and barbarous."

The provisions of the Costigan-Wagner bill—which are not restricted to Southern states—give jurisdiction to federal courts over local violence. The bill provides severe punishment for peace officers who are convicted in a federal court of failing to protect their prisoners from a mob, and still more drastic penalties for officers thus found guilty of conspiring with the mob; and it establishes indemnities payable by the counties involved to persons injured through such dereliction of duty or to families of persons killed. Some states, notably South Carolina, have laws containing similar provisions, but these laws are almost never enforced.

On July 4, 1933, Norris Dendy, a colored man, was lynched near Clinton, South Carolina. His alleged offense was striking a white man who had become abusive in a heated argument between them. Dendy, a powerful man, left the scene of the quarrel unmolested but later in the day was arrested on a charge of "reckless driving" and lodged in the Clinton jail. That night a mob dragged him out of the jail, threw him into a waiting car, and drove away with him at high speed. Next day his body was found some miles away from Clinton. He had apparently been beaten and strangled

to death. In spite of the sworn testimony of the Denby family and other eyewitnesses, who named several white citizens of Clinton and three of the town's police officers as members of the mob, the coroner's jury, composed of friends and relatives of the lynchers, decided that Norris Dendy met death "at the hands of parties unknown." Later, largely through the untiring efforts of the dead man's brother, Robert Dendy of New York, the evidence was brought to Governor Blackwood's attention. As a result presentments for murder were drawn up against five white men and placed before the grand jury which met at Laurens, South Carolina, in February, 1934. This jury adjourned without taking any action, and the next grand jury to consider the evidence, meeting in June, 1934, also failed to find indictments.

In the meantime anonymous threatening letters sent to the aforementioned witnesses had effectually deterred two of them from returning to South Carolina to testify. A letter written to Mr. Dendy by a state detective on stationery bearing the seal of South Carolina sums up the matter as follows: "The grand jury at the past sessions court at Laurens . . . *regardless of the testimony of witnesses,* found a no-bill. It is just like I told you in the beginning; when a grand jury refuses to indict, *officers of the state and county are helpless.*" (Italics mine.) Federal juries cannot be so easily counted on to refuse to indict or to find that lynchers posing proudly for photographs "could not be identified." This may explain Senator Smith's objection to federal juries.

Perhaps no recent lynching offers more complete justification for the Costigan-Wagner bill or shows up more effectively the flimsiness of the usual excuses for lynching. The protection of Southern womanhood, white or black, was not involved, though the mob in its zeal did knock down Norris Dendy's mother, a woman over seventy, as she pleaded vainly for her son's life. The lynchers are well known in the community; yet after two years no one has been punished or even indicted for the crime. The accused police officers were not even suspended while the charges against them were being investigated, and the victim's family has not received one penny of the compensation provided by the South Carolina law in such cases.

Senator Smith to the contrary notwithstanding, there have been white South Carolinians, too, who could bear witness to the inadequacy of state protection against lynchers. There was, for instance, Sheriff John Thomas of Walhalla. He was clubbed into unconsciousness on the night of April 23, 1930, by the mob that took the Negro, Allen Green, from jail, tied him to a tree, and riddled him with bullets. Green was accused of raping a white woman on evidence so patently faked that the sheriff explained his unpreparedness for the attack—the mob had found him asleep—by saying that he had not supposed anyone really believed the charge against his prisoner. Eventually seventeen of the lynchers were put on trial, but in spite of positive identification of two of them by the sheriff and his son and strong evidence against several others, all were acquitted. Two years later one of these defendants, Laudy Harris, confessed publicly that he had been the leader of the mob that lynched Green.

Is it necessary to recall the Aiken cases? One of the three Negro victims of mob savagery in that affair had been acquitted by a directed verdict and the other two, a woman and a fifteen-year-old boy, were awaiting trial, having successfully appealed from a conviction for "conspiracy to murder." The grand jury failed to find indictments though the lynchers were well known. Has Senator Smith, "insisting that the matter be left to the states," also forgotten Anthony Crawford? Crawford was lynched in Abbeville, South Carolina, in 1916 under circumstances that closely resembled those in the case of Norris Dendy. He was a substantial and respected farmer of Abbeville County and saw no reason for taking a white man's abuse. In the course of a dispute with a white merchant over the price of some cotton seed, Crawford cursed the white man. For this he was arrested on a charge of disorderly conduct and fined fifteen dollars. A white mob, outraged at such leniency shown to an "impudent" Negro, pursued him with the avowed intention of giving him a beating, finally cornering him in a cotton gin in which he had taken refuge. When Crawford struck the leader of the crowd in self-defense he was partly blinded, then kicked, stabbed, and beaten into insensibility. Rescued by a fluke, he was thrown into jail, only to be seized again and then with further torture dragged through the streets to the fair grounds, where he was hanged and then shot. As usual, no member of the crowd could be identified, but the decent white citizens of Abbeville were aroused. They were not able to secure the punishment of the lynchers, but they called meetings and passed resolutions condemning them and their apologists, and these resolutions ended significantly—nearly twenty years ago—with these words: "That if it be necessary . . . to carry out this determination the aid of *the state and federal government be called,* in order that every man may enjoy his rights under the constitution." (Italics mine.)

Correspondence

From Angelo Herndon

To the Editors of The Nation:

On Friday, April 12, I sat in the first of the two rows reserved for spectators in the Supreme Court of the United States, listening to the oral argument in the case of Angelo Herndon vs. the State of Georgia. I listened as Whitney North Seymour, retained by the International Labor Defense, made a brilliant and eloquent plea in which he proved that the old Georgia slave-insurrection law under which I was convicted and sentenced to from eighteen to twenty years on the chain gang was a direct violation of the Fourteenth Amendment to the Constitution of the United States.

My first trial in Georgia, back in January, 1933, came sharply to my mind when J. Walter Le Craw, who had helped prosecute my case in the lower courts too, began his speech. The same ranting and raving and shouting. The same open call to race hatred. He asked the Supreme Court to uphold my sentence because I had in my possession Communist literature—he kept saying it was in a shoe box that I had under my arm when I was arrested, actually it was confiscated from my room without a search warrant—that said, "The Communists want to seize the land and give it to the niggers." After that first slip he was careful enough to say "Nigras."

But his appeal to the highest court was no different from the prosecution in Atlanta. No evidence was produced against me to prove that I advocated "force and violence." Even the

A Message to Congress
(Which the President Might Read to It)

To the Congress: I come before you at the opening of the Seventy-fourth Congress deeply imbued with the profound responsibility placed upon me and the majority party by the result of the last election. It went far beyond any personal or party tribute; it was a vote of confidence, I believe, less in men than in the measures the Administration has advocated for the purpose of restoring prosperity and of giving relief to the millions of our fellow-citizens and their families who are still without the means of support by their own labor. I should be less than human, however, if I were not moved to the depths of my being by my share in this unprecedented popular approval of what we have tried to do and have done. For my own part, may I take this opportunity to say most solemnly that I accept it as a mandate to proceed with our double task, first, of assuring a return to normal conditions, and, second, of modernizing our political and economic life, with complete social justice as our beacon-light?

That the problems before us are so vital and far-reaching as inevitably to make this session of Congress one of historic importance must be as clear to you as to me. Some of the questions to be settled will profoundly affect the national development for years to come. They cannot be answered in a short time, nor should they be decided with undue haste. The decreased minority in Congress makes it incumbent upon the majority to proceed with circumspection and care. Primarily, the Congress must decide the fundamental issue of the relations of labor and industry. This brings up at once the question of the permanence of any or some of the features of the National Industrial Recovery Act, which, as you are aware, expires by your limitation on June 16 next. To me, labor's retention of the right to collective bargaining and the duty of capital to deal with representatives of labor's own choosing remain the fundamental points in the reorganization of our economic life. I believe that labor should have equal weight with capital, and I am determined to bring to book those corporations which, after having solemnly signed their names to the codes for their businesses, are refusing to honor their signatures by obeying the law, and are seeking to defy the government itself. There is no more important duty before the Executive than to make it clear to the entire country that the government of the United States cannot be defied successfully by any individual, any corporation, or any group. The issue of how far government supervision over industry shall go is squarely before you. I believe that it must be sufficient to guarantee justice for labor, and the blocking of any further drift toward an economic oligarchy or toward monopoly.

The next most important field for your consideration is that of social security. In my message to you of June 8 I notified you of my plan to ask for unemployment insurance and old-age pensions. Specific bills covering these subjects accompany this message. I lay them before you as a basis for your consideration. The beginning of complete social security for the American citizen must no longer be postponed. It is for you to decide finally the details of unemployment insurance—how much industry shall be taxed for its support, who shall administer it. It is also imperative that you go a step farther and draft adequate legislation for insurance for the sick and the aged. In my message of June 8 I asked for authority for the modernization of existing homes and the building of new homes. The measures voted by your honorable body have made possible great advances. As I am not satisfied with our progress in this field, I hereby promise you that every effort will be made to double the speed of construction with the definite goal of a decent home for every American and the elimination of all slums. A British Minister has lately declared that there will not be a slum left in England after five years. Shall we lag behind Great Britain in achieving this great end? Again, it would in my judgment be a profound error to fail to embody in our permanent legislation minimum wages, shorter working hours, elimination of the sweatshop and, above all, of child labor. It is my earnest hope that the several states will ratify without delay the child-labor amendment to the Constitution and thereby bring us up to an equality in this matter with other countries. American childhood must be kept out of mine, factory, and field; it must not be exploited for private gain.

There is still another and a specific issue of profound import to which I invite your attention. The passage of the Costigan-Wagner anti-lynching bill is an immediate duty. It cannot have escaped your attention that our national honor has been foully besmirched by the recent lynching of Claude Neal, a Negro, near Greenwood, Florida. This prisoner was in the law's hands; his guilt was certain and confessed. The mob which took him from the jail advertised its purpose and accomplished it with a sadistic fury, an obscene barbarity, which make the printing of all the details an impossibility. Shocking as was the murder of the prisoner's victim, the fiendish conduct of the mob makes it impossible for Americans to point the finger of scorn at lawlessness anywhere in the world. It stains our flag, as it tarnishes our honor. I cannot guarantee that the Costigan-Wagner bill will stamp out mob murder, but I do know that it will give to the United States government some of the powers it needs to check this evil, which in its importance overshadows the government's war against gangsters, bootleggers, and the other organized elements among our criminals. The killing of four citizens at Shelbyville, Tennessee, last month by troops, in order to prevent the lynching of an American citizen accused of crime, is still further proof of the menace of this lawlessness to our national life.

Our goal is plain. It is the creation of a more ideal economic order. There shall be in the United States special privilege for none, economic equality for all, with the motive of private profit subordinated to the general welfare. That the road lies open, the field ready for cultivation, is obvious. The spirit of the Tennessee Valley Authority, which I have promised shall rise in every state, is the best pledge of that.

Franklin D. Roosevelt

Here's How the Senate Beat Anti-Lynch Filibuster

Only 12 Convictions in 5,071 Cases of Lynching

Afro-American 5-4-35

Alabama Senator Wants to Compare Lynching and Burglary; Tydings Answered on the Penalty Clause.

WASHINGTON. (Special) — Senator Byrnes (Dem. Ala.) filibustering Monday, said, if the Senate would enact a federal law against lynching which is on the decrease, it ought also to make federal regulations to cover burglary in New York and other large cities, which is on the increase.

Wagner Replies

In reply, Sentor Wagner brought out the fact that lynchings were different, and asked Senator Black whether he knew how many prosecutions and convictions there had been in the five thousand cases of lynchings.

Black Tries to Help Out

Senator Black sought to help out Senator Byrnes by asking Senator Wagner did he know the statistics on rang crimes in Chicago and New York.

Senator Wagner promised to get the statistics on gang crimes but meantime read into the Record the statement that of 5,071 lynchings since 1882 and 280 since 1922, there have been prosecutions in only eight-tenths of one per cent of these cases and only twelve cases of convictions.

Tydings Opposes Penalty

Senator Tydings (Dem. Md.) said he would like to vote for the bill, but he objected to the $10,000 penalty clause which was assessed against a whole county and included the innocent witl. the guilty.

Senator Wagner answered that eleven states had anti-lynching laws in which such penalties were assessed against counties which permitted lynchings.

No county, he said, has had another lynching after once paying $10,000 for the first one.

Many Wire Costigan to Hold out Against Filibusterers

Senator Smith Snootily Terms Southern Interracial Commission Favoring Bill "Patriots."

WASHINGTON — (Special)— Senator Costigan, read into the record telegrams from individuals and organizations Monday urging the Senate to resist the filibuster if it takes all summer. Some of the telegrams declared against surrender at any cost, and added that the senders were praying for victory.

Some of the wires were signed by:

New York Students' Literary Association, Chicago World, Philadelphia Foreign Mission Board, J. H. Johnson; Philadelphia Young Friends Movement, Chicago Civic Council, H. H. Pace, Cincinnati NAACP, T. M. Berry; Mobile NAACP:

J. L. Leflore; Louisville, NAACP, B. S. Elberley; Marion Ind. NAACP, Katherine Burley, Louisville American Legion, Peter Salem Post;

Philadelphia, Logan Baptist Church, Philadephia Women's Independent League, Chicago South Central Community Council, Staunton, Va., Mrs. W. S. Plummer Bryan, Mrs. A. Stuart Baldwin, Mrs. R. L. Walton.

Philadelphia, Society of Friends, Dr. Virginia Alexander.

Philadelphia Young People Fellowship, William Smith.

Philadelphia, Henry Cater Patterson.

Chicago, International Press Service—83 newspapers.

Baltimore, Maryland Anti-Lynching League.

Jacksonville, Fla, National YWCA, Mrs. Walter S. Jones.

New York, Church Women's Committee Federal Council of Churches.

Philadelphia, Hill School, Germantown.

Philadelphia, Young People's Christian Endeavor, F. Beeker.

Philadelphia, Pennsylvania Branch International Womens League.

Philadelphia, Young Friends Movement, Thomas Churchman, Elinor Brinkley.

Philadelphia, Florence Evans;

Philadelphia, Dir. Georgia Coleman, Member Women's Political Study Club.

Philadelphia, Emma Sidle, Young Friends Movement.

Philadelphia, Betty Cramer, Intercollegiate Club.

Moorestown, N.J., Eleanor Wildman, Carolyn Johns.

Philadelphia, Randolph Baylor, Jr.

Washington, D.C., Federation of Churches, W. L. Dabney, secretary.

Atlanta, Interracial Commission, 130 citizens in 13 States. Will W. Alexander.

New Orleans, Ministerial Union.

Philadelphia, Young People of Reformed Church, George Devine.

Philadelphia, Ethel Rhoads Pott, Member Society of Friends.

Philadelphia, Tioga Peace Group, Kathryn Patterson.

Philadelphia, Delaware Youth Conference.

Philadelphia, Jack Lanking, president Methodist Youth Conference.

Philadelphia, Mary Cooper, President Baptist Young People's Union.

Philadelphia, Eustace Gray, President District S.S. Union.

Wants to Know "Patriots"

Senator Smith (Dem., S.C.) wanted to know the names of the 110 Interracial Commission patriots" who sent in the telegrams to urge the passage of the anti-lynching bill.

Senator Costigan said the Commission on Interracial Cooperation had just met in Atlanta and had previously taken no action on lynching. Officers, names, he said, included:

Will Alexander, president Dillard University; the Rev. E. M. Poteat, Mrs. Mary McLeod Bethune, Mrs. W. A. Newell, John H. King, Emily Clay, I. Sherrod, Kennedy Daniel Ames.

All are white except Mrs. Bethune.

Sidelights on NAACP Anti-Lynching Fight

WASHINGTON. — The Senate and the crowded galleries were held spellbound on Wednesday and Thursday afternoons last week when Senator Edward P. Costigan of Colorado and then Senator Robert F. Wagner spoke, urging the passage of the Federal anti-lynching bill bearing their names.

They riddled with facts and ridicule the familiar contentions of the opponents of an anti-lynching law that the states could control lynching; that the bill was a threat to labor; that it was unconstitutional, and that lynchng was declining anyhow and so a law against it was unnecessary.

• • •

Senator Black of Alabama raised the anti-labor issue on Wednesday only to be brilliantly refuted by Senator Costigan. On Thursday after Senator Wagner's speech, Senator Tom Connally took up the sword for the South and talked at great length about the Constitution and state's rights.

Connally was twitted by Senator Clark of Missouri for bringing up the Constitution. The Missouri Senator expressed mock surprise that "it is only when such a measure as this, having to do with a subject such as lynching is submitted that the Constitution, long in retirement, is trotted out, its front repainted, its joints mended, and put in the forefront of the action."

The debate between Connally and Clark was one of the high spots of the long Thursday session. Senators Glass of Virginia, Borah of Idaho and Bailey of North Carolina, rushed to Connally's aid when the going became heavy.

• • •

Senator Warren K. Barbour threw the Senate into an uproar near the close of the Thursday session when he pointed out that those who contended loudest for states' rights came from the states "which are leaning most heavily on the Federal government for financial assistance in meeting the ravages of the depression."

He then had read into the record the FERA statistics on relief expenditures in the thirteen Southern states, showing how little they gave for relief and how much came from the Federal government.

• • •

Galleries Laugh

The crowded galleries got a big laugh from the florid, old-fashioned, ante-bellum oratory of Senator Ellison D. (Cotton Tom) Smith, of South Carolina, and Senator Tom Connally of Texas about the home, the sanctity of womanhood and the Constitution.

• • •

Keen-minded Lee Johnson, Senator Costigan's secretary, remembered a speech by Senator Connally last year in which he denounced those who last year raised constitutional objections to one of the recovery measures he was supporting. Johnson rushed to his office and returned with the Congressional Record containing the speech. Senator Costigan used it to good effect.

• • •

Senator Huey Long, the Kingfish of Louisiana, in tan suit and tan-and-white shoes, walked restlessly around the Senate chamber, alternately laughing in Connally's flustered face and slapping his hands together.

• • •

Chinese, Japanese, Haitian and other occupants of the diplomatic gallery, tried to mask their amazement that there should even be a debate on such a humane measure.

• • •

Detailed memoranda prepared by the N.A.A.C.P. on number and causes of lynchings by states, triviality of causes, innocent persons lynched, constitutionality and FERA funds to South which prates of states' rights were distributed in the press galleries and given to Senators.

• • •

Newspapermen, Senators and others say the fight is one of the best organized and conducted seen on Capitol Hill for some time.

• • •

White women worked devotedly for N.A.A.C.P. in fight. They were Mrs. Gertrude B. Stone (native Oklahoman) of Washington branch; Miss Elizabeth Eastman of Y.W.C.A., and sister of Joseph B. Eastman, the cordinator of railroads; a young Kentucky woman; Katharine Gardner of the Federal Council of Churches; Helen R. Bryan and Marjorie Penny of the Friends.

• • •

Charles H. Houston, William H. Hastie and other attorneys were busy running down legal points, preparing briefs, etc.

Finest of all perhaps was the instantaneous response by NAACP branches, and other interested groups with telegrams to wavering Senators.

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Costigan Makes Superb Appeal for Anti-Mob Law

Tells Senate 5000 Lynchings Demand a National Remedy.

PROPOSED BILL IS TERMED REASONABLE

Effect of S.C. State Law Is Cited.

WASHINGTON, D.C.—Immediately after the Senate voted on April 24 to recommit the Bankhead Farm Tenancy Bill to the Agriculture and Forestry Committee with instructions to report it back not later than May 12, Senator Edward P. Costigan, Democrat, of Colorado, moved that the Senate proceed to the consideration of the Costigan-Wagner anti-lynching bill.

Senator Costigan sought unanimous consent for an immediate roll-call to determine whether or not the bill should be taken up. Objections were made by Senators Tom Connally of Texas and Park Trammell of Florida, Democrats.

Debate Begun

Debate was begun by an explanation of the bill by Mr. Costigan.

Pointing out that 5,071 men and women have been lynched in the United States within the lifetimes of many Senators and that the evil is national, he declared that lynching "imperatively requires a national remedy."

Abraham Lincoln Quoted

He quoted comments on lynching from Abraham Lincoln, when a young Illinois lawyer, and Woodrow Wilson, during the World War.

He stated that the present, nation-wide movement in support of the Costigan-Wagner anti-lynching bill was the result of the lynching of Thomas H. Thurmond and John Holmes, both white, at San Jose, Calif., on November 26, 1933, which Governor James Rolph, Jr., condoned.

Federal Law Needed

"Tested by the rule that national wrongs demand national remedies," Senator Costigan declared, "it is evident that lynchings cannot be held in check without a Federal law. They are often interstate and always have a Federal character. Although about 11 of 48 States—North and South Carolina among them—have applied the restraints of reasonable State statutes with results considered excellent, the evil continues to break out with every practice of brutality and lunacy."

He urged 12 reasons for the enactment of Federal anti-lynching legislation. They were:

Proposed Law Reasonable

"First. The proposed law is reasonable in plan and extremely moderate in terms.

"Second. The Federal Government will not act until State officials have failed or refuse to protect persons in their custody or charged with, suspected, or convicted of crime.

"Third. Financial damages, as provided in the proposed Federal law, are now allowed against cities or counties, or both, for mob injuries or death under State laws of 11 States of the Union.

Public Opinion Needed

"Fourth. The proposed law would bring the pressure of taxpaying public opinion, as well as the support of peace officers, to guard counties against mob violence, well illustrated in the case of South Carolina where further lynchings have not occurred in certain counties of that State after the financial penalties were imposed.

"Fifth. The proposed law rests on authority vested in Congress under the Constitution, by appropriate legislation, to safeguard the equal protection of the laws for persons with the protection of States; and the constitutionality of the proposal is supported by successive interpretations of the Supreme Court of the United States.

Lawyers Agree Bill Is Constitutional

"Sixth. Lawyers of high standing, such as the late Moorfield Storey, of Boston, former president of the Massachusetts and American Bar Associations, have carefully analyzed and fully endorsed this type of legislation, and Chief Justice Hughes of the Supreme Court, some years ago was a member of a national conference which unanimously adopted a resolution recommending such Federal legislation.

"Seventh. The San Jose lynching in California in the fall of 1933, which started a new national demand for such a law is one proof that lynchings are not due to legal delays. Dean McMurray, of the University of California Law School, at Berkeley, has declared that California's recent record for criminal convictions is better than England's.

"Moreover, the criminal courts where the San Jose lynchings occurred were not congested with cases at the time, and the two white youths there lynched might have been promptly and impartially tried by jury.

Rape Charges False

"Eighth. Charges of crime against women, even without opportunity to prove their truth or falsity, are statistically shown to be among the less ferquent causes of lynchings; and many of the alleged offenses which have led to lynchings, have been shockingly trivial.

"Ninth. Medical opinion more and more leans to the view that the limitless barbarities of lynchings spring from a sadistic type of madness, which can be repressed by community influence, and which, if not repressed, is only satisfied by unspeakable acts of savagery.

Mob Law Endangers U.S.A.

"Tenth. Mob law endangers, as does nothing else, the safety of all life and property, and the continuance of free government.

"Eleventh. The progress of civilization is measured by the successive triumphs of law over lawlessness.

"Twelfth. The proposed law is already strongly endorsed by highly representative organizations in every part of the United States having a total estimated membership of 53,570,000 men and women."

Cannot Usurp Functions of the Courts

Closing his argument, he declared that "every repetition of mob brutality denies its victims the right of speedy and impartial trial and equal protection of the laws guaranteed by the Constitution.

"No man can be permitted to usurp the combined functions of judge, jury, and executioner of his fellow men; and whenever any State fails to protect such equal rights, I submit that the Federal Government must do its utmost to [illegible] to all of us."

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First Test on Anti-Lynch Bill Won by One Vote

Couzens and Norris, Two Republicans, Aid Democratic Southern Senators to Hold Up the Measure.

WASHINGTON, D.C.—Plans to adjourn instead of recess over the week-end in order to side-track the motion of Senator Edward F. Costigan, Democrat, of Colorado, to take up the Costigan-Wagner anti-lynching bill were balked on April 26 when the Senate refused by a margin of one vote to adjourn until Monday.

The goal of this strategy was to vacate the pending motion and permit Senator Pat Harrison, Democrat, of Mississippi, chairman of the Finance Committee, to gain the floor the first thing Monday morning and move to take up the Harrison Compromise Bonus Bill.

Robinson Makes Motion

The motion to adjourn was made by Senator Joseph T. Robinson of Arkansas, the majority leader. It was defeated by a vote of 34 to 33. Senator Robinson then moved to take a recess until noon Saturday.

Two Southern Senators deserted the opponents of the Costigan-Wagner anti-lynching bill to vote against the motion to adjourn. They were Senators Nathan L. Bachman, of Tennessee, and M. M. Logan, of Kentucky, Democrats.

Two Republicans

Two Republicans voted for the motion. They were Santors James Couzens, of Michigan, and George W. Norris, of Nebraska.

The Senate devoted only about two and one-half hours to a discussion of the Costigan motion. Most of the remainder of the session of four and one-quarter hours was taken up Senator Frederick Steiwer, Republican, of Oregon, in critcism of President Roosevelt's reciprocal tariff program and by Senator Thomas D. Schall, Republican, of Minnesota, in condemnation of the administration in general.

Bailey Talks

Senator Josiah W. Bailey, Democrat, of North Carolina, resumed the floor at the opening of the session on April 26. He again attacked the constitutionality of the measure, which he said was plainly intended to invade the prerogatives of the States.

Senator Costigan interrupted the debate to insert in the Congressional Record telegrams he had received, mostly from the South, urging passage of the Costigan-Wagner anti-lynching bill and expressing the hope that no filibuster will be allowed to succeed.

Capper Defends Bill

Senator Arthur Capper, Republican, of Kansas, spoke in behalf of the bill. He declared the purposes of the bill "are so laudable, its motives so much in the interest of humanity, its need so manifest, that I cannot understand why anyone should oppose its passage."

First Test

The vote on the motion to adjourn was considered the first test on the anti-lynching bill. It was a deliberate move to kill Mr. Costigan's motion to take up the bill.

Those opposing the motion were considered favorable to the Costigan-Wagner bill, and those favoring the motion, arrayed against it. The roll-call was as follows:

Friday's Roll Call on Anti-Lynching Bill

FOR THE MOTION—33

Democrats—21

Adams, Colo.	Hatch, N.Mex.
Bailey, N.C.	King, Utah
Bankhead, Ala.	Lohgergan, Conn.
Bilbo, Miss.	McKellar, Tenn.
Black, Ala.	Murphy, Ia.
Brown, N.H.	Overton, La.
Bulow, S.D.	Pittman, Nev.
Byrnes, S.C.	Radcliffe, Md.
Caraway, Ark.	Robinson, Ark.
Connally, Texas	Russell, Ga.
Dieterich, Ill.	Sheppard, Texas
Duffy, Wis.	Smith, S.C.
Fletcher, Fla.	Thomas, Utah
Gerry, R.I.	Trammell, Fla.
Gore, Okla.	Walsh, Mass.
Harrison, Miss.	

Republicans—2

Couzens, Mich	Norris, Neb.

AGAINST THE MOTION—34

Democrats—18

Bachman, Tenn.	McGill, Kas.
Bulkley, Ohio	Minton, Ind.
Burke, Neb.	Moore, N.J.
Clark, Mo.	Murray, Mont.
Copeland, N.Y.	Neely, W.Va.
Costigan, Colo.	O'Mahoney, Wyo.
Donahey, Ohio	Schwellenbach, Wash.
Lewis, Ill.	Van Nuys, Ind.
Logan, Ky.	
McCarran, Nev.	

Republicans—14

Austin, Vt.	McNary, Ore.
Barbour, N.J.	Metcalf, R.I.
Capper, Kas.	Nye, N.D.
Carey, Wyo.	Schall, Minn.
Frazier, N.D.	Steiwer, Ore.
Gibson, Vt.	Vandenberg, Mich.
Hale, Me.	White, Me.

Progressive—1

LaFollette, Wis.

Farmer-Labor—1

Shipstead, Minn.

Paired

For the motion, Reynolds, N.C.; Byrd, Va., Democrats; against Wagner, New York (Dem.), and Guffey, Pa. (Rep).

Wartime Bogey Raised in Letter to U. S. Senators

WASHINGTON. — In a joint letter to Senators Edward P. Costigan and Robert F. Wagner, sponsors of the anti-lynching bill, Saturday, Walter White, of the NAACP, sounded the note of possible wartime disloyalty.

The letter, which was read into the Congressional Record, praised the Senators for their efforts in behalf of the anti-lynching measure and flayed opponents of the bill.

A portion of its text is:

"Does America expect—or dare she demand fealty and wholeheatred support in the next war from twelve million when she deliberately refuses to protect them from mob violence in time of peace?"

Crookedness Charged

The letter charges that filibustering Senators are the most efficient disseminators of unrest and violence. It further indicates that such men occupy their positions by crooked politics and not merit.

A portion of the letter that is reported to have caused considerable stir is:

"We utter no threats, but we would be derelict to our own conciences and lacking i candor to the Congress if we did not say that your bill is one of the yardsticks of our political attitudes in the future.

"We are in deadly earnest and we cannot and will not accept excuses for any supine surrender to the brazen filibuster now in progress."

This was interpreted as a threat to use the same tactics to defeat opposition Senators as were used to defeat those who voted for the confirmation of Judge John J. Parker in 1930.

Bi-Race Group Favors U.S. Anti-Lynch Bill

ATLANTA, Ga.—The Commission on Interracial Co-operation, in the seventeenth annual session, Thursday, for the first time, went on record as favoring the enactment of Federal anti-lynching legislation, and considered at length the status of laborers in industry and agriculture.

The anti-lynching statement was brought in by a committee headed by Forrester B. Washington, director of the Atlanta School of Social Work, and was adopted without a dissenting vote. Dr. George S. Mitchell, of Columbia University, reported the results of a national survey of the economic status of workers in the industries. Dr. Charles S. Johnson ,of Fisk University, who directed an intensive study in agriculture, painted a gloomy picture of the status of farm tenants of both races.

EVANGELIST IN S. CAROLINA

CHARLLESTON, S.C. — The Rev. James Garfield, evangelist, is conducting a revival at the New Tabernacle Church, here.

Public Won't Be Satisfied Without Anti-Lynch Law

Wagner Defending His Bill Denies Invasion of States' Rights.

TEXAS'S CONNALLY TALKS THREE HOURS

Clark Chides Him About Mentioning Constitution.

WASHINGTON.—The Harrison Compromise Bonus Bill, providing for the immediate payment to veterans in cash or bonds of the present value of their adjusted compensation certificates was hastened to the Senate on April 25 for the purpose of sidetracking the motion of Senator Edward P. Costigan, Democrat, of Colorado, to take up the Costigan-Wagner anti-lynching bill.

Senator Pat Harrison, Democrat, of Mississippi, chairman of the Senate finance committee, which approved the Harrison compromise after rejecting the Patman "greenback" bill, already passed by the House, and the Vinson full cash payment plan, sponsored by the American Legion, broke into a speech by Senator Robert F. Wagner, Democrat, of New York, to file the committee report on the bonus bill.

Dummies Used

The documents he presented were only the formal "dummies" and were filled in later with the actual draft of the bill and report.

Consideration of the motion of Senator Costigan to take up the Costigan-Wagner anti-lynching bill was resumed in the Senate on April 25 with a speech by Senator Wagner. He stated his reasons for introducing the measure in co-operation with Senator Costigan and urged its enactment.

Assault on Government

He called lynchng "a defiant assault upon government itself." He cited as horrible examples the lynching of George Armwood on the Eastern Shore of Maryland on October 18, 1933, and the Tennessee case where a frustrated mob burned down the courthouse.

He also referred to the lynching of Claude Neal, who was taken from an Alabama jail, carried across the Florida state line, shot to death, his body dragged through the streets, mutilated and hanged to a tree in Court Square at Marianna, Fla. Octo[illegible]

Lynching Not Localized

"Events of this nature cannot be localized in their effects," he stated. "In such a period of flux, prejudice and hatred recognize no arbitrary bounds. It is but a short step from summary treatment of those suspected of crime to suppression of every shade of economic or political opinion that disagrees with a transitory majority."

Answering the contention of opponents of the bill that lynchnig can be ended by state action alone, he said "the plea crumbles under the weight of the facts that it must carry." He pointed out that since 1882 there have been 5,071 lynchings in the United States, and 280 since 1922 when the Dyer anti-lynching bill was killed by a filibuster in the Senate.

No Invasion of States' Rights

"This bill does not invade states' rights," Senator Wagner declared. "It interferes only with mob rule. Nowhere is the sentiment stronger, nowhere is the desire for Federal assistance in combating the scourge within their midst more predominant than in those areas where lynching has reached its peak. Fifty-three million people, without regard to locality or walk of life, have united in pleading for the enactment of this Federal anti-lynching law. The sentiment for such a law is as wide-spread as the impulse of humanity. It is as deep-rooted as the spirit of Americanism; it is as imperishable as our Bill of Rights.

"In the history of this country no campaign for civil justice has been waged in vain, and public opinion in the United States will never be satisfied until 'Judge Lynch' is smothered under a heavy blanket of national resentment."

Connally Chided by Clark

Senator Wagner was followed by Senator Tom Connally, Democrat, of Texas, who spoke for nearly three hours, and Senator Josiah W. Bailey, Democrat, of North Carolina.

Senator Connally was chided by Senator Bennett Champ Clark, Democrat, of Missouri, who expressed amazement at the fact that for the first time in months that he had heard the Texan Senator refer to the Constitution was when the anti-lynching bill was brought into the Senate.

Senator Clark told Senator Connally that his return to the Constitution "would appear with better grace" if the process had been a little more gradual than the time between the recommitment of the Bankhead bill on one day and consideration of the motion to take up the Costigan-Wagner anti-lynching bill on the next.

Constitutionality a Question for the Courts

Mr. Clark said the constitutionality of the measure was "a proposition for the courts to determine."

Senator Bailey asserted that the government had constantly sought to encroach upon the powers of the states.

Bailey's Threat

Senator Bailey threatened a filibuster. "This bill is not going to pass," he said. "We will be here all summer; we will fight it out on this line, as General Grant said, if it takes all summer.

"We are not going to permit the power of the Federal Government to be extended over the administration of the criminal laws in the commonwealth of North Carolina.

"We will speak night and day, and if the authors of the bill charge us with responsibility for delaying the consideration of the present program, I will put so much of it upon them as I think I can, but all that I cannot I will take, and I will not flinch about it."

Bailey Quotes Tuskegee

Quoting figures from Tuskegee Institute, Senator Bailey commented that lynchings had decreased from 231 in 1892 to 8 in 1932, and 15 in 1934. He argued that there had been great advances in curbing lynchings.

New Jersey's Barbour for Bill

Speaking in behalf of the bill, Senator W. Warren Barbour, Republican, of New Jersey, said that those states in which the issue of states' rights "is more frequently raised, are the same staes which are leaning most heavily on the Federal Government for financial assistance in meeting the ravages of the depression in their cases."

He said that if those states "are willing that the Federal Government should assume by far the greatest responsibility in taking care of their unfortunate, that they should not be too insistent on denying the constitutional rights of court trial and ordered justice to their own citizens."

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9 Votes Is Margin of 2nd Test of Anti-Lynch Bill

Move to Substitute Bonus Bill Is Defeated; Two Republicans with Va., Md., N.C. Senators Aid Lynching Filibuster; Northern and Western Democrats Stand Firm.

(AFRO Bureau)

WASHINGTON. — Supporters of the Costigan-Wagner anti-lynching bill triumphed again last Saturday when they defeated for a second time a motion to adjourn the Senate and, by this parliamentary strategy, sidetrack the bill for the Harrison Compromise Bonus Bill.

The motion to adjourn, made by Senator Joseph T. Robinson, of Arkansas, the majority leader, was beaten by a vote of 37 to 28.

Immediately after the motion to adjourn was defeated, the Senate, by a vote of 49 to 10, recessed until Monday noon, with the motion of Senator Edward P. Costigan, Democrat, of Colorado, to take up the anti-lynching bill still pending.

Offer of Bonus Substitute

Leaders of the filibuster against the anti-lynching bill sought to displace it by the substitution of the bonus bill. As soon as Vice-President John N. Garner announced that the Costigan motion to proceed to the consideration of the anti-lynching bill was the pending question, Senator Tom Connally, Democrat, of Texas, tried to amend the pending motion by substituting "H.R. 3896," the number of the bonus bill, for "S. 24," the number of the anti-lynching bill, in the Costigan motion.

Offer to Lay Bill Aside

Senate parliamentarians hold that no amendment to the motion is in order and that the original motion must be disposed of before any other business can be taken up. Senator Charles L. McNary, of Oregon, the minority leader, sought to make the point of order that the amendment of Senator Connally was not in order, but the latter would not yield the floor to him for that purpose.

Senator Costigan offered to agree to lay aside the anti-lynching bill for consideration of the "must" program of the administration if his motion to take up the bill should be adopted.

Robinson Sought Agreement

In accord with the proposal of Mr. Costigan, Senator Robinson sought agreement to the Costigan motion by unanimous consent and to lay aside temporarily the anti-lynching bill and consider the bonus bill.

No sooner was the request made than Senator Ellison D. Smith, Democrat, of South Carolina, objected.

Senator McNary suggested that the Senate make the anti-lynching bill its unfinished business and postpone the consideration of the bonus bill for a few days. Senator Robinson made a motion to adjourn. The Robinson motion took precedence, and a vote was first taken on it.

Three Switches

There were three switches in the votes of last Friday and Saturday. Senators Louis Murphy, of Iowa, and David I. Walsh, of Massachusetts, who had voted on the previous day to adjourn, voted Saturday against the adjournment motion. Senator Henrik Shipstead, Farmer-Labor, who had voted against adjournment Friday, voted for it Saturday.

Senator William E. Borah, Republican, of Iowa, who had not voted Friday, voted against adjournment.

He had previously stated that he was not willing to agree to postpone the Costigan motion to take up the anti-lynchnig bill so as to take up the bonus bill unless it were also agreed that after the bonus bill was disposed of the Costigan motion would be finally disposed of before the Senate considered AAA amendments."

Two Republicans Against

Once again two Republicans were recorded in favor of the adjournment motion. Senator James Couzens of Michigan voted for it. Senator George W. Norris, of Nebraska, was paired with Senator Robert M. La Follette. If Senator La Follette had been present, he would have voted against adjournment. If Senator Norris had been permitted to vote, he would have voted for it.

Four Southern Democrats voted against adjournment. They were Senators Nathan L. Bachman, of Tennessee; Alben W. Barkley and M. M. Logan, both of Kentucky, and Harry S. Truman, of Missouri.

Tydings With Lynchers

Senator Millard E. Tydings, Democrat, of Maryland, was paired with Senator Jesse H. Metcalf, Republican, of Rhode Island. If Senator Tydings had been present, he would have voted for adjournment. Senator Metcalf would have voted against it.

Saturday's roll-call on the motion to adjourn was as follows:

Saturday's Roll Call for Adjourning

FOR ADJOURNMENT—33

Democrats—26

Adams, Colo.	Gore, Okla.
Bailey, N.C.	Harrison, Miss.
Bankhead, Ala.	Hatch, N. Mex.
Bilbo, Miss.	King, Utah
Black, Ala.	Lonergan, Conn.
Brown, N.H.	Radcliffe, Md.
Bulow, S.D.	Robinson, Ark.
Byrnes, S.C.	Russell, Ga.
Caraway, Ark.	Shepard, Texas
Connally, Texas	Smith, S.C.
Dieterich, Ill.	Thomas, Okla.
Fletcher, Fla.	Thomas, Utah
Glass, Va.	Trammell, Fla.

Republicans—1

Couzens, Mich.	

Farmer-Labor—1

Shipstead, Minn.	

AGAINST ADJOURNMENT—37

Democrats—22

Ashurst, Ariz.	McCarran, Nev.
Bachman, Tenn.	Minton, Ind.
Barkley, Ky.	Murphy, Ia.
Bone, Wash.	Murray, Mont.
Bulkley, Ohio	Neely, W.Va.
Burke, Neb.	O'Mahoney, Wyo.
Costigan, Colo.	Truman, Mo.
Hayden, Ariz.	Van Nuys, Ind.
Lewis, Ill.	Walsh, Mass.
Logan, Ky.	

Republicans—13

Austin, Vt.	Keyes, N.H.
Borah, Idaho	McNary, Ore.
Capper, Kans.	Nye, N.D.
Frazier, N.D.	Schall, Minn.
Gibson, Vt.	Stelwar, Ore.
Hale, Me.	Vandenberg, Mich.
Hastings, Dela.	White, Me.
Johnson, Cal.	

Pairs

For adjournment—Reynolds, N.C.; McKellar, Tenn.; Overton, La.; Tydings, Md.; George, Ga.; Duffy, Wis.; Gerry, R.I.; Byrd, Va., Democrats; Norris, Neb., Republican.

Against adjournment — Wagner, N.Y.; Moore, N.J.; Clark, Mo.; Guffey, Pa.; Democrats; Barbour, N.J.; Townsend, Del.; Carey, Wyo.; Metcalf, R.I., Republicans; LaFollette, Wis., Progressive.

South Talks Constitution as Anti-Lynch Bill Looms

Senator Clark Tells Dixie Senators He Never Heard Them Mention the Constitution Before.

Constitutionality an Excuse

WASHINGTON (Special) — When Senator Byrnes (Dem. S.C.) declared that he was opposed to the anti-lynching bill because he considered it unconstitutional, Senator Wagner retorted that much of the New Deal legislation was likewise thought unconstitutional.

"If we are satisfied with the merits of the proposal," he said, "we can leave the constitutional question to be determined by the courts."

Clark Is Amazed

Senator Bennett Champ Clark, (Dem. Mo.) expressed amazement Thursday at the discussion of Senator Tom Connally (Dem. Tex.) of the constitutionality of the anti-lynching bill.

He said the only time he and some other Senators mention the constitution is when an anti-lynching bill is brought up.

Senator Logan (Dem. Ky.) said Senators can always find something unconstitutional about a bill [illegible]

Senator Long, (Dem. La.) declared the debate irrelevant. Before long, he said, we will be discussing the Mother Goose almanac.

Mitchell Votes Nay on Reducing Navy

WASHINGTON—On the important roll-call in the House last week on the motion of Representative Fred J. Sisson, Democrat, of New York, to recommit the Naval Appropriation bill with instructions to report it back with such amendments as would reduce the total amount appropriated by twenty per cent, which was rejected by a vote of 289 to 56, Representative Arthur W. Mitchell, Democrat, of Illinois, voted "nay."



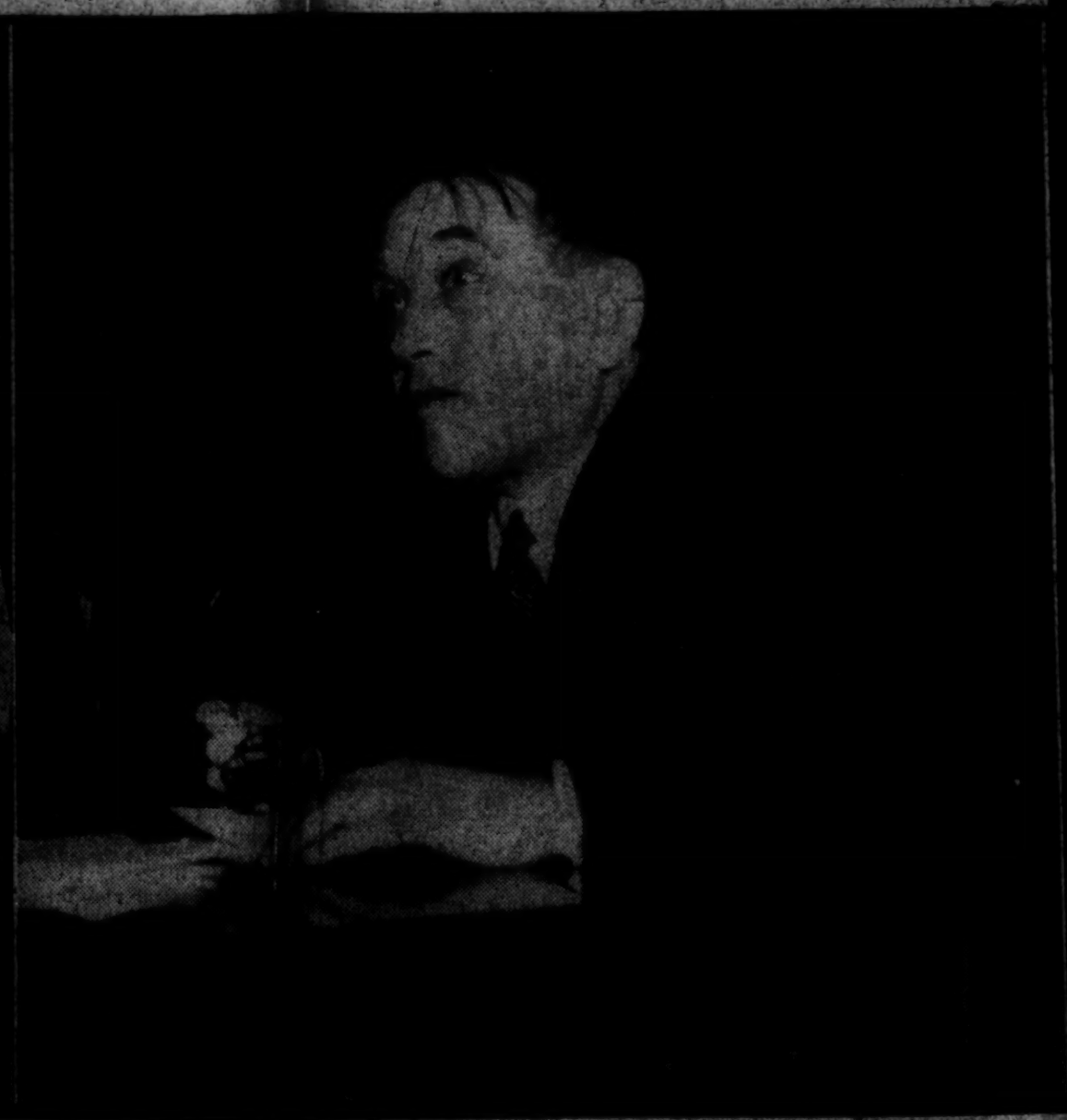
Of course you want a delicately scented, smooth perspiration-proof face powder that stays on all day if need be—but you want MORE than that. Dr. FRED Palmer's SKIN WHITENING Face POWDER lives up to its name — makes skin look lighter and lovelier. Two shades only, light and dark, a Dr. FRED Palmer triumph. Eliminate puzzling search for right match. At all drug stores 25c or send 3c for samples to Dr. FRED Palmer Laboratories, Dept. 304, Atlanta, Ga.

FEB 15 1935

Anti-Lynching Bill Studied; Gen. Wood to Direct Works

+ Day's Events in Pictures +







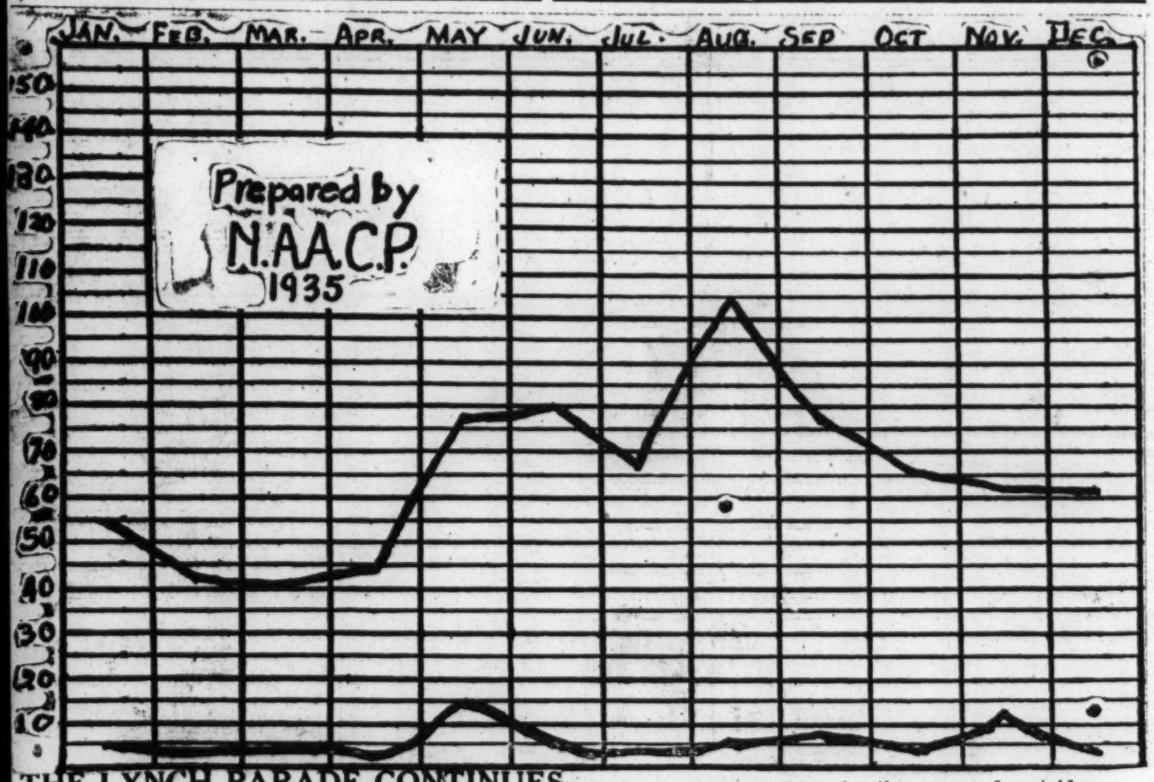
Underwood & Underwood Photos.

Congress opens hearings on anti-lynching bill! Interesting camera glimpses of the hearing before Senate Judiciary Committee. Left, Senators Edward P. Costigan, of Colorado, and Robert W. Wagner, of New York, authors of the bill, chatting confidentially. Center, H. L. Mencken, noted Liberal, appears before the committee. Right, Mrs. Caroline O'Day, representative from New York, at the hearing.

Lynchings—1935
N.A.A.C.P., Reports on.

5106

A 20-Year Record of Lynching And Burning In The Southland!



This graph, prepared by the NAACP, shows in the top line the trend of lynchings by months for the 20-year period, 1915-1934 inclusive. The month of August leads with 105 lynchings, and the month of March is at the bottom with "only" 45 lynchings.

The bottom line of the graph shows the burning of human beings by months over the same 20-year period. A total of 45 persons were burned by mobs, some of them alive and some of them after being killed.

Texas leads with 12 burnings, followed closely by Mississippi, with 10, and Georgia with 8. The banner burning month, as shown by the graph above, was May, with a total of 15, with November close behind with 13.

THE LYNCH PARADE CONTINUES

According to figures compiled by Tuskegee institute, 20 persons were lynched in America during 1935, a total of four more than in 1934. The National Association for the Advancement of Colored People has not yet revealed its totals, which will probably be at variance with those of Tuskegee, nor have the Communists issued their annual statement which will be far more than either of the other organizations.

But it is a matter of even conservative record that the mobs rule and no method has as yet been devised to end this situation. Last year attempts to have federal anti-lynching legislation passed brought a long filibuster in congress. Senators of Dixie states yelped about "states rights" and said they were competent to deal with such savagery back home. Borah of Idaho, who wants the presidency, threw his influence behind the move to kill the Costigan-Wagner bill.

Meanwhile the country boasts of its "civilization" and points with pride to its huge stride toward a mechanized society. Countries and peoples with fewer autos and no skyscrapers are looked upon as inferiors. Missionaries spend good money trying to "convert" the non-Christian peoples of Africa. Frankly, we boast a holier-than-thou attitude which merely serves to lower America in the eyes of outsiders. Were the savage to indulge in human-fries, nobody would be surprised; but for a nation which claims to be 120,000,000 of God's anointed to roast its brothers and sisters make the crime just that much more terrible.

Lynching continues. Lindbergh had the right idea when he left these lawless shores.

Lynchings – 1935
N.A.A.C.P., Reports on.

5107

NEWBURGH, N. Y.
NEWS

JUL 9 1935

Negro Group Denies Story Of 'Lynch Mob'

Newburgh Branch of National Association for Advancement of Colored People Says Crowd at Falls Was 'Only 75'

Officers of the Newburgh Branch of the National Association for the Advancement of Colored People today issued a statement, signed by Dr. Robert Branch, president, denying that a mob of Highland Falls Negroes attempted to lynch Clyde Larkin, accused of criminally attacking a 19-month-old Negro girl there on June 29.

Dr. Branch says the story which appeared in The News of July 1 was erroneous when he said that 250 Negroes swarmed about the Highland Falls lockup following Larkin's arrest. Investigation by the association, Dr. Branch says, discloses that the crowd numbered "less than 75."

Group's Statement

Dr. Branch's statement:

"In an article which appeared in The Newburgh News July 1, a statement was made that a mob of 250 Negroes was swarming around the lockup clamoring for Larkin's life. This statement was not only erroneous but a gratuitous insult to the colored population of Highland Falls. The sentiment of that village was grossly miscarried by the press, according to an investigation by the Newburgh Branch of the National Association for the Advancement of Colored People.

'Only Small Crowd'

"On the night of the crime of which Larkin is accused, a small crowd of less than 75 persons assembled about the scene, such as to be expected at the scene of any crime.

"The organization wishes to be clearly understood that it does not wish to influence public sentiment in connection with the case; nor does it wish to interfere in any way with the progress of the case now being tried in the courts.

"We urge every Negro and friend of better relations to make a substantial effort to stamp out lawlessness and race hatred thereby making America a better place in which to live."

Group's Officers

Other officers of the Newburgh branch are: Robert Hawkins, vice-president; Mrs. Harriet Freeman, secretary; Ambrose M. Bost, treasurer, and Hazel Amos, financial secretary. The executive officers are: Dr. Branch, Mr. Hawkins, Mrs. Freeman, Mr. Bost, Naomi Wisher, Alberta Flemming, Harvey Burger, the Rev. E. O. Clarke, and the Rev. R. M. Mitchell.

New York Evening Post

JUL 23 1935

Three Lynchings in Five Days

To the Editor of New York Post:

Sir—(Copy of telegram to President Franklin D. Roosevelt, White House, Washington, D. C.)

The lynching of Rubin Stacy by a mob in Fort Lauderdale, Fla., Friday, was the third lynching within the past five days and the ninth lynching this year.

Four lynchings have taken place since the Costigan-Wagner bill was sidetracked in the Senate May 1, thus bearing out the prediction that the removal of threat of Federal legislation would encourage mob violence.

The National Association for the Advancement of Colored People urges you to ask further consideration of this legislation by Congress, as States have demonstrated they cannot and will not prevent lynchings or punish lynchers.

Unless the Federal Government acts to stamp out lynching, America will continue to be branded as a hypocrite in voicing its dismay and disapproval of terror in Germany, Mexico and elsewhere.

ROY WILKINS,
Assistant Secretary National Association for the Advancement of Colored People.

Lynchings-1935.

Alabama

Prevented

5109

CONFESSION BARES LYNCH MOB'S ERROR

1-4-35

Pair Admit Crime For Which Three Nearly Died

By United Press.

ANDALUSIA, Jan. 3.—Two Andalusia youths confessed to Sheriff Tom Gannt today that they committed a murder for which a mob threatened to lynch three innocent men recently.

The two, Rubin Pittman, 19, and Calvin Soles, 22, told Sheriff Gannt they killed Trammel Steele in a filling station robbery at Laurel Hill, Fla., last Dec. 20.

Both are paroled convicts from Kilby Prison.

Confessions of Pittman and Soles absolved three other suspects who were held for safekeeping at Montgomery. A mob had threatened them following capture here. They were Tobe Adams, Tookie Meeks and Ed Davis, the latter a Negro.

Pittman and Soles were linked with the crime when six automatic pistols stolen from the National Guard Armory here were used in the robbery were traced to them.

Alabama Mob Fails To Secure Negro

BRADFORD, Ala., Jan. 28.—(AP)—Quick work by a mine superintendent and a commissary cashier today prevented summary execution of a negro arrested as a suspect in an attack on the wife of a miner here early this morning.

The negro, C. C. Sanderson, answered the general description of a negro Mrs. Dora Cosby, 33, told officers had attacked her and a group of 200 armed miners immediately surrounded him.

W. C. Chase, mine superintendent, and C. E. Patterson, commissary cashier, interceded for the negro and persuaded the crowd to surrender him to officers. Sanderson then was taken to jail in Birmingham to protect him. Later three other negroes were quietly taken into custody and removed to Birmingham for their protection.

Mrs. Cosby told officers a negro gained entrance to her bedroom shortly after her husband had left for work, and after slashing her wrists with a razor, smothered her outcries with a pillow and attacked her.

Mrs. Cosby said the negro gained entrance through a window and fled the same way. The razor, Mrs. Cosby said the negro used, was found in an adjoining room wrapped in a cloth. It was identified as the property of her husband.

A 10-year-old daughter, who was in another part of the house, said she saw no one enter or leave.

Two Men Avert Negro Lynching

Attack Suspect Taken To Birmingham After Mob Hands Him To Officers

Advertiser

1-29-35

BRADFORD, ALA., Jan. 28.—(AP)—Quick work by a mine superintendent and a commissary cashier today prevented summary execution of a negro arrested as a suspect in an attack on the wife of a miner here early this morning.

The negro, C. C. Sanderson, answered the general description of a negro Mrs. Dora Cosby, 33, told officers had attacked her and a group of 200 armed miners immediately surrounded him.

W. C. Chase, mine superintendent, and C. E. Patterson, commissary cashier, interceded for the negro and persuaded the crowd to surrender him to officers. Sanders then was taken to jail in Birmingham to protect him. Later three other negroes were quietly taken into custody and removed to Birmingham for their protection.

Mrs. Cosby told officers a negro gained entrance to her bedroom shortly after her husband had left for work, and after slashing her wrists with a razor, smothered her outcries with a pillow and attacked her.

Screams of Mrs. Cosby brought neighbors to her assistance and officers were notified. Feeling became intense in this mining community, and posses were hastily organized.

The search spread through the wooded slopes of this section, with citizens joining deputies sheriff in taking up the trail behind track dogs obtained from Murray, Ala.

By noon excitement had subsided, and officers continued their search, extending it to other mining camps in this vicinity.

Mrs. Cosby said the negro gained entrance through a window and fled the same way. The razor, Mrs. Cosby said the negro used, was found in an adjoining room wrapped in a cloth. It was identified as the property of her husband.

A 10-year-old daughter who was in another part of the house, said she saw no one enter or leave. Fingerprints on the razor were being checked.

Montgomery, Ala., Advertiser
January 30, 1935

Lynching Can Be Stopped

In Alabama the other day a frenzied mob clamored for the lives of three men, believed to be guilty of a robbery and murder at a filling station in the little Florida town of Laurel Hill. Members of the mob were convinced that they had sufficient evidence against the men to make no mistake in requiring their lives in return for those they were supposed to have taken. The law was too slow for these aroused citizens. They wanted to take justice and vengeance in their own hands.

By a combination of good luck and the integrity of certain peace officers the men were spirited away from the place where the mob milled about, crying for blood. Once safe in Montgomery the suspects were able to establish their absolute innocence and lack of connection with the Laurel Hill crime. Two ex-convicts, out on parole, confessed soon after the robbery and murder, and the case was cleared up. The men and women of the Alabama community had barely missed putting three innocent human beings to death in the most hideous and degrading fashion.

Such outbursts of lynch fever can be curbed if the responsible authorities want to curb them. Senator Costigan of Colorado recently pointed out that the threat of a punitive Federal law on lynching during the last session of Congress had a marked effect on the lynch record of the Nation. "For the five and one-half months in which the Congress was in session," he declares, "lynchings virtually ceased in this country. Then promptly following the adjournment of Congress, which did not enact the considered legislation, the stream of lawlessness again began to flow at the rate of approximately one lynching a week, until the whole country was saturated with its revolting recitals."

So much for the argument of the "inevitability" of lynching in some American communities. And so much, in the case of the men sought by the frantic Alabama mob, for the argument that lynching of suspects is ever justified.—Louisville Courier-Journal.

MONTGOMERY, ALA.
ADVERTISER
JAN 29 1935

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Attack Suspect Taken To Birmingham After Mob Hands Him To Officers

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A 10-year-old daughter who was in another part of the house, said she saw no one enter or leave. Fingerprints on the razor were being checked.

SELMA, ALA.
TIMES-JOURNAL
JAN 29 1935

A LYNCHING AVERTED

Quick action on the part of two determined citizens saved a negro from lynching at Bradford Alabama, and the state thus escaped the odium of another outbreak of mob violence. The only proof that the negro was the wanted man for an atrocious assault was the fact he answered to the "general description". Afterwards three others were taken into custody as suspects. The mob is known to be a poor substitute for the courts in apprehending and punishing the guilty. This is the worst indictment that can be lodged against mob violence. It not only murders the innocent, but saves the guilty from justice at the hands of the law, for when summary vengeance is wrecked, all effort to apprehend the real perpetrator ceases.

Had it not been for determined officers who were willing to risk life in upholding the law, America would have been shamed by eighty-nine lynchings in 1934 instead of a fifteen. And he the officers who permitted prisoners to be taken from their custody and murdered been as courag- eous as those who refused to surrender their pris- oners, there would have been seven lynchings in- stead of fifteen, for eight of those who were done to death by mobs were forcibly taken from the custody of nerveless officers. Thus the problem of terminating lynching is made up in very large part of compelling those charged with the duty of law enforcement to enforce the law. Whenever the American people determine to remove this ugly blot from their civilization, lynchings will large-

Lynchings-1935

Arkansas.

5118

Prevented

VANDERBILT ALUMNUS DENIES LYNCH THREAT

TERA Instructor Jailed After Share Croppers Talk

1-17-35

JONESBORO, Ark., Jan. 16.—Charges that he offered to lead a mob to lynch every land owner in Poinsett County in an address before 800 sharecroppers at Marked Tree yesterday were denied today by Ward Rodgers, 24-year-old FERA instructor and Vanderbilt University graduate, who was brought here for safe keeping.

He was arrested by Poinsett County officers after his address on charges of inciting a mob, anarchy and conspiracy agaisst the state of Arkansas.

Rodgers, a member of the Socialist party, stated that his words were: "I will lead a mob." He admitted urging sharecroppers to demand their rights from plantation owners.

Rodgers will likely be given preliminary hearing this week.

NEGROES ARE SAVED BY OFFICERS' RUSE

Pair Rushed From Osceola to Avoid Mob Violence

1-16-35

BLYTHEVILLE, Ark., Jan. 15.—Following an unsuccessful attempt by about 40 Missouri men to seize Jim X. Caruthers and Clear Clayton, negroes said to have confessed a series of parked car robberies, mistreatment of several women and a shooting last Saturday night, resulting in the injury of Sheriff Clarence Wilson, Mississippi County officers have removed the men to a jail in another county.

The men had been placed in the jail at Osceola following their capture late Sunday. When the men in cars bearing Missouri licenses arrived at the Osceola jail late last night, officers employed a ruse to get the negroes safely out of jail and then outraced cars that followed them when they left Osceola.

Several called at the jail, stating that they wished to identify the negroes in a certain robbery, while the others waited outside. Told the negroes were not in jail, they remained nearby. Later the negroes were driven away.

Seek Venue Change For Race Man

4-20-35

BLYTHEVILLE, Ark., April 19.—(By the Continental Press)—Heavily armed officers under sheriff Clarence H. Wilson were stationed at points of vantage in the court house here to prevent possible mob violence when Jim X. Caruthers and "Bubbie" Clayton went to trial for an alleged assault upon a white woman who is separated from her husband.

Judge Neill Killough denied a motion for a change of venue by Arthur Adams, Jonesboro attorney appointed to defend the two members of the Race. Adams said he desired a change of venue because of "adverse sentiment" prevailing in the community where the trial is held.

The two prisoners stoutly maintain their innocence of any connection whatever with the alleged assault. They were arrested following a series of alleged holdups of white women while in parked cars with companions, the white women being allegedly molested, while their companions allegedly were not.

In denying the motion for a change of venue, the court held that insufficient evidence of presence and prevalence of "adverse sentiment" had been presented and cited by the defense attorney. Denver Dudley, prosecuting attorney, and his assistant, W. Leon Smith, have asked the death penalty. The defense attorney was sustained in his contention that the jury was being prejudiced by remarks made to the jury by the prosecuting attorney, and the court asked the jury to disregard the remarks complained of by the defense in their deliberation and decision in reaching a verdict as to the guilt or innocence of the two defendants.

Negroes Heavily Guarded To Avert Mob Violence

4-19-35

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California

Lynchings-1935

Prevented.

5119

OFFICER WOUNDED IN DEFENDING NEGRO

LOS ANGELES, May 13.—(AP)—For his part in saving Aloysius Goodwin, 32, a negro, from a possible lynching, Police Officer L. E. McDonald, 30, may pay with his life.

McDonald went to the rescue of Goodwin late last night when an infuriated mob gathered after the negro's car collided with that of a white woman, and the negro was alleged to have become abusive.

As McDonald ordered the crowd to disperse, displaying his badge, Goodwin was alleged by the officers to have stabbed him in the chest with a pocket knife.

Officers found McDonald on the ground, bleeding profusely—but still endeavoring to protect the negro with his drawn pistol against the mob.

The negro was booked for suspicion of assault with a deadly weapon.

Lynchings-1935

Prevented.

California.

5120

NEW YORK JOURNAL

NOV 30 1935

COAST FEARS NEW LYNCHING

FRESNO, Cal., Nov. 30.—Fear that the brutal killing of 14-year-old Mary Stammer may produce another California lynching spread from Fresno to the State capital as secret questioning of four suspects here indicated an imminent "break" in the mystery.

National Guard troops in the vicinity of Sacramento, it was learned from authoritative sources, have been ordered to "stand by in case of emergency."

This drastic anti-lynching measure was revealed shortly after Governor Merriam, frankly fearful that arrest of the Fresno killer will bring mob violence, appealed to all State and local police to "protect the name of California."

Lynchings-1935

Colorado

5121

Prevented

MAN SAVED FROM MOB AFTER ATTACK ON SON

Constitution
Atlanta, Ga.

Coloradan Moved to State Pen After Confessing Attempt To Kill Child, 11.

7-27-35

CANON CITY, Col., July 26.—(UP)—A 31-year-old FERA worker, frightened into incoherency, tonight found safety in the state penitentiary from a mob which sought to lynch him for a murderous attack on his 11-year-old son.

"I wanted to kill him because he liked to dress as a girl," John Hull babbled to police before he learned of the mob. "He acted like a girl."

Police, however, ascribed a terrible beating which Hull inflicted on the child to his efforts to collect a $1,000 insurance policy on the boy's life.

Hull was arrested at the bedside of his son, Corwin, in a Colorado Springs hospital, where the boy has lain near death since Wednesday night.

The report of the confession spread through Colorado Springs and enraged citizens gathered near the jail.

Police hurried Hull to the penitentiary for safe keeping.

A motorist Wednesday night found both father and son unconscious on the sidewalk, the father with one wound on his head, the boy beaten to a bloody heap, 19 separate wounds on his head, both ears crushed, his skull fractured in several places.

The father told of having been held up by two men, who slugged him and beat up the boy because the lad cried out for help.

Police Chief Hugh D. Parker didn't believe the story. Under severe grilling, the father confessed that he planned to murder his son last Saturday night and that the boy had escaped him at that time, spending the night with neighbors.

He told how he seized a plank as the two walked along the dark street last Wednesday night, struck the boy on the head with it, and then had beat his unconscious form. He then swung the plank against his own head, knocking himself unconscious.

Lynchings-1935
Prevented

Florida

5122

JACKSONVILLE, FLA.
JOURNAL

MAY 4 1935

MOB THREATENS NEGRO SUSPECT

Prisoner Is Safe in Jail at Orlando

WINTER PARK, May 4—(AP)—A negro robbery suspect was safe in jail in Orlando, near here today, after a harrowing experience at the hands of a mob of some 200 Winter Park residents late last night, who with guns blazing and shouts of "Lynch him! Lynch him!" cornered him in a murky swamp near the city limits.

Chief of Police L. W. Morris, who succeeded in bringing the negro to jail here and later turned him over to Sheriff Harry Hand of Orlando, for safe-keeping, reconstructed the scene of the near-lynching.

"Someone raised the cry of thief and a mob gathered as if by magic," Chief Morris said, after a negro had been seen loitering near the Kummber Lumber company, which was robbed several nights ago.

The negro was said to have been armed with a long rifle, and the mob chased him into a swamp but decided not to go into the muck in the dark after him, according to the story told by Deputy Sheriff A. H. Morrong.

The mob raked the undergrowth with heavy fire. Bullets, Deputy Morrong declared, "flew thick and fast around the swamp." Then, with the aid of lights from cars, they went in and dragged forth the negro, who was huddled in the undergrowth, quaking with fear and almost naked. The reported long rifle was not found.

The city police took charge of him and went to the city jail. Soon, however, the hue and cry "Lynch him! Lynch him!" was heard and Chief Morris telephoned Sheriff Hand, who with deputies whisked the negro to the Orange county jail, where all was reported quiet shortly afterward.

A hearing was set for the negro, whose identity was undisclosed, before Justice of the Peace Guy Colado at Winter Park today.

TALLAHASSEE, FLA.
DEMOCRAT

MAR 24 1935

Negro Escapes; Mob Disperses

BRONSON, March 23—(AP)—Threats of a lynching in this county faded tonight as a negro sought for slaying Mrs. Sam Peterson at Lebanon apparently had escaped a mob that combed swamps and fields in search of him.

Sheriff H. B. Whiddon telephoned the governor's office at Tallahassee he believed the negro had escaped. At the same time, the sheriff assured the governor there would be no mob violence should the negro be arrested.

Mrs. Peterson was found dead at her home Thursday morning. Since that time a crowd and officers had sought a negro suspected of slaying her.

Governor Dave Sholtz ordered county officials to take every necessary precaution to prevent mob violence in the two cases.

Florida White Jury Acquits Man Of Slaying; Ministers' Aid Is Praised

Sheffield Roberts Is Spirited Away to Prevent Violence Following Acquittal—Ministers' Alliance Raised Funds For Defense.

INVERNESS, Fla., Dec. 24—(ANP)—Following his acquittal on a charge of murdering William Coleman, a white man, here Tuesday afternoon, Sheffield Roberts was spirited away to Tampa to prevent mob violence. The jury, composed of white men, returned the verdict of "not guilty," at 2 p. m., but the decision was not announced here until the next morning, after the defendant had reached Tampa.

The killing of the white man occurred last summer when Coleman in an intoxicated condition, attacked Mrs. Roberts, beating her severely. When Roberts saw the attack from his window he secured his gun and shot and killed Coleman. He was indicted for murder in the first degree despite the efforts on the part of his counsel to show that he shot in self-defense.

To prevent him from being lynched he was sent to Tampa after being indicted where he remained until the trial, Monday. Feeling was intense at the trial but apparently it was the general opinion that he would be found guilty and the death penalty inflicted.

Roberts' acquittal has been hailed as a victory for the Ministers Alliance of which Dr. R. L. Pope is president. When Roberts was indicted and the alliance, through M. D. Potter, learned of the action of the Grand Jury, a campaign was started to raise funds to secure proper counsel and to build up sentiment in his favor among the better class of whites. He was turned over to the Alliance following his acquittal and according to reports, will be sent to another State for safety.

Lynchings - 1935
Prevented

General.

5123

Greenville, Miss., Democrat Times
June 21, 1935

PREVENTED LYNCHINGS

For some years Tuskegee Institute has kept an accurate record of lynchings in the United States. Knowledge of the facts surrounding lynching is considered an important part of any intelligent effort to check this lawless American custom.

The record for 1934 has one particularly encouraging feature, in addition to the fact that there were only 15 lynchings as compared with 28 in 1933. The cheering fact is that so many lynchings were prevented. On 74 different occasions angry mobs gathered for the purpose of lynching somebody. And each time force of strategy on the part of public officials dispersed or held the mob in check until the danger was past. It has been the lack of determined stand on the part of officers and the law and slow court procedure which permitted lynching to become so common.

Lynchings-1935
Prevented

Georgia.

5110

Sheriff Changes Jail of Negroes

Lumpkin Tense Over Murder of Webster Merchant

LUMPKIN, Ga., Jan. 16.—Four Negroes were taken from the county jail here today by Sheriff T. W. Worthington and carried to an unknown destination because of a tense feeling in the town over the murder of J. J. King, 68, Webster county merchant, in his store on Jan. 3.

Two of the Negroes confessed recently to the murder giving robbery as their motive although the other two denied participation in the crime.

The Negroes who allegedly made the confession are E. W. Brown and Kid Wilburn. Their companions were listed as Sam Grimes and Peter Powell. All four are young Negroes.

Sheriff Worthington said that he feared no outright violence from the town people but that he thought it best to remove the Negroes to another jail.

Mr. King was found dead in his store early one morning with his skull crushed from the blow of what one of the Negroes said was a hickory stick.

Sheriff Changes Jail of Negroes

Telegraph

Lumpkin Tense Over Murder of Webster Merchant

1-18-35

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Mr. King was found dead in his store early one morning with his skull crushed from the blow of what one of the Negroes said was a hickory stick.

Savannah, Ga. Press
April 24. 1935

PUT IN JAIL HERE ESCAPE LYNCHING

NEGRO CHARGED WITH ATTEMPTED ASSAULT NEAR BLACKSHEAR

Lonie Dickey, 25-year-old negro, who is a native of Savannah, but who more recently lived near Blackshear, was committed to the Chatham county jail during last night for safekeeping. Informal papers filed in conjunction with his commitment allege an attempted assault at Blackshear, with notations that he was at Savannah for safekeeping, "mob was threatening to lynch," that papers will be lodged by Sheriff Carter at Blackshear, and last notation gave the name of T. F. Chapman, sheriff of Long county, ostensibly as the latest committing authority. While local records call the prisoner Lonie Dickey a dispatch from Blackshear refers to him as Lonnie Pickett.

Dickey denies the charge and says it follows in the wake of a threat to "get him" which he said was made by a woodsman to whom shortly previous to arrest he had complained that walking nine miles to and from work in turpentine operations was too much for him, that he could not hold up under it. He said he has not even as much as spoken to any woman to generate such a charge.

He also claims that identification procedure while he and two other suspects were in jail down the country was very irregular and by its natural course no one was identified. He the said he, his 66-year-old father, and another man were arrested and taken to jail where there was a fourth prisoner in custody on some other charge. He said they were lined up and a woman came in. He said she pointed out no one and was about to leave when an official said to her she had "better look 'em over good." After this, Dickey said, she pointed out his 66-year-old father as the man. Later, he continued, the four were put in cells, two in each cell. The woman came to his cell, got her to turn his head from side to side and look her full in the face and then claimed he was the one, he declared.

Dickey said he was a married man. He said he was in his home helping his wife when a man walked in with a pistol and arrested him.

"What is I done?" he said he asked when arrested.

"Come along. Matters a damn what you done," he said the man replied. He said he was taken away and that two more arrests were made, the trio being taken to Blackshear. He said he lived about twelve miles from Blackshear but that a burned bridge requires that travel to that town be made via Waycross.

In reference to difficulties with the woodsman Dickey said: "He said, all right, I'll get you.' He didn't say how or anything and I figure that is how it is. Anyone can see it is a frame-up."

He said he was transferred to the Ludowici jail Sunday night and last night the sheriff from there and a deputy sheriff brought him to the Savannah jail. He said the sheriff told him on two occasions they had to duck the mob.

A dispatch from Blackshear, giving the details of the alleged attempted assault, stated the prisoner's name was Lonnie Pickett. The dispatch follows:

BLACKSHEAR, Ga., April 24.—Lonnie Pickett, 24-year-old negro of Brantley county who was arrested in Pierce county on April 16 following an alleged attempted assault on a prominent young woman of this county is being held for safe keeping in the Chatham county jail at Savannah. Pickett is alleged to have attacked the daughter of a well-known farmer of this county at 11 o'clock on the morning of April 16. He was arrested several hours later by Deputy Sheriff Wiley Peacock. The alleged vitcim and a young girl identified Pickett as the attacker, according to Sheriff H. M. Carter of Pierce county. Fearing for the safety of the negro Sheriff Carter on Sunday removed the prisoner to the Long county jail at Ludowici and last night Pickett was moved from the Long county jail to Savannah. The negro, a turpentine hand, is alleged to have attempted to attack the young woman while she was en route to her home from a neighbor's where she had been visiting. The negro became frightened and ran when the victim's screams attracted the attention of several men who were working in a nearby field. According to the sheriff's office here the young woman had been roughly handled by her attacker and her throat bore bruises where he had grabbed her in an attempt to stifle her cries for help. Sheriff Carter said he removed the negro from Pierce county jail because feeling was running high in the community in which the young woman lives and he was afraid that an effort would be made to remove the prisoner from the Pierce jail. The scene of the alleged attack by Pickett was near the Brantley-Pierce county line and within about six miles of Blackshear.

TROOPS TO GUARD JEFFERSON TRIAL

Telegraph

J. B. Allen, Negro, Accused of Attack on White Woman, Will Face Court Today

6-24-35

JEFFERSON, Ga., June 23 (AP)—Georgia's swift moving "flying squadron" of national guardsmen, organized during last year's textile strike, tonight was ordered to protect a Negro going on trial here tomorrow for an alleged attack on a white woman.

The Negro is booked as J. B. Allen, alias J. B. Reece. He was arrested following an attack on a Nicholson, Ga., white woman about two weeks ago. He has been taken to a jail out of the county for safekeeping.

Governor Talmadge was asked to send troops by Sheriff R. M. Culberson and Judge W. W. Starke of the Jackson county superior court. The sheriff and judge expressed fear of violence.

The alleged attack became known publicly outside the county when the request for troops was made.

Sheriff Culberson said bands of men have searched without success for the Negro since the day of the reported attack. He has been transferred to several jails to avoid them.

Troops Well Armed

"About 50 white men came to the Jackson county jail immediately after the reported attack and demanded the Negro," the sheriff said today. "I told them the Negro was not in the jail and I guess they got tired of hunting for him."

Adjutant General Lindley Camp at Atlanta said the squadron of guardsmen, equipped with machine guns, rifles, tear gas and other modern weapons, would escort the Negro from the jail where he now is being confined to Jefferson for the trial.

The troops will be under command of Colonel T. L. Alexander, Captain W. J. Black and Lieutenant McPherson of the 122nd infantry, stationed in Atlanta.

NEGRO CONVICTED IN ATTACK CASE

Telegraph

Bayonets of Gaurdsmen Protect Escaped Felon as He Receives Death Sentence

6-25-35

JEFFERSON, Ga., June 24 (AP)—Behind bayonets of national guardsmen an escaped Negro convict was convicted of attacking a white woman and sentenced here today to die in the electric chair July 19.

The Negro, booked as J. B. Allen, alias J. B. Reece, was indicted, convicted and sentenced in less than three hours. Trial of his case was in progress an hour and 40 minutes and the death sentence was passed 26 minutes after the jury received the case.

In command of Adjutant General Lindley W. Camp, the national guardsmen were brought out to preserve order at the request of Judge W. W. Starke of the Piedmont circuit superior court and Sheriff R. M. Culberson of Jackson county.

Troops Transport Men

The 60 troopers composing the "flying squadron," traveling in a fleet of swift military trucks, picked up the Negro at Gainesville, where he had been held for safekeeping, and brought him here for trial.

A guard was thrown around the courthouse, and all persons entering were searched for weapons. Two men, who Colonel T. L. Alexander said apparently were intoxicated, were taken into custody but later released.

Following sentence, the Negro was brought to Atlanta by the guardsmen for safekeeping pending his removal to the state penitentiary at Milledgeville.

On the stand the defendant pleaded not guilty to the charge of attacking a farmer's wife near Nicholson, Ga., on June 5. The woman and her son identified the defendant from the witness stand.

Before going on trial, the Negro said he escaped from the Morgan county chain gang camp on May 10 where he was serving two 12 months sentences.

Negro Is Carried To Fulton Prison

Two White Women Beaten by Man in Serious Condition

ATLANTA, June 27 (AP)—A Negro suspected of invading the Madison county home of two invalid white women and severely beating them in a frustrated robbery attempt was brought here today for safekeeping.

The prisoner, booked as Simmie Gains, was placed in Fulton Tower by Barrow county officers who held him overnight in jail at Winder following threats of mob violence.

A posse led by Clarke, Oglethorpe and Madison county authorities cornered the Negro near Lexington yesterday and he was transferred immediately to Winder.

Fulton county officers said the Negro denied knowledge of the crime.

Mrs. C. G. Goolsby, 79, who is blind and, her daughter, Nettie, 49, were in an Athens hospital in a serious condition from injuries inflicted by the intruder who entered their home late Tuesday night.

After a visit to the Goolsby home officers said they were convinced the women were beaten by someone bent on robbing the place.

GEORGIA GUARD CALLED AS NEGRO FACES TRIAL

'Flying Squadron' Moves To Jefferson as Attack Case Comes Up.

JEFFERSON, Ga., June 23.—(AP) Georgia's swift-moving "flying squadron" of national guardsmen, organized during last year's textile strike, tonight was ordered to protect a negro going on trial here tomorrow for an alleged attack on a white woman.

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Adjutant General Lindley Camp at Atlanta said the squadron of guardsmen, about 60 strong, equipped with machine guns, rifles, tear gas and other modern weapons, would escort the negro from the jail where he now is being confined to Jefferson for the trial.

The troops will be in command of Colonel T. L. Alexander, Captain W. J. Black and Lieutenant McPherson, of the 122nd infantry, stationed in Atlanta.

NEGRO DOOMED TO DIE AS TROOPS STAND BY

Guilty Verdict Is Returned by Jefferson Jury in Attack Case.

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The 60 troopers composing the "flying squadron," traveling in a fleet of swift military trucks, picked up the negro at Gainesville, where he had been held for safekeeping, and brought him here for trial.

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Following sentence, the negro was brought to Atlanta by the guardsmen for safekeeping pending his removal to the state penitentiary at Milledgeville.

On the stand the defendant pleaded not guilty to the charge of attacking a farmer's wife near Nicholson on June 5. The woman and her son identified the defendant from the witness stand.

Before going on trial, the negro said he escaped from the Morgan county chain gang camp on May 10, where he was serving two 12-month sentences.

Georgia Negro To Die For Attacking Woman

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CONFESSION CLAIMED TO MARIETTA KILLINGS

Negro Taken to Unknown Jail Following Admission of Brutal Murders.

After reportedly confessing two brutal murders in Marietta, Will White, a negro believed to have escaped the Lowndes county chain gang, was whisked out of Atlanta yesterday to some unannounced destination by Marietta officers.

The confession was reported to have named another negro in one of the killings. The document was typed and notaried by Captain W. B. Seabrook, head of the Atlanta Police Bureau of Identification, and was signed with the negro's mark.

White was arrested by Officers F. L. Jolly and H. P. Griggs in Marietta and brought to Atlanta for questioning. He admitted, they announced, that he killed W. P. Smith, Marietta chair factory watchman, the night of September 27 and fatally slugged Orel C. Swanson, filling station operator, last Saturday.

He was found in the home of a negro woman not far from the filling station holdup, the officers said. Horace Parker, a negro whom White is said to have implicated in the factory slaying, was also found there.

Smith was killed with a heavy timber in a robbery attempt. Swanson was struck with an ax which, the officers said, came from the negro woman's home and has been identified by her.

Police expressed doubt Parker or the woman had anything to do with the two killings.

SOLDIERS SOUGHT TO GUARD NEGRO

Attorney for John Henry Sloan Fears Mob Violence at Trial in Moultrie

MOULTRIE, Ga., Nov. 11. (AP)—W. A. Covington, attorney appointed to defend John Henry Sloan, Negro charged with slaying a white man, has asked Gov. Eugene Talmadge to send national guardsmen here Thursday when Sloan is to be tried.

If the request is granted, troops are expected to accompany local officers when they bring Sloan here from a jail in an unannounced city where he has been held for safekeeping since his arrest recently in Florida.

Sloan is charged with the death of Otis Gay of Moultrie, who was shot to death as he sat on an embankment near here. In the search for Sloan a posse of citizens killed another Negro, who came to his death, a coroner's jury found, at the hands of parties unknown.

Governor Away

ATLANTA, Ga., Nov. 11. (AP)—Gov. Eugene Talmadge, requested by Moultrie authorities to send national guard troops ot prevent trouble at the murder trial of John Henry Sloan, was in Alabama to deliver an Armistice day address today and could not be reached for a statement.

Adjt. Gen. Lindley Camp said the decision must come from the governor.

NEGRO PRISONER TO BE PROTECTED

Two National Guard Companies Ordered to Moultrie for Trial of John H. Sloan

ATLANTA, Nov. 13 (AP)—Two national guard companies were ordered to Moultrie tonight to attend the trial of John Henry Sloan, Negro, for slaying a white man in a case which already has cost the life of another Negro.

In an appeal to Gov. Eugene Talmadge, Judge W. E. Thomas of Southern circuit superior court said the threat of mob violence is "serious and alarming."

One Negro was killed by a posse of citizens in a search for Sloan who was captured recently at Havana, Fla.

Under command of Adjutant General Lindley Camp, the guardsmen will assemble from Calhoun and Dublin at a jail "somewhere in Georgia" where Sloan is being held, Camp said.

Flying Squadron

The guard will be composed of the flying squadron of the 122nd infantry, commanded by Capt. Bernard W. Franklin of Calhoun, Ga., and the picket detachment of the 121st infantry commanded by Capt. Flanery Pope of Dublin, Ga., Camp said.

Otis Gay, Moultrie young white man, was shot to death on the night of Oct. 15 as he and a young woman sat on an embankment near Moultrie. The woman received slight injury from a stray shotgun charge. Hhe said the Negro approached and fired on Gay without a word.

Gay fell dead.

A search for Sloan was begun after a farmer told officers he lent the Negro a shotgun. Before the Negro's arrest in Florida a Negro farmer was shot to death by a citizens' posse near Moultrie.

A coroner's jury held the Negro died at the hands of parties unknown.

Sloan was placed in a jail "somewhere in Georgia" to await trial.

As the trial date neared, Judge Thomas wrote Governor Talmadge asking guard protection.

"So many people are warning me of the impending acts of mob violence at the trial in Moultrie of John Henry Sloan on Nov. 14 . . ." he write, "and I regard the situation as serious and alarming and am compelled to refer the matter to your responsibility."

"Sheriff T. B. Beard, of Moultrie, is holding the defendant in some unknown jail awaiting trial and it will be necessary to carry him in safety to the court for trial and after trial to safe quarters. The sheriff advises that he is helpless in the event of an attack."

W. A. Covington, Moultrie attorney representing Sloan, wrote a similar request to Governor Talmadge.

General Camp said his unit of guardsmen will accompany Colquitt county officers with Sloan from the jail where he is being held to the Colquitt county court house.

Lynchings—1935
Prevented.

Georgia.
6

5111

Negro Is Arrested In Beating Case

Telegraph

Mrs. C. G. Goolsby, Daughter, Nettie, in Athens Hospital

6-27-35

LEXINGTON, Ga., June 26 (AP)—Sheriff T. E. Watkins of Oglethorpe county tonight reported the capture of a young Negro suspected of severely beating Mrs. C. G. Goolsby, 74-year-old blind invalid, and her daughter at their home in Madison county early today.

A posse including officers of Clarke, Madison and Oglethorpe counties caught the Negro, named by Sheriff Watkins as Vennie Gains, while a large crowd gathered north of here and for a time threatened violence.

Sheriff Watkins said the Negro was taken away to an unannounced jail and the crowd then dispersed.

Mrs. Goolsby and her daughter, Nettie, 49, were in a critical condition tonight with skull fractures in a hospital at Athens.

Sheriff Watkins said their assailant's motive apparently was robbery, although officers who investigated found nothing of value missing from the house.

The two women had lived alone for many years, the daughter also being an invalid.

Bronx, N.Y. Home News

AUG 3 1935

Sheriff Prevents Mob From Lynching Man

J. M. Culberson, sheriff of Jackson County, Ga., early yesterday faced a milling mob of approximately 100 white men intent on lynching a colored man who is alleged to have entered a white girl's bedroom and warned them that they would take the prisoner only over his body. The mob dispersed.

Tifton, Ga., Gazette
August 20, 1935

NO LYNCHING IN TIFT

It has been repeatedly rumored for several days that John Bivins, a negro, was lynched in Tift county last Friday.

This statement is emphatically denied by Sheriff J. M. Walker, who states that Bivins is in jail, where he has been held since Friday for safe-keeping.

DEATH VERDICT GIVEN IN MOULTRIE SLAYING

Constitution

Georgia National Guardsmen Battle Crowd Following Trial of Negro.

11-15-35

By GEORGE D. W. BURT,
Associated Press Staff Writer.

MOULTRIE, Ga., Nov. 14.—(AP)—National guardsmen, here to prevent mob violence to John Henry Sloan, negro accused of slaying a white man, took the prisoner to the Milledgeville penitentiary shortly after he had been convicted and sentenced to die December 10.

Atlanta

Fists, tear gas and rifle butts were used by the guardsmen to break through a crowd which surged about the courthouse yard as the swift, one-day trial came to an end.

One shot was fired in the air as the troopers escorted Sloan from the courthouse. Apparently the shot came from the crowd.

Three men, their names not learned, were felled by blows from the butts of arm rifles. They reportedly tried to break through the line of guardsmen.

Tear gas guns were fired by the guardsmen to disperse the crowd.

Slain October 15.

Sloan, charged with the shotgun slaying here the night of October 15 of Otis Gay, young white man of Moultrie, was brought here in a convoy of national guardsmen this morning from Albany. He had been held since his arrest recently in Havana, Fla., in a jail "somewhere in south Georgia."

The defendant entered the courthouse through lanes of national guardsmen. There was a crowd present but it was quiet.

As the trial advanced, signs of restlessness developed and Adjutant General Lindley Camp, of Georgia said the situation was "the most tense the national guardsmen have ever been in."

Gay's young woman companion on the night of the slaying, Miss Mary Smith, of Jacksonville, Fla., collapsed on the witness stand as she told of the shooting.

The defense questioned Dr. T. H. Chestnutt, Colquitt county health officer, in an attempt to prove Sloan temporarily insane.

Sloan remained expressionless, and almost motionless, throughout the trial. He displayed no emotion when the verdict was read, and sentence pronounced.

A jury was selected in less than two hours, testimony was concluded, and arguments of state and defense counsel were completed shortly after 1 p. m. Shortly after 3 p. m., the jury returned its verdict.

W. A. Covington, court-appointed attorney for Sloan, appealed for a life sentence.

SLOAN IS PLACED IN JAIL AT MACON

MACON, Ga., Nov. 14.—(AP)—John Henry Sloan, the negro convicted today at Moultrie on the charge of slaying a young man near there and sentenced to be electrocuted, was placed in Bibb county jail here tonight by Adjutant General Lindley Camp and a detachment of guardsmen.

General Camp, who with his men ate supper here, after the prisoner was placed in jail, said the trip from Moultrie to Macon was without incident.

The request for the troops was made by the sheriff and the attorneys for the negro.

Moultrie tonight is quiet but a large crowd is expected to be on hand for the trial tomorrow as Gay was widely known throughout this section.

"FLYING SQUADRON" SENT TO MOULTRIE

Adjutant General Lindley W. Camp announced last night that he had dispatched the "flying squadron" of the 122d infantry and a picked detachment of men from the 121st infantry to Moultrie to keep order at the trial of John Henry Sloan, a negro, there today. General Camp said he was acting on orders from Governor Talmadge.

The troops left Atlanta immediately after dark and were to be in Moultrie before midnight, General Camp said. The troops are under command of Captain B. W. Franklin, of Calhoun, Georgia.

"Order will be preserved in Moultrie," General Camp said. "There has been some ugly rumors down there but we do not believe the people will do anything but let the law take its course. However, in the event that anything out of the ordinary happens we have enough men there to handle the situation."

GUARDSMEN ON DUTY AT TRIAL IN MOULTRIE

Constitution

Negro Charged With Slaying White Man Faces Court Today.

11-14-35

MOULTRIE, Ga., Nov. 13.—John Henry Sloan, a Moultrie negro, charged with the slaying of Otis Gay, a white man, will go on trial here tomorrow with two companies of the Georgia national guard on duty to prevent violence.

The guardsmen, under command of Captain B. W. Franklin, of Calhoun arrived late last night and immediately set up machine guns and other arms around the courthouse.

Captain Franklin is in charge of the "flying squadron" of the 122d infantry, a picked detail which did roving duty during the recent textile strike. The members of his detachment belong to various companies of the 122d. In addition there is present another company of militia from Dublin.

Gay was shot and killed on the evening of October 13 as he and a young woman companion sat on an embankment near here. The young woman said the negro approached the couple and killed Gay with a shotgun without saying a word. Sloan was arrested at Havana, Fla., two weeks after the slaying on the statement of a farmer who said he loaned the negro a shotgun.

NEW YORK DAILY NEWS

NOV 15 1935

TROOPS FIGHT OFF GEORGIA LYNCH MOB

Moultrie, Ga., Nov. 14 (AP).—National Guardsmen fought off a courthouse mob with pistol butts, rifle barrels and finally tear gas this afternoon to save a condemned colored murderer from lynching. The crowd stormed the guardsmen as they left the courthouse to carry the killer, John Henry Sloan, to an unannounced jail for safekeeping. Sloan had just been doomed to die next month for the slaying of Otis Gay, young white man of Moultrie. His trial lasted 30 minutes.

New York American

NOV 15 1935

Mob Fights Troops Guarding Slayer

Soldiers Battle Way Out of Town Against Lynching Crowd

MOULTRIE, Ga., Nov. 14 (AP)—National Guardsmen dispatched here to prevent mob violence to John Henry Sloan, Negro accused of slaying Otis Gay, a white man, fought their way out of town with the prisoner today after he had been convicted and sentenced to die Dec. 10.

Hand-to-hand fighting, in which fists, tear gas and rifle butts were used, occurred between the troopers and a mob.

One shot fired in the air apparently came from the crowd. Three men were felled by the troopers.

Shortly afterward, a convoy of motor cars streaked toward Milledgeville, where are the State Penitentiary and the electric chair.

Before his arrest, a posse of citizens seeking him killed another Negro, not connected with the slaying of Gay. A coroner's jury found the second Negro came to his death at the hands of parties unknown.

New York Evening Post

NOV 15 1935

NEGRO IS RESCUED FROM LYNCH MOB

Georgia Troopers Fight Crowd, Rush Condemned Slayer to State Prison

MOULTRIE, Ga., Nov. 15 (AP).—John Henry Sloan, Negro slayer of a white youth, was taken to the State penitentiary at Milledgeville, Ga., today, under protection of State troopers, who frustrated an attempt by an angry crowd to lynch him.

Several members of the crowd were felled by rifle butts as they rushed the guardsmen when they escorted the Negro from the court room yesterday. Sloan had just been condemned to death for slaying Otis Gay October 15.

The troopers succeeded in breaking through the townsmen after bringing tear gas into play and attempt to intercept him.

rushed the Negro from the city by A Negro farmer was killed in the hunt for the slayer.

Sloan testified he shot Gay when "frightened" by two other men who were chasing him. He said he thought Gay, who was seated on an embankment with his fiancee, would

TROOPS HALT MOB, BRING DOOMED NEGRO HERE

SLAYER GETS DEATH BALLOT IN MOULTRIE

John Henry Sloan Sentenced to Die for Slaying Otis Gray in Colquitt

WOMAN WITNESS FAINTS

Soldiers Use Fists, Tear Gas and Rifle Butts to Protect Prisoner

Telegraph

John Henry Sloan, Negro convicted by a Colquitt county jury yesterday afternoon and sentenced to death for the slaying of a Moultrie young white man, was brought to the Bibb county jail last night for safekeeping after national guardsmen had battled off a huge Colquitt county crowd who sought to take the prisoner.

11-15-35

Rumors that a mob would attempt to capture the Negro, who was given a speedy trial and sentenced to death Dec. 10 for the recent murder of Otis Gay, were received all during the day, Adjt. Gen. Lindley Camp said here last night as he and his 105 officers and men stopped for supper and to deliver their prisoner.

Macon, Ga.

As soon as sentence was passed Sloan was delivered to custody of the guardsmen who formed two lines along the walk from the courthouse doors to an army truck parked on the street 100 feet away.

Mob Surges Forward

Adjutant General Camp had escorted his prisoner to within 25 feet of the truck when the mob, which was estimated at about 3,000 persons, surged forward.

With rifle butts and fists the guardsmen beat them back while others threw tear gas bombs to disperse them. It was a full quarter of an hour before the crowd was broken up and driven from the courthouse lawn, General Camp said.

He reported there probably were 15 or 20 casualties among the mob, none of them believed seriously hurt, while his own men came through uninjured.

Bayonets Are Drawn

Cries of "get him" as the prisoner left the building set off the spark, General Camp said. Clubs and bayonets were used to ward off the crowd. Only one shot was fired, the national guard head said, and that was by one of his own men who shot into the ground ahead of a group who approached too closely. The discharge stopped them as he leveled his rifle.

Many of the mob were believed to be armed, according to General Camp, but there was no attempt on their part to bring their weapons into play.

"I am especially gratified at the coolness displayed by every guardsman," he said at the New Yorker where he ate supper wtih officers before the soldiers filed in to eat.

Every Guardsman Armed

"Every one of them was armed but they withheld their fire and no one was seriously hurt. I have never seen men keep their equilibrium like they did when the crisis came.

"If my crowd had gotten as excited as that crowd did, there would have been hell to pay in Georgia," he said.

Most of the guardsmen on duty at the Moultrie trial had been through a similar experience in textile disturbances at LaGrange, he explained, and were equally successful in preventing undue bloodshed.

The guardsmen, traveling in nine army trucks and an ambulance, stopped at the outskirts of Moultrie for about half an hour for a check-up on the companies, but no one followed the party into the city, General Camp said.

Telegraph

With the guardsmen in Moultrie were Col. L. C. Pope of Dublin and Colonel Skelton among other officers including Captains B. W. Franklin and Flannery Pope. One company each of the 122nd infantry, Calhoun, and 121st infantry, Dublin, saw duty.

11-15-35

By GEORGE D. W. BURT
(Associated Press Staff Writer)

MOULTRIE, Ga., Nov. 14 (AP)—National guardsmen, dispatched here to prevent mob violence to John Henry Sloan, Negro accused of slaying a white man, fought their way out of town with the prisoner late today shortly after he had been convicted and sentenced to die December 10.

Macon, Ga.

Hand-to-hand fighting, in which fists, tear gas and rifle butts were used, broke out between the troopers and a crowd which charged about the courthouse yard as the swift, one-day trial came to an end.

"Get him," shouted the crowd, and the melee was on. One shot was fired in the air as the troopers escorted Sloan from the courthouse. Apparently the shot came from the crowd.

Three men, their names not learned, were felled by blows from the butts of army rifles. They reportedly tried to break through the line of guardsmen.

Battle Guardsmen

Tear gas guns were fired by the guardsmen to disperse the crowd.

There was shoving, kicking and fighting as the guardsmen fought their way along to a waiting convoy of motor trucks, motor cars and an ambulance.

Shortly afterward, the convoy was streaking up the highway toward Macon, which is not far from Milledgeville, where the state penitentiary—and the electric chair—are located.

Sloan, charged with the shotgun slaying of Otis Gay, young white man of Moultrie, Oct. 15, was brought here in a convoy of national guardsmen this morning from Albany. He had been held since his arrest recently in Havana, Fla., in a jail "somewhere in south Georgia."

Negro Is Slain

Before his arrest, a posse of citizens seeking him killed another Negro, not connected with the slaying of Gay, a coroner's jury found the second Negro came to his death at the hands of parties unknown.

The defendant entered the courthouse through lanes of national guardsmen. There was a crowd present, but it was quiet.

As the trial advanced, however signs of restlessness developed and Adjutant General Lindley Camp, of Georgia, said the situation was "the most tense the national guardsmen Smith, of Jacksonville, Fla., collapsed on the witness stand as she told of the shooting.

She said she and Gay were seated beside the road, "discussing plans for our wedding next Sunday.

"We looked up and saw a darky right in front of us, with a gun across his shoulder.

"Otis threw up his hand in front of his face and said, 'Don't do that.'

"The darky said, 'Yes I will, too.'"

At this juncture, Miss Smith broke down.

Shortly afterward, she resumed the story, saying the Negro then fired, killing Gay. She was wounded slightly by stray pellets from the shotgun charge.

Sloan Borrowed Gun

The state presented other witnesses who said Sloan had borrowed a shotgun shortly before the shooting, and returned it later, after the shooting.

None of the witnesses definitely identified Sloan as the slayer. One had ever been in. We hope to get out without any trouble."

Woman Collapsed

Gay's young woman companion on the night of the slaying, Miss Mary the witness stand, however, he said he fired a shot but did not aim to hit anyone.

Gay and Miss Smith were in a party of three young couples, which included Gay's 20-year-old brother, Wallace, on a motor car ride the night of the shooting.

The brother was a witness at the trial today, but said he did not witness the actual shooting.

A jury was selected in less than two hours, testimony was concluded, and arguments of state and defense counsel were completed shortly after 1 p.m., Central Standard time. At 2:05 p.m., the court's charge had been completed, and the case went to the jury. Shortly after 3 p.m., the jury returned its verdict.

In Georgia, a murder trial jury verdict of guilty without recommendation for mercy, carries the death sentence. The jury did not recommend mercy.

Life Sentence Asked

W. A. Covington, court-appointed attorney for Sloan, appealed for a life sentence.

National guard protection had been requested of Governor Eugene Talmadge by Judge W. E. Thomas of the southern superior court circuit, who presided at today's trial.

One company of the 122nd infantry, Calhoun, Ga., and A company of the 121st infantry, Dublin, Ga., were sent here.

Under a Georgia law permitting a defendant to make a statement to the jury and not subject himself to cross-examination, Sloan took the stand for a few minutes.

The 22-year-old Negro, who stuttered, said:

"I didn't aim to kill anybody."

He said he feared he would be harmed, and that some white men in an automobile had chased him on the same road the day of the shooting of Gay.

Sanity Questioned

He added he was frightened when he saw two persons sitting on the embankment beside the road. He said he heard them say, "there goes a Negro."

The defense questioned Dr. T. H. Chestnutt, Colquitt county health officer, in an attempt to prove Sloan temporarily insane.

Sloan remained expressionless and almost motionless throughout the trial. He displayed no emotion when the verdict was read and sentence pronounced.

Miss Smith testified the Negro who shot Gay told them:

"'I'm gonna shoot you both.'

"I took hold of Otis' arm and threw my head on his shoulder. Then the darky shot."

She said one of the other girls in the party called to her and the Negro fled.

Birmingham, Ala., Age-Herald
December 3, 1935

Preventing A Lynching

National guardsmen of Georgia fight off a mob and thus prevent the lynching of a Negro who has been convicted of killing a white man and will be put to death anyway on Dec. 10. The guardsmen thus save the South from another stain.

In contrast to that, prominent leaders in Texas are defending a recent lynching of two boys, 15 and 16, accused of the murder of a white girl. They talk about the lynching as "the will of the people." A woman's club leader says that only by mob murder can you deal with such "brutes."

The court dealt with the Georgia case and if the mob had had its way that would have meant only that the Negro's life was taken a little before the time set. It would have been vengeance working instead of the law. As for the Texas case, where it is said the youth of the boys prevented any sentence except commitment to the industrial school, if the law is wrong it can be changed. The white people make the laws down there; they ought to be willing to live up to them.

More national guard determination and less sentimentality about the "will of the people" would help solve this problem in the South.—The Milwaukee Journal.

Lynchings – 1935
Prevented

Georgia

5112

Atlanta, Ga. Journal
August 2, 1935

Jackson Sheriff Refuses to Deliver Prisoner to Crowd

JEFFERSON, Ga., Aug. 2.—(AP)—Refusal of Sheriff J. M. Culberson, of Jackson County, to deliver into the hands of a crowd of men a negro accused of breaking into the bedroom of a white girl was reported here Friday.

Mrs. Culberson, the wife of the sheriff, said she was alone at the jail when the crowd of "about seventy-five or 100" men arrived at the jail late Thursday and "told me they wanted the negro.

"It nearly scared me to death, but I told them I didn't have the key," she related.

"Then they asked me to get in touch with the sheriff, which I did. The sheriff talked them out of it. He told them he was under oath to uphold the law and would see that the law took its course. He said if they took the prisoner they would do so over his dead body."

The crowd left the jail, Mrs. Culberson said.

She said the negro was "in a jail," but declined to say where.

A young woman living on a farm with her parents aroused other members of the family with her screams Wednesday night. Members of the family said the girl was being pulled through a window when her screams, and cries of her sisters in the room with her, aroused their father, who with his son, gave chase. A suspect, caught on a neighboring farm, escaped them, but was shot through the leg by a neighbor who had joined the chase, and was recaptured.

Dixie Lynch Mob Routed By Soldiers

Chattanooga Times

MOULTRIE, Ga., Nov. 21 (ANP).—With two companies of National Guardsmen holding a mob, estimated at between 2,000 and 3,000, at bay on the outside of the courthouse, John Sloan was found guilty of murdering Otis Gay, white, here Friday and sentenced to death in the electric chair on December 10.

Sloan was brought here Thursday night, under heavy guard, from an unknown city where he has been kept since his arrest. A jury was quickly selected and the trial got under way, with witness after witness testifying, including the woman companion of the slain man, who collapsed on the stand as she told of the "wanton killing."

Two witnesses declared that they knew Sloan borrowed a shotgun on the night of the killing but neither witness would positively identify him. The case went to the jury and a few minutes later the verdict of guilty was returned and the death sentence was imposed.

Battle Starts

While the jury was deliberating it became evident that trouble was brewing. Murmurs of "lynch him" were heard outside the courthouse and these murmurs grew to shouts when it was reported that the white woman had collapsed on the witness stand and the feeling grew more tense when the appointed counsel for the defendant, after the defendant had pleaded not guilty, asked for a life sentence.

Remembering that when the murder was committed an innocent man was lynched by a mob of Colquit county whites, the commander of the National Guardsmen decided to take no chances. As the prisoner was led from the courthouse the soldiers formed two aisles, with bayonets drawn.

Manacled, the prisoner emerged from the courthouse and a shout went up "Get him," and the mob surged forth only to be met with the butt ends of the rifles and in some cases the bayonets. Tear gas bombs were thrown into the midst of the mobs and one shot was fired. The 2,000 cowards backed away while the prisoner was led to the truck which carried him to Macon for safekeeping.

Twenty Casualties.

Adjutant General Camp, who commanded the guardsmen, declared later that he believed that there were some fifteen or twenty casualties several of which were serious, but not one of the soldiers was injured. He praised his men for their coolness, declaring that had the mob attempted to use armed force instead of rushing tactics, "there would have been hell to pay in Georgia. All of my men have had experience in handling mobs in the textile strike and I was certain that they would measure up."

Macon, Ga., News
November 15, 1935

MOB IS STOPPED; NEGRO SAFE HERE

John Henry Sloan, Condemned in Moultrie, Escorted by Troops to Bibb Jail

Saved from an angry mob in Moultrie by stern action of national guardsmen, John Henry Sloan, 22, Colquitt county Negro, was held in Bibb county's lynch-proof jail here today, awaiting electrocution December 10.

Sloan was convicted in Moultrie yesterday afternoon of slaying Otis Gay there a month ago and wounding the latter's fiancee, Miss Mary Smith of Jacksonville, as they sat on a roadside embankment discussing their wedding plans.

The Negro was promptly sentenced by Judge W. E. Thomas to die in the electric chair at the state prison farm Dec. 10, but the irate crowd gathered about the courthouse to seize the prisoner as he was led from the building.

At the request of Judge Thomas, Gov. Eugene Talmadge had sent two picked companies of guardsmen to the trial, under personal command of Adjutant General Lindley Camp. With tear gas, rifle butts and fists they held back the mob without firing a shot, and without any serious casualty.

Escorted by the troops, the Negro was brought to Macon by Deputy J. H. Phillips of Colquitt county, and delivered to the Bibb jail about 8 p. m.

In the Moultrie fighting several civilians were reported slightly hurt by the fists and rifle butts of the guardsmen, and several are believed to have suffered light doses of tear gas, but names were not available.

Reporter Gassed

General Camp reported one guardsman, name unknown, was treated for light inhalation of the gas, and the only other known casualty was George D. W. Burt, former Macon newspaper man now with the Associated Press. Burt's eyes and nose were slightly inflamed, but he had virtually recovered when he reached Macon last night.

During the trial the principal witness for the state was Miss Smith, who positively identified the Negro and said he declared as he approached them with a shotgun: "I'm gonna shoot you both."

The Negro, in an unsworn statement, said: "I didn't aim to kill anybody." He asserted some white motorists had just chased him on the road, and that he was frightened when he saw the couple beside the road and heard one say: "There goes a Negro."

After the killing, Oct. 15, posses made wide search for the slayer, and during the manhunt a Negro farmer was slain when he resisted search of his premises. Later, Sloan was arrested in Havana, Fla., and held in an unknown jail until his trial.

OFFICER'S SLAYER IS HELD IN BIBB

Telegraph

Negro Confesses Fatal Shooting of Motorcycle Policeman in Sparta

11-19-35
Macon, Ga.

Winton Boyer, 25, Hancock county Negro and confessed slayer of M. L. Stafford, 25, Sparta motorcycle police officer, is held in Bibb county jail for safe keeping.

Mr. Stafford was shot to death in Sparta Sunday and Boyer was arrested last Sunday night. He was delivered here at 3 a.m. yesterday by heavily armed sheriff's deputies who said the Negro had confessed the shooting.

As posses of officers and citizens of Hancock county searched for the Negro Sunday night a group of officers found him in the chimney of a Negro house near Beulah, about eight miles north of Sparta. He was brought directly to the local jail.

Claims Self Defense

Boyer was quoted by officers as saying that he fired at the officer in self defense, after the officers had made threatening moves.

Officer Stafford stopped a group of six Negroes in a car in Sparta Sunday afternoon, suspicious that the car contained liquor. He searched five of the Negroes, all under arrest, and was about to search Boyer when the Negro resisted.

"Here's one you won't search," the Negro is reported to have said as he drew a pistol. He allegedly fired three times and the officer died almost instantly.

Five In Hancock Jail

The Negroes fled, one in the car and the others on foot. Five of them were arrested in a few minutes and are still held in Hancock county jail. Each of the Negroes held there aided in efforts to find Boyer and each named him as the gunman, it was said.

The posse that found Boyer was composed of J. M. Jackson, a deputy and formerly the sheriff; R. D. Smith, county policeman; Charles Wright, county warden, and P. L. Dickens, Sparta attorney.

Although armed with a pistol at the time he was found, Boyer surrendered without resistance, the officers said.

Authorities do not fear mob action against the five Negroes held in Hancock county, but they did fear violence if Boyer were held there. He is booked in the local jail on a charge of murder.

Meanwhile, Judge James B. Park went from Greensboro to Sparta yesterday to draw jurors for a special term of the Hancock superior court which will open Monday morning to try the six men.

Attorneys Are Named

Judge Park appointed Carlisle Giles and Marion Ennis, both of Milledgeville, as special attorneys to defend Boyer, facing a murder charge, while M. E. Moate and G. L. Dickens, Sparta lawyers, were named to assist in defense of the five other Negroes, being held on open charges, pending action of the grand jury.

The five are listed as Willie Spikes, John Henry Spikes, William Choice, Jim Wiggins and Linton Fluellen.

Funeral services for the officer were held in the Baptist church in Sparta yesterday, conducted by three ministers, Rev. E. D. Rudisill, Rev. Fred Stroud and Rev. J. W. Clark. Interment was in the city cemetery.

City officials served as pallbearers and county officers formed an honorary escort.

Surviving Mr. Stafford are his mother, Mrs. Edna Parks, and a sister, Mrs. Greta Stafford, both of Jacksonville, Fla.

Moultrie, Ga., Observer
November 15, 1935

PEACE AND QUIET RESUMED IN CITY AFTER THE TRIAL

Sloan Safely in Penitentiary Ill-Feeling Has Dwindled Away

Peace and quiet, shattered temporarily Thursday in Moultrie by the trial of John Henry Sloan, confessed slayer of Otis Gay on Oct. 15, and the brief altercation between a huge throng and National Guardsmen as they left the courthouse with the Negro reigned again Friday in the Colquitt county seat.

Sloan, whisked away from the threatening gestures of the crowd and lodged in the Bibb county jail at Macon overnight for safe keeping, was safe in the state penitentiary at Milledgeville Friday afternoon while awaiting death in the electric chair December 10, and the national guardsmen had completed their mission.

No disorder of any nature was noted throughout the day until a Superior Court jury, after deliberating 15 minutes, brought in a verdict of guilty without recommendation, Judge W. E. Thomas pronounced the death sentence, and Sloan was withdrawn from the courthouse and hurried to a waiting convoy manned by state troops.

"I've never seen men keep their equilibrium like those guardsmen did when the crisis came," said Adjutant General Lindley Camp, in charge.

Exactly one month ago the crime was reported to Sheriff T. V. Beard and a search for the slayer inaugurated.

One shot, apparently from the crowd, signalled the start of the fight yesterday as picked infantrymen escorted Sloan from the court where he was condemned to die for shooting Otis Gay Oct. 15.

Tear gas, fists and rifle butts were brought into play.

Men thronged against khaki-clad lines with the cry: "Get him."

Three were felled by blows of the guard, but none hurt seriously.

Breaking through, the troops rushed Sloan by motor convoy toward the Milledgeville penitentiary. He was held overnight at Macon.

Gay was shot to death as he sat on an embankment with his fiancee, Miss Mary Smith of Jacksonville, Fla.

Wounded slightly by the shotgun charge, Miss Smith testified the Negro fired after the hasty declaration: "I'm gonna shoot you both."

Sloan, 22, said from the witness stand, "I didn't aim to kill anybody." He asserted some white motorists had chased him on the road. He was frightened, he said, when he saw the two on the embankment and heard one say "There goes a Negro."

A Negro farmer was killed in the hunt for the slayer. There was no prosecution. Sloan was arrested recently in Havana, Fla.

Governor Eugene Talmadge assigned two companies of guardsmen for the trial at the request of Judge W. E. Thomas and defending Attorney W. A. Covington.

NEW YORK TIMES
NOV 15 1935

TROOPS SAVE NEGRO FROM GEORGIA MOB

Guardsmen Fight Way Out of Moultrie With Prisoner Convicted as Killer.

CROWD AT COURT GASSED

Meanwhile, Five Men Go on Trial in Tennessee on Murder Charge Over Lynching.

MOULTRIE, Ga., Nov. 14 (AP).—National Guardsmen, sent here to prevent mob violence to John Henry Sloan, Negro, accused of slaying a white man, fought their way out of town with the prisoner late today soon after he had been convicted and sentenced to die Dec. 10.

Hand-to-hand fighting, in which fists, tear gas and rifle butts were used, occurred between the troopers and a crowd which surged about the court house yard as the one-day trial came to an end.

"Get him," yelled the crowd, and the mêlée was on.

One shot was fired in the air as the troopers escorted Sloan from the court house. Apparently, the shot came from the crowd.

Three men, their names not learned, were felled by blows from the butts of army rifles, and tear gas guns were fired by the guardsmen to disperse the crowd.

There was shoving, kicking and fighting as the guardsmen struggled to a waiting convoy of motor trucks, motor cars and an ambulance.

Soon afterward the convoy was streaking up the highway toward Macon, which is not far from Milledgeville, the scene of the State penitentiary and the electric chair.

Sloan, charged with the shotgun slaying here of Otis Gay, young white man, on Oct. 15, was brought here by National Guardsmen this morning from Albany. He had been held since his arrest recently in Havana, Fla., in a jail "somewhere in South Georgia."

The defendant entered the court house today through lanes of National Guardsmen. There was a crowd present, but it was quiet. As the trial advanced, however, signs of restlessness developed.

Gay's young woman companion on the night of the slaying, Miss Mary Smith of Jacksonville, Fla., collapsed on the witness stand as she told of the shooting.

She said she and Gay were seated beside the road "discussing plans for our wedding next Sunday" when a Negro with a gun on his shoulder appeared in front of them.

Warned by Gay, "Don't do that," the Negro nevertheless fired, she said, killing her companion.

New York Herald-Tribune
NOV 15 1935

Georgia Troops Beat Back Mob To Save Negro

Use Bayonets and Rifle Butts to Protect Slayer as He Leaves Courtroom

3 of Rioters Are Injured

Man Sought by Would-Be Lynchers to Die in Chair

By The United Press

MOULTRIE, Ga., Nov. 14.—Two companies of Georgia National Guardsmen used tear gas and rifle butts today to disperse a howling mob seeking to take a condemned Negro from Sheriff's deputies.

Under protection of National Guard bayonets, the Negro, John Henry Sloan, twenty-one years old, was rushed to the state penitentiary at Milledgeville, where he must die in the electric chair on December 10.

Two persons were beaten by gun butts and a third cut by a bayonet as the Guardsmen repulsed a rush of a mob of more than 2,000 enraged South Georgians.

Killed Man, Wounded Girl

Sloan was sentenced to die in the electric chair for the murder of Otis Gay, young white man, and the wounding of his young woman companion, Mary Lou Smith. Sentence was passed in a courtroom tense with indignation under the armed protection of the two National Guard companies.

After passing sentence, Judge W. E. Thomas commanded Sheriff T. V. Beard to hold the spectators in the courtroom while Sloan was withdrawn.

Led by Adjutant General Lindley W. Camp, commander of the Georgia National Guard, troops formed a bayonet-fringed ring about Sloan. As they reached the courtyard, however, the mob surged forward.

Three in Mob Injured

Guardsmen exploded gas bombs and beat the mob with their rifle butts. Two of the crowd were said to have suffered bruises from the flying gun butts, and a third was cut by a bayonet as the troops rushed Sloan to the safety of the state prison.

The slaying occurred as Gay and the girl were sitting on the banks of a canal here. Sloan was alleged to have emerged suddenly from underbrush and opened fire with a shotgun.

The Negro today admitted firing the shot. He explained that he narrowly had escaped being run down by an automobile bearing several white couples and believed that Gay and Miss Smith had been one of the couples in the car. The jury was out only forty-five minutes in bringing back the death verdict.

Sloan escaped into Florida after the slaying despite a forty-eight-hour man hunt by bloodhounds and a posse. During the man hunt, another Negro received injuries which resulted in his death. Sloan later was captured near Havana, Fla.

Then the governor might order out the national guard, the mob having refused to surrender their captive and disperse. Perhaps it would be too late to send a company of soldiers with machine guns to stop the murder of the accused man and the governor would send a military plane with bombs. The plane arriving, seeing from 1,000 feet in air that the negro would be swinging from a limb in two minutes, would drop a bomb. Half a dozen members of the mob, would-be murderers of a foul but defenseless criminal, would be killed or wounded, they would lie on the ground writhing, while the rest of the 2,000 would scatter like rats. That would be the vindication of law, civilization. It would establish Olin D. Johnson as an oath-keeper unafraid of a mob, though composed of half the voters of a county.

What would happen to Johnston in the next primary? What would be the opinion of thousands of good men and women who highly approve the use of soldiers with machine guns to put down the "insurrection" and "rebellion" of fourteen or fifteen persons who claim to hold office by law, whose titles are disputed, and who only ask that their titles be tried by the courts?

CHARLESTON, S. C.
NEWS AND COURIER
NOV 18 1935

Suppressing Insurrection

At Moultrie, Georgia, a negro stole from the bushes and with no provocation shot to death with a shotgun a young man who was sitting by the bank of a canal with a young woman. The young woman was wounded.

The negro was tried, promptly convicted and sentenced to death, but 2,000 enraged citizens, a mob, wished to kill him then and there. Troops had been ordered out. Under order of the presiding judge and sheriff the negro was protected from the inflamed white savages, who with tear gas and with bayonets were repulsed. Two or three of the crazy fools were hurt.

Still, there is law in Georgia. The negro will be hanged, as he should be, and 2,000 people have been, against their will, saved from committing a cowardly murder.

Were word to come to Columbia this morning from the sheriff of Union that 2,000 men had captured a negro and expected to lynch him at 3 o'clock it would be Governor Johnston's sworn duty to prevent the lynching if he could. When a mob assembles to do murder it is "insurrection," "rebellion."

Lynchings-1935
Prevented.

Georgia

5113

Georgians Fight Slayer's Guards

But Troops Escape With Prisoner After Dispersing Crowd With Guns, Gas

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Before his arrest, a posse of citizens seeking him killed another negro, not connected with the slaying of Gay. A coroner's jury found the second negro came to his death at the hands of parties unknown.

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As the trial advanced, however, signs of restlessness developed and Adjutant General Lindley Camp of Georgia, said the situation was the most tense the national guardsmen have ever been in. We hope to get out without any trouble."

Gay's young woman companion on the night of the slaying, Miss Mary Smith, of Jacksonville, Fla., collapsed on the witness stand as she told of the shooting.

She said she and Gay were seated beside the road, "discussing plans for our wedding next Sunday."

"We looked up and saw a darky right in front of us, with a gun across his shoulder.

"Otis threw up his hand in front of his face and said, 'don't do that.'

"The darky said, 'yes I will, too.'"

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Under a Georgia law permitting a defendant to make a statement to the jury and not subject himself to cross-examination, Sloan took the stand for a few minutes.

The 22-year-old negro, who stuttered said:

"I didn't aim to kill anybody."

He said he feared he would be harmed, and that some white men in an automobile had chased him on the same road on the day of the shooting of Gay.

He added he was frightened when he saw two persons sitting on the embankment beside the road. He said he heard them say "there goes a negro."

Lynchings-1935
Prevented

Georgia.

5114

New York Evening Post

NOV 16 1935

WRESTED FROM HANDS OF GEORGIA LYNCH MOB



Associated Press Photo

John Henry Sloan, Negro (at right, immediately following guard captain), was closely guarded following his trial and sentence to the electric chair at Moultrie, Ga., for the fatal shooting of Otis Gay, white man, while Gay sat by the side of a road with a girl companion. A crowd tha tried to tear the prisoner away from the guards was overcome with tear gas after hand-to-hand fighting.

Macon, Ga., Telegraph
November 18, 1935

John Henry Doesn't Know He Is to Die for Slaying

That Mob in Moultrie Was Just another Group of Tormentors to Him

By FRANK HAWKINS

John Henry Sloan, a husky 20-year-old Negro plowman who has been running from tormentors since he can "remember," is happy to be where he can run no further.

Fifteen days before Christmas—unless fate should intervene—he will be strapped in the electric chair in Milledgeville and society will be paid for the fatal shooting of Otis Gay, Moultrie young white man who was killed by the Negro on the night of Oct. 15.

As he sits in solitary confinement in the Bibb county jail, approximately 135 miles from the courthouse from which an angry mob attempted to seize him from national guardsmen Thursday, John Henry knows that his running days are over and that he will not become another victim of lynch law.

But there is one thing that John Henry does not know, or if he knows he will not admit it. And that is that he must take a trip to the electric chair.

"You know what you are in here for don't you John Henry?" the Negro was asked last night as he stood in the dimly lighted corridor just outside his narrow grey cell.

Told No Different

"Yessir, boss," said John Henry who can neither read nor write, "I thinks I'm in here for a life sentence." And no one told him differently.

It is possible that the young native of Havana, Fla., did not hear accurately as the court pronounced his doom. It is more probable that John Henry was too frightened to comprehend.

For he hasn't stopped shaking yet. Even his broad shoulders and deep chest tremble incessantly as he haltingly relates the experience that took him from the humble farm-hand's existence to the moment when the state's troops were needed to hold back a fighting mob that demanded its own conception of justice.

There is little likelihood that John Henry's 150 pounds of bone and muscle will cease to quiver so long as he can clearly recall sounds of the mob that cried "there he is, get him."

And how did John Henry feel when he heard that?

"Well, I tell you the truth," he said, "I felt every way but the right way. I didn't want these men to get me."

Guards Were First Rate

Guardsmen treated him "first rate," the Negro recalled, and "I was glad they were there. Yessir, they were first rate."

Through trembling lips the doomed Negro inhaled deeply from a cigarette and swore that never before had he had any experience with the law. He doesn't even know if he had a lawyer at the trial in Moultrie. The lawyer, incidentally, pleaded for a life sentence.

John Henry hasn't had any schooling, not even "the A, B, C's," he said last night, but he is a Baptist and a good one.

"Every night I say my prayers," said the Negro who doesn't fully realize how badly he needs them. There is no one to help him pray because what family there is he left behind in Havana when he moved to Moultrie in 1929. He is not married, but he has a girl.

John Henry fondly recalled last night that it was this girl who cooked the rabbits and birds which he had shot on the afternoon before he shot Mr. Gay.

"We ate those rabbits and birds," the Negro reported, "and then I started on up the road to return the gun," a single barreled .12-gauge gun which he had borrowed from a white friend.

"Some white men took in behind me and they chased me for about a mile. Folks has always chased me and when I saw this man on the bank near the road I thought he was going to chase me so I shot. I didn't aim to hit him and I didn't see no lady with him. After I shot ran and took the gun home." The young woman was not injured.

"This is the first trouble I ever was in. They caught me down in Florida somewhere and took me to Albany. Then they slipped me into the jail at Moultrie late at night. They made me lie down in the car so I knew something was wrong."

John Henry learned what was wrong the next day when the mob gathered outside the courthouse. One look at this boy is assurance he won't forget what he learned.

Macon, Ga., Telegraph
November 20, 1935

HANCOCK NEGROES REMOVED TO CITY

Five Others, Besides Slayer of Policeman, Jailed Here for Safekeeping

Six Hancock county Negroes, one of them the confessed slayer of M. L. Stafford, Hancock county policeman, were in Bibb county jail yesterday for safekeeping.

Winton Boyer, who confessed shooting Mr. Stafford to death in Sparta Sunday afternoon, has been held here since early Monday morning. The others, brought here late Monday night are Willie Spikes, John Henry Spikes, William Choice, Jim Wiggins and Linten Luellen.

Officer Stafford was shot down after he had arrested the Negroes and was searching them for whisky. They fled but were captured by hastily organized posses.

Trial Probably Monday

The Hancock county grand jury is expecting to meet in Sparta today and a special term of superior court will be called there Monday. Judge James B. Park has drawn jurors and appointed defense attorneys for the six Negroes.

Addition of the five Negroes to the Bibb jail Monday night brought the total number held here for safe keeping to seven. John Henry Sloan, sentenced to die for the slaying of Otis Gay in Moultrie more than a month ago, has been in the local mob-proof jail for nearly a week.

Intended Lynch Victim Escapes Hands Of A Mob

CORDELE, Ga., Nov. 15— One crew of Georgia head-hunters were repelled this week—not by the stern voice of police authorities but by five pugnacious Race men with five steady shotguns. Mobs are marked by cowardice, and in this case the cowardly qualities of a mob forgot the victim as they looked eagerly into the barrels of shotguns.

Frank Horn, 18-year-old youth, was the intended lynch victim. He cut a white man during an altercation because the latter attacked him for being "sassy." With the protection of white supremacy as their motive, mixed with a hatred for black men, leading citizens of the town gathered their forces and went after the youth who had dared to lay hands on a white man. But they forgot their mission when death faced them through the barrels of five steady shotguns held in the firm hands of the youth's protectors who escorted him to Atlanta, where he boarded a train for New York City.

Bronx, N.Y. Home News

NOV 18 1935

Two Suspects Hidden From Mob After Killing Georgia Policeman

A mob was reported gathering in Sparta, Ga., last night, as word spread of the manner in which Motorcycle Policeman M. L. Stafford had met his death on a country road near there. According to Mayor Vinion of Sparta, the policeman halted a car in which there were four colored men on suspicion that they were drinking. While he questioned them, one shot him in the head. He died instantly. Two of the colored men were captured, but neither was believed to be the actual slayer. They were spirited to a secret hiding place. Fear was expressed today that the two men may be lynched.

SAVANNAH, GA.
PRESS

NOV 15 1935

SOLDIERS' GOOD WORK.

Georgia national guardsmen seem to have performed very fine and efficient service at Moultrie yesterday afternoon in protecting the life of a negro prisoner who had been tried, convicted and sentenced to death at a sitting of the Superior Court of Colquitt county.

The negro was charged with the slaying of a popular and prominent citizen. He was defended by a well-known Georgia attorney, W. A. Covington, under an appointment by the court. Judge Covington knows his Georgians and his juries and he requested the court to have the Governor detail a detachment of military for the trial to protect his client. The developments of the day show the lawyer and judge acted with wisdom in making the request for troops and the military authorities showed equally good sense in having the soldiers assigned to this service.

The militia in its treatment of the situation showed fine courage and excellent acumen. It succeeded in saving the life of the convicted defendant who made his way through the excited assemblage without the firing of a shot on the part of the guard.

There was a limited use of rifles as clubs and a more liberal use of tear gas. This combination permitted the passage of the convicted man in safety from the court room to the waiting automobile to bear him out of the county and to a place of detention to await the date of his execution.

The military thus under arms came from Calhoun and Dublin, we are told. They are units of the 121st and 122nd Infantry of the Georgia National Guard. They are to be most highly commended for the good job they have done. One irresponsible move—one ill-considered action—would have brought very serious results.

Adjt. Gen. Lindley Camp and his troops have met a serious situation with credit to themselves and have prevented through mob law in Colquitt county.

Thomasville, Ga., Times-Enterprise
November 15, 1935

NATIONAL GUARD PROTECTION FOR PRISONERS

Over in Moultrie two companies of national guardsmen were called out to protect a negro prisoner. They did the job very successfully and a lynching was probably prevented. The negro shot a white man on a county road without warning and wounded his girl companion. There was no fuss or provocation, just a shotgun and a death. One negro was killed in connection with the event and Judge Thomas decided that in order to get a trial it would be necessary to have the protection of troops. They were called for and came.

There is always danger of some action of that kind when the crime is so boldly horrible as this was. There is more than ever a source of trouble if women are molested. Some southern men have not relinquished the privilege of meting punishment to rapists in some sections and probably never will. However, they are often led into excesses and abuses of justice and law that are not nice to contemplate and should properly be prevented.

In Texas two small negro boys were hung by a big mob because of the fact that they had killed and abused a white girl. The law provided that they could only be held until they were twenty-one years of age in a detention home and then freed. The mob quickly disposed of them. There is a tendency to facilitate such killings in some parts of the country and it is a sure sign of reckless and abandoned passion. To curb it is a difficult task and sometimes judges and officers of the court call the militia to see that the criminal gets a trial. How far the country will go in waiting for the meting of justice under our present code is problematical. If they could be punished at once it would mitigate half of the trouble or prevent it entirely. As it stands the people do not trust the law to the extent of believing that it cannot be made into a pretext of one kind or another sufficient to deter punishment. Every community has faced that trouble and still does.

COLUMBIA, S. C
RECORD

NOV 19 1935

TIMES AND OCCASIONS.

At Moultrie, Ga., on October 15 Otis Gay, a young white man, was killed and search was begun for John Henry Sloan, a negro, charged with the slaying.

Arrested in Florida, Sloan was returned to Georgia and last week after being safely kept since his arrest in a jail "somewhere in South Georgia" was escorted by national guardsmen to Moultrie for trial. There he was convicted of murder and in accord with law was sentenced to die December 10.

There was no delay to complain of and the law, in such cases made and provided, was satisfied. On December 10 Sloan was to be expected to meet his end in the electric chair.

But some 2,000 Georgians, moved by the insanity of mobs, were not satisfied. As the national guardsmen and their prisoner moved out of the court house they ran into a crowd that milled about the court house yard hankering for the opportunity to commit murder by lynching the convicted negro.

"Get him," someone yelled and the hand to hand fighting was on as the national guardsmen resisted the assault with tear gas and rifle butts. Three men, members of the crowd, were felled by blows from the army rifles as the soldiers made their way to the waiting convoy of motor trucks, cars and ambulance. One shot was fired, from the mob, but it did not deter the guardsmen from the successful attainment of their objective. Sloan was taken to the state penitentiary at Milledgeville to await his execution.

And those who cannot indorse Governor Eugene Talmadge's use of the militia in taking over the Georgia state highway department, who condemn his overzealous use of the militia in labor disputes may applaud his use of the guardsmen at Moultrie. There are times and occasions when the militia ought to be used to uphold and enforce the laws of the state against insurrection and rebellion and to preserve the public peace, to prevent murder, to save Georgians from the disgrace of a cowardly and useless crime.

Lynchings-1935
Prevented

Indiana

5126

SAVED FROM MOB, MAN TO ACCEPT SENTENCE

FRANKFORT, Ind., Aug. 8.—(AP) Sheriff Fred Rodgers, who spirited Frank Nace to Indianapolis yesterday to escape a mob angered at an assault on a 9-year-old girl, said the prisoner has agreed to plead guilty and accept sentence.

Arraignment will wait, however, until Circuit Judge Paul E. Laymon returns from a vacation. The sheriff said Nace then will be brought back here secretly.

Lynchings-1935
Prevented.

Kentucky

5127

MOB RUMORS DELAY KENTUCKIAN'S TRIAL

WHITESBURG, Ky., March 21 (AP)—Rumors of mob violence today caused the examining trial of Denver Tolliver, 25, mountaineer, accused of slaying Clyde Quillen, 19, Boy Scout, to be postponed until next week.

County Judge Sandy Adams, remarking "it didn't look good to me," said the safety of Tolliver was threatened when rumors the prisoner might be taken from officers if he were brought here from Harlan.

WOMEN COMMEND 3 WHO BALKED LYNCHING

LOUISVILLE, Ky., June 13 (AP)—Action of Town Marshal Burt Hodges, Munfordsville, in persuading a mob not to lynch a negro accused of an attempted attack was commended today by the Kentucky Council of Southern Women for the Prevention of Lynching.

Dr. Maher Speecack and Ernest O. Douta, who aided Hodges in quieting the irate 30 men bent on lynching Raymond Curry, 19, also were commended. The negro is accused of attempting to assault Mrs. Esther Jolly, 18.

TOWN MARSHAL SAVES PRISONER FROM MOB

MUNFORDVILLE, Ky., June 12. (AP)—Saved from lynching after a band of 30 irate men had him perched on a shaky bedstead with a noose ready, Raymond Curry, 19-year-old negro, was in jail at Elizabethtown today awaiting trial on a charge of attempting to assault Mrs. Esther Jolly, 18, a bride of two months.

Town Marshal Burt Hodges and Dr. Maher Speevack of Munfordville, rescued the negro from the barn of Henry Jolly, the victim's father-in-law, where the men had made ready for an impromptu hanging.

NEW YORK DAILY NEWS

JUN 13 1935

COLORED BOY SAVED FROM LYNCH CROWD

Munfordville, Ky., June 12 (AP). — Saved from lynching after a band of thirty irate men had him perched on a shaky bedstead with a noose ready, Raymond Curry, 19, colored, was in jail at Elizabethtown today awaiting trial on a charge of attempting to assault Mrs. Esther Jolly, 18, a bride of two months.

Town Marshal Burt Hodges and Dr. Maher Speevack of Munfordville rescued Curry from the barn of Henry Jolly, the victim's father-in-law, where the men had made ready for an impromptu hanging.



Raymond Curry

Hodges and Speevack argued that the group was not positive they had the right man, because Mrs. Jolly had not made an identition, and that the law be permitted to take its course.

Ernest O. Doutaz, a railroad detective, helped get the prisoner out of the barn and to the Munfordville jail.



(Associated Press Wirephoto)

Mrs. Esther Jolly

Victim of attempted assault.

A crowd of about 150, apparently more curious than aroused to violence, gathered there. Officers had the prisoner change clothes and took him for safekeeping to Elizabethtown.

Spartanburg, S. C. Journal
June 13, 1935

OFFICERS THWART LYNCHING PLANS

Munfordville, Ky., June 13 (AP). Saved from lynching after a band of 30 irate men had him perched on a shaky bedstead with a noose ready, Raymond Curry, 19-year-old negro was in jail at Elizabethtown today awaiting trial on a charge of attempting to assault a white woman.

Town Marshal Burt Hodges and Dr. Maher Speevach of Munfordville rescued the negro from the barn of the victim's father-in-law, where the men had made ready for an impromptu hanging.

New York Evening Post

JUN 12 1935

2 Outtalk Mob Ready to Lynch Negro in Attack

Youth Perched on Bedstead by 30 Irate Men With Noose Ready

MUNFORDVILLE, Ky., June 12 (AP).—Saved from lynching after thirty irate men had him perched on a shaky bedstead with a noose ready, Raymond Curry, Negro, nineteen, today awaited trial on a charge of attempting to assault Mrs. Esther Jolly, eighteen, a bride.

Town Marshall Burt Hodges and Dr. Maher Speevack rescued him from the barn of Henry Jolly, the victim's father-in-law.

They argued that the group was not positive they had the right man. Mrs. Jolly had not made an identification. They suggested a wrench with which the attacker struck her be taken for fingerprint identification.

NEW YORK AMERICAN

JUN 13 1935

LYNCHING AVERTED

NEGRO ACCUSED OF ATTACK

MUNFORDVILLE, Ky., June 12 (AP).—Saved from lynching after a band of 30 irate men had him in a barn perched on a shaky bedstead with a noose ready, Raymond Curry, 19, Negro, was in jail at Elizabethtown today awaiting trial on a charge of attempting to assault Mrs. Esther Jolly, 18, a bride of two months.

Town Marshal Burt Hodges and Dr. Maher Speevack of Munfordville rescued the Negro. They argued that the group was not positive they had the right man, because Mrs. Jolly had not made an identification. They suggested that the law be permitted to take its course. Ernest O. Doutaz, railroad detective, who helped get the Negro out of the barn and to the Munfordville jail.

Jailer Mack Boyd had the Negro change clothes, and took him for safekeeping to Elizabethtown.

JOURNAL
FRANKFORT, KY.

JUN 30 1935

ONE MOB THWARTED

(From the Ohio State Journal)

The authorities of Champaign and Miami counties acted wisely, splendidly and patriotically in preventing the lynching of a man accused, but acquitted, of the slaying of another, and of the accused man's wife.

There is credit, too, for that minister of the gospel who stood off the mob and tried to reason with its members. Of course the mob, being a mob, stoned the home of the accused pair, having, as mob members always do, lost all sense of individual responsibility.

Ohio has not been able, of course, to cast the first stone against those states in which lynching has principally occurred. For this state has had its mob victims, and the lynchings that have occurred here have not been due, in the main, to the race clashes that form the excuse, though not the justification for violence in the southern states. In fact, some of the Ohio victims, as that in Newark in 1911, have been white persons not even accused of crimes to which some of the southern trouble often is attributable.

To its everlasting disgrace Urbana some 40 years ago, permitted the lynching of a colored man who later was found to have been entirely innocent of the offense that worked the mob to fury. Except for cooler heads and more deliberative minds there would have been the mob execution of Mr. and Mrs. Jenkins at the village of Christiansburg, and thus a terrible stain would have been put on the two counties in which the village is located.

Mobs do their work quickly and then disband, afraid of the penalty of outraged law, ashamed of the thing they have done, and not at all proud of their participation in it. They are never excusable, no matter what the real or fancied grievance, and this is especially true in such a state as Ohio. The individuals composing a lynching mob are just as culpable before the law and in the eyes of religion and morality, as any other unauthorized slayers.

Lynchings - 1935

Kentucky

5128

Prevented

Macon, Ga., Telegraph
August 18, 1935

LYNCHING PREVENTED

LEXINGTON, Aug. 17 (AP)—Deputy Sheriff John Paul has been commended by the Association of Southern Women for the Prevention of Lynching and by the Women's Missionary Society of the North Georgia Methodist conference for "having saved the state from disgrace of a lynching." Deputy Paul prevented a possible lynching of Simmie Gaines, charged with the slaying of two women.

Lynchings-1935
Prevented

Mexico.

5129

Mexican Planes Thwart Lynching

MEXICO CITY, Nov. 26.— (AP) —Dispatches to the newspaper Excelsior said today a man had been saved from lynching near Las Carboneras, in the State of Jalisco, when Federal airplanes dropped bombs near the would-be lynchers, described as rebels.

The reports stated Manuel Topete, elder brother of the governor of Jalisco, Everardo Topete, had reached the town of Etzatlan, describing his escape from death as "miraculous."

He said a rope had been placed around his neck and he had been lifted off the ground several times when the Federal planes suddenly appeared. The aviators let loose a number of bombs, and the mob fled, leaving Topete unconscious on the ground.

Dispatches to the newspaper La Prensa said a band of insurgents had been mutilating their victims in Jalisco by cutting off their ears.

The band, whose leader was alleged to be Jesus Gonzalez, entered the town of Camajapa, captured and shot the president of an agrarian cooperative, and cut the ears off six other townsmen, said this report.

Lynchings-1935 Prevented

Mississippi.

5115

600 Soldiers To Guard Mississippi Courthouse At Negro Ghoul's Trial

By J. B. CROSSLEY
Associated Press Staff Writer

CLEVELAND, MISS., Feb. 3.—(AP)—The Bolivar County courthouse here presented the appearance of an armed fortress tonight with barbed wire entanglements strewn about it and machine gun nests set in strategic positions for the murder trial of a giant negro ghoul, James H. Coyner, scheduled to begin tomorrow at a special term of court.

A special detail of 600 national guardsmen ordered out by Gov. Sennett Conner at the request of local authorities and hand-picked by Adjt. Gen. Thomas J. Grayson, began arriving by bus and train late today and by night several hundred of them were billeted in the vicinity of the courthouse for their task of preserving law and order at the negro's trial.

Some time tonight a special trainload of 175 guardsmen will leave Jackson by a secret schedule into this north Mississippi delta, probably with Coyner aboard. The method of the prisoner's transfer from the mob-proof Hinds County jail at Jackson where he has been held for safekeeping since his arrest at Cleveland a month ago, was known only to Gen. Grayson and ranking members of his staff. Reports had it an attempt might be made to fly the prisoner to his destination.

The slaying of Aurelius B. Turner and his wife at their home near Cleveland Dec. 8 aroused an intense mob spirit in the delta. Elaborate precautions will be taken.

Signals For Train

A signal arrangement for the routing of the train has been set up with an observer riding in the engine who by telephone will communicate the signals he received from sentries along the line. A white light would mean "come ahead" and a red light would signal "take another route," it was said.

A general mobilization order was issued for 3 p.m. today which would start a movement of the troops from all sections of the State in time to have them on the scene for the opening of the trial.

Gen. Grayson, who has had his headquarters at Indianola for the past several days making arrangements for the troop movement, left for Cleveland late today.

Before leaving Indianola, he said he did not expect any trouble, but was prepared to handle any situation. Gov. Conner at Jackson last night before his departure for Washington said no semblance of mob violence would be tolerated.

Several troop units left Jackson and neighboring towns today by bus for Cleveland. They wore steel helmets, and carried complete field equipment.

Maj. T. B. Birdsong, of Clarksdale, was in command here pending the arrival of Adjt. Gen. Grayson. Maj. Birdsong expressed the view that the presence of the guardsmen would forestall any trouble.

First Unit To Arrive

Company F, 155th Infantry, Clarksdale, composed of 40 men and three officers under the command of Maj. Birdsong was the first unit to arrive at the courthouse and began erecting barbed wire entanglements and mounting machine guns behind sandbags.

A few minutes later Company B, 106th Engineers, arrived from West Point in charge of Capt. A. O. Hamlin. In this unit were 33 men and three officers.

Company E. 155th Infantry, Cleveland, under the command of Capt. Ben Mitchell, was called out at 3:15 p.m. to start work on a camp for the forces. Company E, 106th Engineers, Vicksburg, arrived shortly before nightfall.

Other contingents were expected later tonight to swell the total number of guardsmen to about 600 by the time the Grand Jury convenes at 9 a.m. tomorrow.

Hundreds of persons milled around the courthouse during the afternoon watching the troopers string the wire entanglements and set up their machine guns."

Negro Confessed

Coyner allegedly confessed he slew the Turners shortly after he was taken to Jackson because, he said, he had an impulse to kill someone. He said he cut up their bodies, first intending to burn them, but later deciding to take home some of the severed parts of the woman's body. A piece of "salted and cured human flesh," officers said was found in his pocket at the time of his arrest in the Cleveland postoffice. They also said they found Turner's watch on the negro. He was arrested in a trap laid by postal inspectors who had traced the writing of obscene letters to prominent society women in the Middle West to Coyner.

Coyner served a term in an Indiana penitentiary for robbing a grave of a young woman's body. He confessed at Jackson that he robbed several graves in Michigan because he "wanted the bones."

The parents of the slain couple, Mrs. S. B. Turner, and Mr. and Mrs. J. T. Sherill, tonight issued an appeal here to "let the law take its course." The three jointly signed a statement urging citizens to let the trial proceed without interruption.

Barricades Erected At Ghoul Trial Scene

CLEVELAND, Miss., Feb. 3.—(AP) The Bolivar county courthouse here presented the appearance of an armed fortress tonight with barbed wire entanglements strewn around it and machine gun nests set in strategic positions for the murder trial of a giant negro ghoul, James H. Coyner, scheduled to begin tomorrow at a special term of court.

A special detail of 600 national guardsmen ordered out by Governor Sennett Conner at the request of local authorities and hand-picked by Adjutant General Thomas J. Grayson, began to arriving by bus and train late today and by night several hundred of them were billeted in the vicinity of the courthouse for their task of preserving law and order at the negro's trial.

NEGRO IS UNDER GUARD

Confessed to Attempted Attack, District Attorney Says

GULFPORT, Miss., March 11.—(AP)—Will Nelson, 30, Wiggins, negro, was under heavy guard in the Harrison County jail here today following announcement by District Attorney R. C. Cowen that he had confessed to an attempted attack on Mrs. C. L. Ford, 30 of Wiggins.

Cowen said that the confession was made to him at the end of 60 hours after the negro was arrested near Wiggins.

Cowen also quoted the negro as admitting that he fired several shots at Mrs. Ford as she rushed from the rear of her grocery store.

Tupelo, Miss. News
March 13, 1935

STONE COUNTY OFFICERS PREVENT ANOTHER LYNCHING
(Jackson Clarion Ledger)

Quick and intelligent action by Stone county officers probably prevented another Mississippi lynching this week.

They caught an alleged negro assailant of a white woman at Wiggins, who had been named by the victim and who was being hunted by a mob of 50 or more, and wisely and successfully rushed him to jail at Gulfport for safe-keeping.

District Attorney Cowan later reported that the negro had confessed in full to the attempted crime. Swift and certain legal punishment is assured him, which should satisfy all the citizens, and we have an idea that in this case, as in most similar ones, most of those who were thinking about a lynching will be glad later that it was prevented.

Meantime, congratulations to the Stone county officers on their sound sense.

It is always much pleasanter to note a lynching prevented than one accomplished.

MOB SEIZE SSHERIFF, FAIL TO GET NEGRO

Masked Band Balked in Effort to Storm Jail

ABERDEEN, Miss., April 12.—Seeking a negro, who Sheriff Joe T. Morgan insisted was not in jail here, a mob of masked men at 12:30 o'clock this morning attempted to storm the Monroe County jail, after firing shots in the air and relieving an officer of his pistol.

The negro is accused of attacking a woman. 4-13-35

After removing licenses from their cars the men parked the autos near the courthouse. Failing to gain entrance to the jail, they went to the home of Sheriff Morgan and he accompanied them to the jail. The sheriff refused to give orders to the jailer to let the men in and warned them against any violence. Two men then seized the sheriff and shots were fired over his head. The sheriff remained cool and advised the mob to disperse. They left at 3 o'clock this morning.

City Night Policeman Rial was forced to hand over his gun to the men and accompany them to the sheriff's home.

SAYING OF FARMER ADMITTED BY NEGRO

Officers Avert Mob Action—Removed to Jackson

JACKSON, Miss., May 24.—District Attorney Fred M. Belk, Holly Springs, and County Attorney Bramlett Roberts of Oxford tonight obtained from Elwood Higginbotham, Oxford negro, a confession to the slaying of Glenn Roberts, Lafayette County farmer.

The negro was removed to Hinds County jail for safe-keeping early today by Sheriff S. T. Lyles and deputies after saving him from a mob of 300 men.

Belk and Roberts said that the death penalty would be asked.

They said that Higginbotham stated in his confession to them that he was angered at Roberts because of an altercation two weeks before and that he fully inteded killing him. They quoted the negro as saying that he invited Roberts to come

int othe house and then hid behind a door and shot him as he entered.

The negro said that in the hunt that lasted for three days and nights that at times the searchers were within two feet of him and that the bloodhounds were within 20 feet of him. He said that he was armed with pistol and shotgun and intended to kill any one that tried to capture him.

He was captured in Pontotoc County lying in a shallow pond of water with only his face above the water.

Mississippi Negro Saved From Mob

TUPELO, Miss., May 24. — (AP) — Caesar Higginbotham, negro charged with the slaying Tuesday night of Glenn D. Roberts, white farmer, of Oxford, Miss., was [illegible] unannounced jail tonight [illegible] from the hands of a mob of angry white men [illegible] unsuccessfully sought the negro last night.

Sheriff D. B. Anderson [illegible] group of Pontotoc County officers were credited with saving the negro from the mob, which gathered quickly after news of his capture spread.

Higginbotham was captured while hiding in a water-filled five-foot ditch following a chase during which several shots were exchanged. The negro was disarmed when pulled from his hiding place and was rushed to the Lee County jail here.

Late last night as word that a mob was gathering reached authorities, Lafayette County officers quietly removed the negro to another jail.

Roanoke, Va., Times
April 14, 1935

DAWN OF A BETTER DAY

"Mob Defeated In Efforts to Take Negro From Mississippi Jail"—headline. Such is the cheering evidence of a return to sanity and courage in a part of the South which has gained an unenviable reputation for supine surrender to mob psychology. When a mob fails to get into a Mississippi jail and lynch a negro charged with a crime against a white woman, that's news. Slowly it appears to be dawning upon officers in the backward belt that their sworn duty to the Commonwealth necessitates protection of prisoners committed to their care, even at the risk of their own lives. A brave and determined stand by officers is usually sufficient to ward off and nullify an attempt to gain possession of their prisoners. For the average mob is as cowardly as it is bestial.

CHARLOTTE, N. C.
NEWS

MAY 29 1935

Without Benefit of U. S. A.

(Greensboro Record.)

In Mississippi last week a Negro farm worker killed a white planter and took to the swamps and tall timber. After a long hunt and chase the killer was captured while hiding in the water in a deep ditch. He exchanged shots with pursuing officers and posseemen; but was finally disarmed, pulled from his hiding place and rushed to a county jail.

That night word reached the authorities that a mob was gathering. A mob of angry and determined white men, thirsty for "nigger" blood, did form. But, in the meantime, the county officers quietly removed the prisoner to an unannounced jail in another county. They saved his neck, and they saved Mississippi from the ignominy of another mob crime.

When a Negro kills a white man in Mississippi and a mob is cheated of its victim, it is news.

The Mississippi officers who prevented a lynching in this case are to be commended most highly. They proved that lynchings, even in communities where lynchings are the rule rather than the exception in certain circumstances can be prevented in almost every instance if the officers who are sworn to protect their prisoners go about their duties promptly and courageously.

Mississippi has been the scene of many lynchings. So it is all the more gratifying to note that a mob crime has been prevented there. May this be a sign that Mississippi sees the light!

Mob rule is anarchy at its worst.

GREENSBORO, N. C.
RECORD

MAY 27 1935

A Lynching Prevented.

In Mississippi last week a negro farm worker killed a white planter and took to the swamps and tall timber. After a long hunt and chase the killer was captured while hiding in the water in a deep ditch. He exchanged shots with pursuing officers and posseemen; but was finally disarmed, pulled from his hiding place and rushed to a county jail.

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Mob rule is anarchy at its worst.

Cafe Worker Is Held In Attack On Gulfport Girl

GULFPORT, MISS., Sept. 7.—(AP)—After being questioned here last night in connection with a brutal attack on an 11-year-old girl, a Gulfport cafe worker booked by police as Louis Boudreaux, alias George Burke, 25, was spirited away to the Hinds County jail at Jackson where B. F. Cruthirds, Gulfport chief of police, said he confessed to the attack.

Boudreaux or Burke, was arrested by Gulfport officers after his movements had been watched since the attack early Friday morning. Because of high feeling on the coast he was questioned in the woods here and then carried away secretly to Jackson in a police car. There Burke was formally charged with assault.

The victim of the attack, Lillian Stiglets, was in a critical condition today suffering from head wounds inflicted upon her by an attacker who lured her from her home after midnight and left her in an apparent dying condition behind a billboard on a vacant lot near her home.

Hattiesburg, Miss. American
October 19. 1935

TWO NEGROES HURRIED TO SECRET JAIL

(By Associated Press)

GRETNA, La., Oct. 19.—Two negroes arrested for robbing two white men and criminally attacking their women companions during the past week were reported secretly transferred to an unannounced jail last night or early today.

The negroes, Henry "Buddy" Freeman, 24, and Dave Hart, alias Fred Lindsey, 22, arrested in New Orleans Wednesday, had been brought to the Jefferson parish jail here.

The Gretna jailor said they have been taken back to New Orleans, just across the Mississippi river from here, but New Orleans parish prison officers said they had not been received.

Police said the negroes confessed robbing Oscar Cire, 42, and attacking his young woman companion on the New Orleans lake front and to a similar offense against Vick Caimi, 24, of Algiers, and a young woman in Jefferson parish a week ago.

NEGRO TAKEN TO JACKSON

Charged With Murder of Delta Plantation Manager

JACKSON, Miss., Dec. 13.—Milton Germany, 35, negro, charged with the slaying of H. E. Woodruff, Drew plantation manager, was placed in the Hinds County mob-proof jail today for safekeeping. 12-14-35

The negro was brought here by Sheriff Marlow of Sunflower County. Memphis Press.

Woodruff was slain, it was reported, when he went to question the negro about reports that he planned to move from the plantation without making proper settlement for provisions furnished by the owner.

RUSHES MAN TO MOB-PROOF JAIL AFTER SHOOTING

Threat To Flee Plantation Leads To Slaying

12-21-35

JACKSON, Miss., Dec. 20—Fearing the mob spirit which followed the slaying of H. E. Woodruff, a white plantation manager, who was allegedly slain by Milton Germany, tenant farmer, Sheriff Marlow of Sunflower county, rushed Germany to Jackson Friday and placed him in the mob-proof Hinds County jail here for safekeeping.

Various reports are current regarding the facts in the slaying of Woodruff. One report states: Woodruff was slain by Germany when he (Woodruff) went to question Germany about the reports that had come to him (Woodruff) concerning Germany's purported plan to move off the plantation without making what was called "proper settlement."

The Southern plantation system where there are thousands of sharecroppers and tenants has a policy of giving out to the tenants what is commonly called "rations," meaning the most common of food commodities, inexpensive clothing—and it is almost invariably mandatory that these "rations" and provisions be bought from the plantation commissary, a general merchandise store where the tenants and their families are charged exorbitant prices for such provisions as they get, these being always of the most common kind, such as white side meat, corn meal, molasses, flour, soap, cheap shoes, cheap stockings, gingham cloth and such other cheap wearing material as is worn by the tenants on the Southern plantations.

Lynchings-1935
Prevented

Mississippi.

1

5116

New York Evening Post

JAN 14 1935

MISSISSIPPI ACTS TO HALT LYNCHING

Negro Suspected of Slaying Two Rushed to Jackson for Safekeeping

CLEVELAND, Miss., Jan. 14. (AP).—Special precautions to prevent mob action were taken today by officials guarding James Coyner, thirty-nine, a Negro, accused of slaying Mr. and Mrs. A. B. Turner in their home here December 9.

The Negro, who was arrested Saturday after dismembered parts of bodies were found in his possession, was rushed to Jackson for safekeeping and lodged in the top floor of the Jackson jail, which is accessible only by elevator.

Arresting officers said he denied any connection with the killings, but admitted having served a term in the Indiana State Penitentiary for stealing a body from a grave.

Linked to Michigan Mystery

PONTIAC, Mich., Jan. 14 (AP).—The arrest of James H. Coyner, a Negro, in Cleveland, Miss., in connection with the deaths of Aurelius B. Turner and his wife, recalled to Oakland County authorities today the sensational discovery near Ferndale, Mich., eight years ago of the heads of four white women, wrapped in newspapers and hidden beneath an army uniform in a trunk.

Police questioned a Negro named James H. Coyner then imprisoned in the Indiana State Penitentiary for grave robbery, but the case was allowed to lapse while Coyner was serving his term. Police said Coyner had admitted ownership of the trunk.

Jackson, Miss. Ledger
January 15, 1935

Give Him Full Protection, And Give Him A Quick Trial

Another negro accused of an unspeakable crime in Mississippi is brought to the Hinds county jail for safe-keeping.

He will be safe from mob violence here, if he can be safe anywhere in Mississippi. The Hinds county jail, located as it is on the top floor of the courthouse with all entrances easy to guard effectively, is as near mob-proof as any jail in the country, and also as near escape-proof as possible.

The jail's location in the center of Jackson, a city not given to mobbery, also enhances its safety from mobs.

Even so, however, when a prisoner is brought here, accused of a crime that has inflamed public passion in other towns, the local authorities take added precautions for the protection of the negro. They are wise in doing so.

This puts them to a good deal of trouble, and sometimes puts Hinds county to a little extra expense, the "board" paid for the prisoner by the county sending him here not covering these extra expenses.

Hinds countians, however, do not complain of this. They are glad that their modern jail is thus being used to reduce and prevent mobbery in Mississippi.

In connection with this particular case, we are glad to note that the Bolivar county supervisors announce their willingness to pay the cost of a special term of court to bring this accused fiend to early trial. The strength of the evidence revealed against him justifies it. He is more than a "suspect." Considering the unspeakable nature of the crime, the sooner he is tried the better for Mississippi.

Assurance of an immediate trial would do more than anything else to discourage and prevent mob violence in Cleveland. It has been repeatedly demonstrated that quick and fair legal trial, followed by early execution of sentence, is the most effective of all methods of eradicating mobbery.

Troops to Guard Mississippi Trial Of Accused Ghoul



JAMES H. COYNER

CLEVELAND, Miss., Jan. 30 (AP)—Sheriff E. R. McLean announced today that due to fears of mob violence Governor Sennett Conner had decided to mobilize 500 Mississippi national guardsmen to protect James H. Coyner, giant Negro ghoul, when he goes to trial here Monday on a charge of murdering Mr. and Mrs. Aurelius B. Turner.

Coyner was arrested in the federal building here about two weeks ago while postal inspectors were seeking to trace the sender of obscene letters through the mails and was spirited away, heavily guarded, to the strong Hinds county jail at Jackson for safe keeping.

Mr. and Mrs. Turner were shot or beaten to death in their home Dec. 8, and the body of Mrs. Turner was mutiliated. After Coyner's arrest officers announced that they found portions of human flesh in his possession.

They quoted him as confessing the double slaying, but assigning no motive. Coyner also admitted serving a term in the Indiana penitentiary and to robbing graves in that state of the heads of women eight years ago.

Guardsmen Are Mobilized To Protect Negro Ghoul During Trial for Murder

CLEVELAND, Miss., Feb. 3. (AP)—The Bolivar county courthouse here presented the appearance of an armed fortress tonight with barbed wire entanglements strewn around it and machine gun nests set up in strategic position for the murder trial of a giant Negro ghoul, James H. Coyner, scheduled to begin tomorrow at a special term of court.

A special detail of 600 National guardsmen ordered out by Governor Sennett Conner at the request of local authorities and hand-picked by Adjutant General Thomas J. Grayson, began arriving by bus and train late today and by night several hundred of them were billeted in the vicinity of the courthouse for their task of preserving law and order at the Negro's trial.

Sometime tonight a special train-load of 175 guardsmen will leave Jackson by a secret schedule into this north Mississippi delta, probably with Coyner aboard. The method of the prisoner's transfer from the mob-proof Hinds county jail at Jackson where he has been held for safekeeping since his arrest at Cleveland a month ago, was known only to General Grayson and ranking members of his staff. Reports had it an attempt might be made to fly the prisoner to his destination.

Elaborate Precautions

If the Negro whose confession to the slaying and mutilation of Aurelius B. Turner and his wife at their home near Cleveland, Dec. 8, aroused an intense mob spirit in the delta, is carried by train, elaborate precautions will be taken.

A signal arrangement for the routing of the train has been set up with an observer riding in the engine who by telephone will communicate the signals he receives from sentries along the line. A white light would mean "come ahead" and a red light would signal "take another route." It was said.

A general mobilization order was issued for 3 p.m. today which would start a movement of the troops from all sections of the state in time to have them on the scene for the opening of the trial.

General Grayson, who has had his headquarters at Indianola for the past several days making arrangements for the troop movement, left for Cleveland late today.

Before leaving Indianola, he said he did not expect any trouble, but was prepared to handle any situation. Governor Conner at Jackson last night before his departure for Washington said no semblence of mob violence would be tolerated.

Human Flesh Found

Several troops units left Jackson and neighboring towns today by bus for Cleveland. They wore steel helmets, and carried complete field equipment.

Coyer confessed, shortly after he was taken to Jackson, that he slew the Turners because, he said, he had an impulse to kill someone. He said he cut up their bodies, first intending to burn them, but later deciding to take home some of the severed parts of the woman's body. A piece of "salted and cured human flesh," officers sail was found in his pocket at the time of his arrest in the Cleveland post office. They also said they found Turner's watch on the Negro. He was arrested in a trap laid by postal inspectors who had traced the writing of obscene letters to prominent society women in the middle west to Coyner.

Coyner served a term in an Indiana penitentiary for robbing a grave of a young woman's body. He confessed at Jackson that he robbed several graves in Michigan because he "wanted the bones."

Negro Ghoul To Go On Trial Tomorrow

CLARKSDALE, MISS., Feb. 2.—(AP)—Maj. T. B. Birdsong, Jr., commanding officer of the Second Battalion, 15th Infantry of the Mississippi National Guard, returned here today from a trip to Cleveland and announced that arrangements had been completed for transferring James Coyner, negro ghoul, charged with the murder of Mr. and

Mrs. A. B. Turner, to Cleveland Monday from Jackson to stand trial.

Maj. Birdsong said 600 national guardsmen would entrain at Jackson to escort Coyner to the scene of the Turner murders, where a special term of Bolivar County Circuit Court has been convened for Monday morning.

The national guard officer said he found no evidences of mob spirit at Cleveland, and did not believe that any attempt would be made to lynch Coyner, who officers say has confessed to the Turner slayings.

The State will ask indictments against the negro at the special session of the grand jury Monday morning. The negro will probably be carried to Cleveland Monday afternoon aboard a troop train for arraignment.

Local authorities asked for troops after reports of mob violence had been spread in the delta.

SOLDIERS ORDERED FOR GHOUL'S TRIAL

Mississippi Governor Calls Out 500 Guards To Protect Giant Negro

CLEVELAND, MISS., Jan. 30—(AP)—Sheriff E. R. McClean of Bolivar County, announced late today that due to fears of mob violence, Gov. Sennett Conner had decided to mobilize 500 members of the Mississippi National Guard as protection for James H. Coyner, giant negro ghoul, when he goes to trial here Monday on a charge of murdering Mr. and Mrs. Aurelius B. Turner.

Coyner was arrested in the Federal building here about two weeks ago while postal inspectors were seeking to trace the sender of obscene letters through the mails and was spirited away heavily guarded, to the strong Hinds County Jail at Jackson for safe keeping.

He has been confined at Jackson ever since his arrest and it was expected that he would be brought to Cleveland on a national guard troop train to stand trial and be returned there in the same manner.

Sheriff McLean reported that a group of local officials conferred last night with Gov. Conner in Jackson on the question of calling out troops, although he said he believed an orderly trial could be held in Bolivar County without their assistance.

The sheriff said the Governor was advised to use troops by Judge W. A. Alcorn, Jr., of Clarksdale, who will preside over the trial, because of the prevalence of rumors of violence against the negro.

Officials who conferred with the Governor in Jackson were Sheriff McLean, Chancellor R. E. Jackson, County Attorney Ed H. Green and H. H. McGown, president of the Board of County Supervisors.

Yesterday students of Delta State Teachers College here appealed by resolutions to the citizens to use their influence to prevent any semblance of mob action and urged that adequate protection for a fair trial be given the defendant by the State of Mississippi.

Mr. and Mrs. Turner were shot or beaten to death in their home Dec. 8, and the body of Mrs. Turner was mutiliated. After Coyner's arrest officers announced that they found portions of human flesh in his possession.

They quoted him as confessing to the double slaying, but assigning no motive. Coyner also admitted serving a term in the Indiana penitentiary and to robbing graves in that State of the heads of women eight years ago.

Negro Ghoul To Die On Gallows

Mississippi Soldiers Guard Slayer Of Farm Couple During And After Trial

CLEVELAND, MISS., Feb. 4.—(AP)—As 600 national guardsmen protected him, James Coyner, giant negro ghoul, was indicted, arraigned, tried, convicted, and sentenced to be hanged here today for the murder of Mrs. Aurelius B. Turner.

The troops brought the negro here this morning from Jackson and tonight, an hour after his conviction, boarded a train with him for the return trip to the jail there.

Judge W. W. Alcorn fixed March 5 as the date for the negro's execution.

The court proceedings, winding up the case in one day, was one of the speediest on record in Mississippi.

The State used only seven witnesses, replying principally on the confession of Coyner, also known as Alonzo Robinson, that he had killed Mrs. Turner and her husband on Dec. 8, and cut pieces of flesh from Mrs. Turner's body. The defense introduced no witnesses.

The jury took only five minutes to bring in a verdict of guilty after Dist. Atty. Greek P. Rice made a dramatic plea for the death penalty, displaying three pieces of flesh in front of the jury which Coyner allegedly cut from the body of the murdered farm woman.

As he pleaded with the jury for the death penalty, Dist. Atty. Rice picked up a box from beneath the counsel's table, and lifted a burlap bag from it. He tossed what he said were three pieces of flesh cut from the body of Mrs. Turner on top of the sack and directed the jury's attention to them.

"I am asking for the life of the man who committed this terrible crime," the District Attorney said. "He beat out this woman's brains and hit an old man with a hatchet because he had the impulse to kill."

Judge Alcorn, sustaining an objection of the negro's counsel, Hugh Causey, ruled the exhibit out, holding that it was obtained from the premises of Robinson's aged mother, near here, without a search warrant.

The State's first witness, Walter Turner, brother of the slain man, described in detail the shambles he discovered when he entered his brother's home the morning of Dec. 9. He told how his brother had been hit with a hatchet in the back of the head and then shot through the head and how Mrs. Turner's body had been cut up and portions of it were missing. He identified a gold watch handed him by Dist. Atty. Rice as the property of his dead brother.

TROOPS GUARD NEGRO EN ROUTE TO TRIAL

More Than 600 Ordered Into Cleveland

ROUTE IS KEPT SECRET

No Apprehension Felt As Hour Draws Near for Hearing of Coyner, Accused of Killing Couple

BY J. B. CROSSLEY
Associated Press Staff Writer

CLEVELAND, Miss., Feb. 3.—The Bolivar County courthouse here presented the appearance of an armed fortress tonight for the trial of James H. Coyner, negro, scheduled to begin tomorrow at a special term of court on a charge of murdering Mr. and Mrs. A. B. Turner here last Dec. 8.

A special detail of 600 National Guardsmen ordered out by Governor Conner at the request of local authorities and hand-picked by Adjutant General Thomas J. Grayson, began arriving by bus and train late today.

Leaves By Train

Tonight a special trainload of 175 guardsmen left Jackson with Coyner aboard. The route of the prisoner's transfer from the mob-proof Hinds County jail at Jackson where he has been held for safekeeping since his arrest at Cleveland a month ago, was known only to General Grayson and ranking members of his staff. Other soldiers left Jackson at noon by bus.

A general mobilization order was issued for 3 p.m. today to start a movement of the troops from all sections of the state in time to have them on the scene for the opening of the trial.

General Grayson, who has had his headquarters at Indianola for the past several days making arrangements for the troop movement, left for Cleveland late today.

No Trouble Expected

Before leaving Indianola, he said he did not expect any trouble, but was prepared to handle any situation. Governor Conner at Jackson last night before his departure for Washington said no semblance of violence would be tolerated.

Several troop units left Jackson and neighboring towns today by bus for Cleveland. They wore steel helmets, and carried complete field equipment.

Maj. T. B. Birdsong of Clarksdale, was in command here pending the arrival of General Grayson and Col. George Hogaboom. Major Birdsong expressed the view that the presence of the guardsmen would forestall any trouble.

NEW YORK TIMES
FEB 4 1935

'LYNCH-PROOF' TRAIN TAKES NEGRO TO TRIAL

Soldiers Surround Confessed Slayer on Way From Jackson to Cleveland, Miss.

JACKSON, Miss., Feb. 3 (AP).—Surrounded by 200 steel helmeted Mississippi militiamen with fixed bayonets, James H. Coyner, confessed slayer of Mr. and Mrs. A. B. Turner last Dec. 8, was put aboard a "lynch-proof" train here tonight at 11 o'clock, bound for Cleveland to face trial tomorrow.

The Negro, securely manacled, was hoisted in a steel-plated baggage car which was between four passenger coaches filled with selected National Guardsmen.

Removal of the Delta Negro from the Hinds County jail to the waiting train just two blocks away required more than an hour. The troops, including infantrymen and machine gunners and experts of chemical warfare, marched from the armory down dark streets about 9:30 P. M.

CLEVELAND, Miss., Feb. 3 (AP).—The court house here presented the appearance of an armed fortress tonight, with barbed wire entanglements strewn around it and machine gun nests set up in strategic positions for the murder trial of a Negro, James H. Coyner, to begin tomorrow.

A special detail of 600 National Guardsmen, ordered out by Governor Conner at the request of local authorities and hand-picked by Adjutant General Thomas J. Grayson, began arriving today by bus and train. By night hundreds of the men were billeted in the vicinity of the court house.

Coyner served a term in an Indiana penitentiary for robbing a grave of a body. He confessed at Jackson that he robbed several graves in Michigan because he "wanted the bones."

Troops To Guard Negro On Day Of Execution

JACKSON, MISS., March 2.—(AP)—Gov. Sennett Conner today ordered the Mississippi National Guard to escort Alonzo Robinson alias James H. Coyner, confessed negro ghoul and "butcher" slayer, to Cleveland for his execution Tuesday for the murder of Mrs. Aurelius B. Turner, who with her husband, was slain and mutilated in their home near Cleveland early in December.

Robinson will be hanged in the Bolivar County jail at Cleveland. The exact hour is left to the discretion of the sheriff.

NASHVILLE, TENN.
MORNING TENNESSEAN
MAR 8 1935

Law In Mississippi.

It is not necessary to dwell further on the double murder for which a negro was hanged in Mississippi Tuesday. Sufficient to say that he had confessed his guilt and that he fully merited the death penalty.

The quick trial of this criminal was made possible by Governor Connor's calling out of the state guard, and these soldiers were also on hand to see that violence did not break out as the execution took place.

There is little question that but for this preventive action, a lynching might have been expected, and the entire state of Mississippi has reason to be grateful that such defiance of the law was prevented. The people themselves have been protected from an outbreak of passions that would have done them no credit, and the power of the law has been immensely strengthened.

Governor Connor has adhered to his oath of office, and to have done less would have marked him as unworthy of public trust.

Lynchings-1935
Prevented 6

Mississippi.

5117

Crystal Springs, Miss., Meteor
October 25, 1935

J. C. CRISLER HELD IN JACKSON JAIL FOR SAFEKEEPING

Charged with rape, a negro listed as J. C. Crisler of Crystal Springs, is being held in the Hinds county jail Jackson for Copiah county authorities.

A native farmer of Crystal Springs Crisler, about 45 years of age, was arrested Friday by Sheriff W. E. Hester and immediately carried to the mob-proof Hinds jail that night.

Sheriff Hester at his home in Hazlehurst refused to go into detail on criminal assault charge against the negro and declined to reveal the nature of the alleged crime "until a further investigation."

When the negro was carried to Jackson Sheriff Hester left with specific instructions "not to let him talk with anyone," Hinds county officers said.

Clarksdale, Miss. Register
December 14, 1935

Sunflower Negro Taken to Hinds' Jail for Safety

Alleged Slayer of H. E. Woodruff is Removed from Indianola Jail

Because of continued threats of mob violence, Milton Germany, plant negro tenant farmer who shot and killed H. E. Woodruff, plantation manager near Drew Tuesday morning, was committed to the mob-proof Hinds county jail at Jackson yesterday afternoon.

Orders for removal of Germany from the Sunflower county jail, where he was held since his capture Tuesday night, was issued by Circuit Judge S. F. Davis.

Sheriff W. D. Marlow carried the negro from the Indianola jail to Jackson yesterday.

Marlow revealed that the negro narrowly escaped lynching late Tuesday night as he was being carried from the Parchman State prison farm to Indianola. After his capture at Mound Bayou, in Bolivar county, Germany was placed in the hospital at Parchman for treatment of two gunshot wounds.

Marlow related that a crowd surrounded his car as he passed through Drew enroute to Indianola, and demanded the negro prisoner.

"I managed to out talk them with the promise that he would be held in county jail or stand an early trial," Sheriff Marlow said.

To preclude any possible trouble Judge Davis had Germany removed to Jackson, where he will remain until the Sunflower circuit court convenes next March.

Formal charges of murder have been placed against the negro. The grand jury will consider his case next March.

Woodruff was killed by Germany on the W. T. Brown plantation, seven miles from Drew and near Parchman and Mound Bayou. After escaping, Germany eluded large posses all day, finally giving himself up through the negro marshal at Mound Bayou.

District Attorney Greek P. Rice headed the party which captured him.

The slaying resulted from an argument over payment for supplies, Sheriff Marlow related. Germany planned to move from the Brown plantation without first making arrangement to pay for supplies.

Clarksdale, Miss. Register
December 12, 1935

Negro Kept Last Night at Prison for Safe-Keeping

No Indication of Mob Violence Prevails in Connection With Case.

HEARING DATE NOT YET DETERMINED

Quiet Prevails in Sunflower County After Search for Assailant.

Suffering from two bullet wounds, Milton Jarman, 37, negro tenant farmer, is in the Sunflower county jail at Indianola today, facing murder charges in connection with the fatal shooting of H. E. Woodruff, plantation manager, near Drew yesterday.

Jarman, who is alleged to have shot Woodruff in the back with a shotgun, was captured late yesterday afternoon at Mound Bayou, negro town, in Bolivar county, by a party headed by District Attorney Greek P. Rice of Clarksdale.

Through two Mound Bayou negroes, the town marshal and an undertaker, the negro arranged to give himself up to officers.

He was taken into custody and hurried to the hospital at Parchman prison farm for treatment and safe keeping.

A posse, numbering nearly 100, trailed the negro from 9 o'clock yesterday morning to 5:45 o'clock. Mob violence was feared once the posse captured Jarman.

It was arranged by District Attorney Rice and other members of the capturing party to have the negro delivered at Mound Bayou. Jarman was then carried through the posse to safety.

W. D. Marlow, sheriff of Sunflower county, told The Daily Register this morning that the negro was transferred from the prison hospital to jail early this morning.

"Jarman said he shot Woodruff" Sheriff Marlow said.

The negro has not been fully questioned about the shooting Sheriff Marlow said. No date has been set for a preliminary hearing.

With District Attorney Rice in the capturing party were Ed Green, county attorney of Bolivar county; Sargeants Mayfield and McDonald, of the prison farm at Parchman; two white trusty guards; the Mound Bayou negro marshal, whose name could not be learned; and the negro undertaker, named Powell.

Sheriff Marlow said investigation revealed the negro moved into the W. T. Brown plantation, managed by Woodruff, about three weeks ago.

He and Woodruff became engaged in an argument at the negro's house yesterday, with the fatal shooting resulting. Woodruff shot the negro twice with a pistol before falling, one bullet entering his right leg and the other his hip.

Sheriff Marlow said Jarman's injuries are not serious.

Following the shooting Jarman made his escape. Posses were formed and trailed him all day in the brakes and sloughs of Sunflower river bottoms, near Drew.

District Attorney Rice was in Bolivar attending court when Sheriff McLean, of Bolivar count was notified to watch for Jarman.

Sheriff Marlow expressed opinion this morning that only by careful maneuvering did Mr. Rice and other members of the party avert a lynching.

Feeling had subsided in the county this morning, Sheriff Marlow reported No trouble is anticipated, he said.

Officials at Drew yesterday afternoon told the Daily Register lyuching was feared once Jarman was captured. He was armed with a pistol and shotgun, and possemen were given orders to shoot on sight.

After giving himself up, Jarman was hurried to Parchman and the possemen were unaware he had been captured until officials made an announcement.

Lynchings - 1935
Prevented

Missouri

5124

FOUR ARE SPIRITED AWAY

Mississippi County Sheriff Feared Mob Violence

CHARLESTON, Mo., July 11.—Sheriff J. O. King of Mississippi County last night spirited C. V. Williams, Bud Greese, Albert Vowels and Big Son Brightman, the latter a negro, out of Mississippi County jail because he feared mob violence. He refused to divulge their whereabouts.

The men are being held for conspiracy in the murder of Lige McCutcheon, 45, who was found July 4 shot in the back of the head. He carried $2,500 life insurance which the state charges was the motive for the killing. The preliminary hearing is set for July 16.

FOUR SUSPECTS 'HID' IN MISSOURIAN'S DEATH

CHARLESTON, Mo., July 12—(AP) Four men held in the alleged insurance murder of E. P. McCutcheon, 45, were spirited out of Charleston because of threats of mob violence, Sheriff J. O. King said.

King said the prisoners, Bud Greese, C. V. Williams, Charleston insurance man; Albert Vowels, merchant of Wyatt, and John Brightman, negro, had been taken to three different jails.

McCutcheon, who had been insured for $2,500, was shot and killed last Wednesday night as he was returning home from his work on a levee construction project.

Lynchings - 1935
Prevented

Nebraska

5125

Bronx, N.Y. Home News

JUN 6 1935

Woman's Attacker Secreted From Lynchers

Harry Schlie, of Kimball, S. D., was taken secretly and under heavy guard to an unknown place yesterday when infuriated western Nebraska ranchers threatened to lynch him after he allegedly confessed to Sheriff William Moody at Chadron, Neb., that he attacked Mrs. Neal Johnson. She was beaten and attacked by an assailant who entered her home through a bedroom window. The sheriff left with the suspect when a group of ranchers openly voiced a lynch threat.

Lynchings-1935
Prevented 6

New Jersey

5130

New York Mirror

FEB 17 1935

N. J. Mob Tries To Lynch Negro

HAMMONTON, N. J., Feb. 16.—Threats of mob violence this evening caused State police of the Hammonton Barracks to rush Frank Feeney, 51, Negro, to the county jail at Mays Landing. He had been held without bail for action of the Grand Jury on a charge of criminally attacking Angelina Campatore, 15, last August while she was picking berries in a field. The girl did not reveal the incident until several days ago.

As the Negro was being arraigned an angry crowd of more than 1,000 persons began milling around the court and troopers spirited Feeney out a rear door.

TRENTON, N. J.
TIMES

JUL 3 1935

Lynching Threat Tightens Guard On Tipsy Driver

Pair Taken From Ewing Building To County Jail

DEATH, INJURY CAP WILD RIDE

Intense feeling among Ewing Township residents following the death of a young woman in an automobile accident, caused the police to take precautions today in removing two Negroes to the County Jail. A lynching attempt was feared.

During arraignment of the men in the Township Municipal Building on the Pennington Road, at Green Curve, a large crowd milled about and mutterings of violence were audible.

This morning, several Pennsylvania-licensed automobiles were seen cruising up and down the Pennington Road. Police believed an effort was afoot to capture the Negroes from the police as they left for the jail.

The men involved are Clarence Phillips, 46, of 44 Bellevue Avenue, and James Everett, 42, of 213 Church Street.

Help Is Provided

Because of the lack of policemen available, Prosecutor Marshall detained County Detective Edward A. Leadem to assist Patrolman Harry W. Prince in taking the pair to jail.

They are charged with manslaughter, growing out of the death of Miss Hannafy, 22, of 5906 Augusta Street, Philadelphia.

Miss Hannafy was one of four Philadelphia girls whose car was struck by one driven by Phillips and alleged to have been stolen yesterday afternoon.

The accident occurred on Shabakunk Road, between Shabakunk Creek and Eggert's Crossing Road, and brought to a tragic end the vacation of the four young women. Miss Hannafy died at McKinley Hospital two hours later.

Her companions, Miss Julia McElroy, 22, of 23 North Pennock Avenue, Highland Park, Pa.; Miss Emma Redick, 22, of 2904 North Stillman Street, Philadelphia, and Miss Marjorie Perry, 22, of 1322 Chestnut Street, Darby, Pa., have returned to their homes after being treated at the hospital for cuts and bruises.

Phillips is charged with manslaughter, drunken driving, leaving the scene of an accident and "borrowing" an auto. His companion on the wild ride that ended in death, Everett, failed to furnish $1,000 bail on a charge of stealing a car. He will be transferred to the Workhouse later to serve a 30-day term for drunken driving.

The young women, employes of Wanamaker's store, Philadelphia, were en route, police said, to the Poconos, where they planned to camp for the next two weeks. Miss McElroy was driving the roadster, owned by Miss Perry's father.

Recontsructing the events leading up to the tragedy, Captain Clarence Morris and Patrolman Prince, of Ewing Township police, said today that Phillips first "borrowed" an auto from a parking yard he conducts on Quarry Street, in the rear of State Police headquarters. The vehicle is owned by Miss Ina Mae Lee, of Mount Holly, a State House attache.

While driving out Shabakunk Road, near the Fisher-Andrew estate, Phillips is alleged to have first struck a Standard Oil Company truck. Next the stolen machine crashed into an auto driven by William Christie, of 351 Berwyn Avenue, and owned by the Public Service.

It was while fleeing from this mishap, police charge, that Phillips drove the car into the rear of the roadster. The terrific crash and screams of the injured girls brought a number of persons to the scene.

Police charge Everett left immediately, and that Phillips, instead of assisting the injured, started to leave. However, angered bystanders induced him to stay until the arrival of Patrolman Prince. After taking Phillips into custody, Prince drove up the road and overtook Everett.

In the meanwhile, passing motorists hurried the injured girls to the hospital. Miss Hannafy died while doctors made futile efforts to save her life. Coroner Carl Whitney issued a burial permit following her death. Her parents are deceased, but several brothers and sisters survive.

Arraigned last night before Recorder John Boscarell, Phillips was held without bail on the manslaughter charge; was fined $500 and sentenced to serve three months in the Workhouse for drunken driving; was fined $100 and costs for leaving the scene of an accident, and was held in $1,000 bail on a charge of stealing Miss Lee's car.

Dr. M. L. Poyas, township police and fire surgeon, examined both Phillips and Everett immediately after their arrests and pronounced both intoxicated. Police declare they had evidence that both men had driven the car and consequently the drunken driving charges resulted.

Troops Called To Foil New Jersey Lynching

BRIDGETON, N. J., Aug. 29—(AP)—State police were summoned to guard the Cumberland County jail tonight after a mob of about 200 men gathered near the prison and authorities feared an attempt might be made to take Romain Johnson, 32-year-old Negro accused of slaying Mrs. Minnie Horuvitz.

A jail guard said he received a telephone "tip" that a gang was going to the prison. He notified Sheriff William Brown and the latter summoned State police.

Negro Spirited To New Jersey Prison

BRIDGETON, N. J., Aug. 30.—(AP)—Taking no chances on a possible attempt at mob violence, authorities spirited Romain Johnson, negro suspect in the slaying of a white farm wife, from the Bridgeton jail to the New Jersey State Prison at Trenton today.

Anticipating a repetition of last night's action, when a crowd of between 200 and 500 men milled noisily about the jail for several hours, six State troopers and Sheriff William L. Brown, all heavily armed, secretly took the negro from his cell, bundled him into an automobile and sped for the State capital.

He was to be confined in State Prison as a parole violator, to be kept there until his trial is called. He was released from the State institution on parole several months ago after serving a time for a criminal assault.

Johnson has confessed, County Detective Albert Murray said, to beating Mrs. Minnine Horuvitz to death in a robbery attempt at her farm home last Tuesday.

Lynchings-1935
Prevented

New Jersey

5131

Lynch Mobs Storm Jail; Negro Moved

Daily Worker
9-3-35
New York, N.Y.

Jersey Worker Grilled By Police to Extort Murder Confession

TRENTON, N. J., Sept. 2—Romain Johnson, Negro farmhand, whose life was threatened by a Cumberland County lynch gang, has been brought here from Cumberland County jail for "safe-keeping" and is now lodged in the State Prison.

Johnson, arrested on a technical charge of violating his parole, was later charged with the axe murder of Mrs. Minnie Horuvitz, a white farm owner. He had been released April 12 last after serving the minimum time on a 3-to-5 year term.

At the County jail he was subjected to the brutal police third degree to extort a "confession" from him. Police announcement that he had "confessed" to the murder of Mrs. Horuvitz, incited lynch sentiment among employing farmers ever fearful of revolt on the part of their poorly-paid Negro farmhands, and last Friday night a lynch mob traveling in automobiles, attempted to storm the county jail.

The State is planning to ask a murder indictment against him when the grand jury convenes Sept. 24.

TRENTON, N. J.
GAZETTE
AUG 31 1935

PROTECTION OF PRISON IS GIVEN NEGRO SUSPECT

Police Rush Johnson Here, Fearing Mob Violence Attempt

ACCUSED OF MURDER

Will Be Detained As Parole Violator Until Wanted for Trial

To protect him from possible mob violence at Bridgeton, Romain Johnson, Negro-suspect in the slaying of a white woman near there, was rushed to the State Prison here late yesterday afternoon by six State troopers.

Having been released from the institution in April after serving the minimum time on a three-to-five-year sentence for a statutory offense, according to Colonel Mark O. Kimberling, the principal keeper, Johnson was re-admitted as a parole violator and is to be held until wanted for trial at Bridgeton.

BRIDGETON, N. J., Aug. 30 (AP).—taking no chances on a possible attempt at mob violence, authorities spirited Romain Johnson, Negro-suspect in the slaying of a white farm-wife, from the Bridgeton Jail to the New Jersey State Prison at Trenton late today.

Anticipating a repetition of last night's action, when a crowd of between 200 and 500 men milled noisily about the jail for several hours, six State troopers and Sheriff William L. Brown, all heavily armed, secretly took the Negro from his cell, bundled him into an automobile and sped for the State capital.

"We're taking him there for safe keeping," announced Under Sheriff John H. Cline after Johnson was safely beyond the city limits. Before that no outsider knew the prisoner was out of the institution, and Sheriff Brown, himself, had said Johnson was still inside the place.

He was to be confined in State Prison as a parole violator, to be kept there until his trial is called. He was released from the State institution on parole several months ago after serving a time for a criminal assault.

Crowd Disperses at Dawn

A drenching rain and a sturdy band of police forced last night's crowd to disperse at dawn today.

A telephone "tip" to authorities that the crowd planned to storm the jail and remove Johnson enabled officials to prepare for any assault. Sheriff Brown called out State, county and local police, and 50 officers, brandishing riot sticks and carrying arms, responded to the summons.

They arrived not a moment too soon, for just as they pulled up to the prison, automobiles carrying the mob also reached the place. Leaders of the crowd expressed surprise at finding such a heavy guard, and, authorities said, counselled against any attempt at violence.

Sheriff Brown disclosed then that Johnson had been moved from a second-floor cell to one on the third floor.

Taking no further chances, State Police heads today ordered 11 troopers to remain on guard, setting up living quarters in the jail. They apparently thought better of this order, however, and decided on Johnson's removal.

Johnson has confessed, County Detective Albert Murray said, to beating Mrs. Minnie Horuvitz to death in a robbery attempt at her farm home last Tuesday. He was arrested outside a bus terminal less than four hours after Mrs. Horuvitz's body was found in her bedroom.

Prosecutor Thomas J. Tuso announced the case will go to the grand jury on September 24.

"I will demand the extreme penalty," he asserted. "I am convinced Johnson murdered Mrs. Horuvitz."

Lynchings-1935
Prevented

New York.

5132

Police Save Negro Slayer From Mob

NEW YORK, Jan. 5.—(AP)—Pursued by an angry crowd of 300 men, women and children, Julius Lewis, 60, negro, raced five blocks to a police station today after a bullet he fired at another man struck and killed a 13-year-old girl playing in crowded Seward Park on the East Side.

Rushing into the police station, Lewis cried:

"Save me! save me! I just shot somebody."

Lewis told police he quarreled with another negro, Frank Snorton, jerked out a .45 calibre automatic and fired at him. The shot went wild, striking Virginia Spaulins.

The crowd pursuing him shouted:

"Lynch him! lynch him!"

Police held Lewis and dispersed the crowd.

KINGSTON, N. Y.
LEADER
JUL 2 1935

NEGRO SAVED FROM LYNCHING

Orange County Man Accused of Attack on Infant

Newburgh, July 1—Saved from lynching only by the quick work of Highland Falls police, who spirited him away from an angry mob of 250 Negroes that stormed the village lockup, Clyde Larkin, 41-year-old Negro, is safely lodged in the county jail in Newburgh today awaiting hearing on charges of criminally attacking a 19-months-old girl of his own race.

Larkin, a married man and the father of nine children, was arrested in Roe Park in Highland Falls at about 1:30 p. m. Saturday by village police, who allegedly caught him red-handed in the commission of one of the most atrocious crimes in Orange County history.

Lynchings-1935
Prevented 6

North Carolina.

5133

Siler City, N. C. News
August 13, 1935

Governor Provides Against Repetition Of Lynching

Raleigh, August 12.—To insure no repetition of the lyuching in Franklin county a few weeks ago, State Highway Patrolmen were ordered out last week to form escorts for two offenders against the dignity of the State while they were being brought to State's prison for safe keeping.

George Francs, alias Jake Johnson, negro, was brought from Charlestown, W. Va., Thursday to answer a charge of criminally assaulting and robbing a 65-year-old white woman near Leaksville last winter. A cordon of patrolmen met Sheriff Sheffield at the Virginia line and accompanied him to Raleigh. Feeling was running high in Rockingham county, and the patrol was ordered to accompany the prisoner by Governor Ehringhaus.

Ross Cline, escaped convict, was also accompanied by patrolmen to Raleigh after he had escaped from the Alexander county prison camp and attacked two white women near the Alexander-Iredell county line, one a 14-year-old girl. A mob had been seeking Cline all the morning in Alexander county. When he was captured, Sheriff Len Maye rushed him to Raleigh, accompanied by patrolmen.

Lynchings – 1935
Prevented.

North Carolina.

5134

Rush Man To Prison To Avoid Lynching

Greensboro, Aug. 29 (By ANP)—To escape the frenzy of a rapidly forming mob, Willie Smith was rushed here from Caswell jail at Yanceville and placed in the state prison early Wednesday morning.

Smith was arrested, charged with having slapped Mrs. Kelly Wilson, the wife of a white mill worker at Yanceville on August 9. When the news of his arrest reached the mill where the woman's husband was employed, cries of "lynch him" rent the air and the mob began to form to carry out the threat. Officers, sensing the danger of mob violence, loaded the prisoner in an automobile and rushed him here for safekeeping.

WILMINGTON, N. C.
STAR

SEP 4 1935

LYNCHING FEARED NEAR CREEDMOOR

Posse Seeking Negro for Assault; Officers Sent by Governor

RALEIGH, Sept. 4.—(Wednesday)—(AP)—Governor J. C. B. Ehringhaus dispatched a company of state highway patrolmen to the Creedmoor district shortly before 2 a. m. today after receiving reports that citizens were intent on lynching John Kingham, elderly negro charged with assaulting a 12-year-old white girl.

The governor, who said state aid was asked by an influential resident of the section whose name was withheld, said he was informed a posse was searching Granville county swamps with bloodhounds for Kingham and that there was a strong possibility of a lynching unless officers should be present when the capture was made.

The negro was alleged to have attacked the daughter of Bryant Creed, farmer who lives about seven 23miles south of Creedmoor. The attack occurred about nightfall, the governor said he was informed.

Governor's Act Prevents Lynching Of Elderly Man

Chief N. C. Executive Rushes Detachment of State Highway Patrolmen to Scene—Lynching Averted.

RALEIGH, N. C., Sept. 19—(ANP)—Governor Ehringhaus lauded the efficient work of the State Highway Patrol contingent, under the command of Captain Chas. D. Farmer, in connection with the capture and arrest of John Kingham, age 70, charged with raping a 12-year-old white girl near Creedmor Thursday morning.

When word of the alleged attack reached the governor, he immediately dispatched Captain Farmer and his contingent to the scene, with orders to do everything possible to prevent mob violence. Other contingents were ordered to join Farmer's command and to rush to Creedmor where the manhunt was in progress.

Arriving at the place of the alaged attack, Capt. Farmer found hordes of whites searching for the elderly man. His men took charge of the situation and within a few hours, Kingham was found hiding in a swamp on the outskirts of Creedmor and was placed under arrest. Without delay, the prisoner was rushed here for safekeeping.

Upon his arrival here, Kingham protested his innocence and added his thanks to that of the governor for the protection accorded him by the State Highway patrolmen.

Lynchings–1935.
Prevented

North Carolina

5135

Seek to Protect Negro From Mob

(Special to The Journal)

Greensboro, Aug. 20.—Brought here last night to escape the possible attack of a Burlington mob on the Caswell jail at Yanceyville, A Negro named Willie Smith was today removed to state's prison for the same reason, prevention of a mob visit to the Guilford bastile.

The man, 32 years old, is charged with striking Mrs. Kelly Wilson in the face in Burlington on the night of August 9 after he had forced an entry into her car as she was waiting for her husband outside the May hosiery mill.

On an early and false arrest, a mob raided Yanceyville. Mrs. Wilson has identified Smith as the guilty man.

Lynchings-1935
Prevented.

North Carolina Bar Association Study of Prevention of Lynchings. 5136

Greensboro, N. C., News
December 9, 1935

Bar Association President Picks Committees For Year

Several Local Men Selected For Service By President J. M. Broughton, of Raleigh—Numerous Special Committees Will Make Recommendations.

Daily News Bureau and Telegraph Office
411 Wachovia Bank Bldg., Fayetteville St.

Raleigh, Dec. 8.—President J. M. Broughton, of the North Carolina Bar association, has announced the completion of committee appointments for the ensuing year. Among the committees appointed there are included certain special groups authorized at the last convention of the bar association.

Among these special committees particular emphasis was placed at the convention upon the committee to study the whole subject of prevention of lynching, and to make recommendations concerning this subject at the next convention. Former Judge Roy L. Deal, of Winston-Salem, was named chairman of this committee, the other members being Jas. H. Chadbourn, Jr., Chapel Hill; J. K. Wilson, Elizabeth City; George C. Green, Weldon; Robert M. Gantt, Durham, and Walter H. Woodson, Salisbury. The secretary of the committee, Prof. Jas. H. Chadbourn, Jr., of the University of North Carolina, has made a particular study of this subject and done extensive writing along this line in leading magazines.

Of particular interest to lawyers is the new special committee appointed in pursuance of a resolution adopted at the convention to study and make recommendations concerning summary judgment law. Such legislation will be designed to shorten civil litigation and to avoid the frequent delays that result from frivolous or dilatory pleading. C. R. Wharton, of Greensboro, is named chairman of this committee. A companion special committee is a committee on criminal law and its enforcement, of which Albert Coates, of Chapel Hill, is named chairman. Another special committee of particular interest to the profession and to business interests generally, provided for at the last convention, is the committee on revision of the corporation law of North Carolina. This committee is composed of the following: Professor M. S. Breckenridge, chairman, Chapel Hill; John H. Anderson, Jr., Raleigh; Omer L. Henry, Lumberton; Kemp D. Battle, Rocky Mount, and Charles A. Hines, Greensboro.

Junior Bar Represented.

The last convention of the bar association gave emphasis to the work of the junior bar, and for the first time the bar association has a special committee on the junior bar. William B. McGuire, of Charlotte, is chairman of this committee, and the other members are as follows: Edward L. Cannon, Druham; M. A. James, Asheville; W. J. Hooke, Kenly; E. D. Kuykendall, Jr., Greensboro; W. J. Adams, Jr., Rocky Mount, and R. S. Averitt, Winston-Salem. Junior bar associations have already been organized in a number of the cities of the state, including Durham, Winston-Salem, Asheville, Charlotte, Smithfield and Raleigh.

The association will continue to stress its program on American citizenship, and a special committee on this subject has been named, composed of: Oscar Leach, chairman, Raleigh; T. L. Johnson, Asheville; Charles P. Green, Louisburg; Judge Marshall T. Spears, Durham; John W. Aiken, Raleigh; R. S. Pruette, Wadesboro, and D. C. Barnes, Murfreesboro.

The increasing strictness with respect to admissions to the bar, as well as professional standards of those already admitted, has been a subject of much discussion and consideration. The lawyers generally have expressed the feeling that while this improvement of standards is highly important and is welcome, there should be a corresponding insistence that individuals who have not been licensed to practice law, and corporations who cannot be licensed to practice, should be prevented by appropriate and adequate legislation from engaging in the practice of law. The association has a committee on unauthorized practice of law, whose duty it is to study legislation along this line and to be alert to point out and if necessary to prosecute any viloations of the existing law on this subject. The committee is: J. Y. Jordan, Jr., chairman, Asheville; Joseph L. Carlton, Raleigh; Fred P. Parker, Jr., Goldsboro; Roy L. Deal, Winston-Salem, and C. W. Weathers, Raleigh.

Special Committees.

Chairmen of other special committees named by President Broughton are: Committee on justices of the peace, James G. W. MacClamroch, Greensboro; committee on legal aid, J. S. Bradway, Durham; committee to co-operate with the American law institute, R. C. Horack, Durham; committee on selection of judges, Judge R. H. Sykes, Durham; committee on co-operation between attorneys and banks, Edward L. Cannon, Durham.

The chairmen of general or standing committees for the year as announced by President Broughton are Committee on admission to membership, W. F. Taylor, Goldsboro; committee on judiciary, L. R. Varser, Lumberton; committee on legislation and law reform, Willis Smith, Raleigh; committee on uniform state laws, Justin Miller, Durham; committee on legal education and admission to the bar, Ben W. Parham, Oxford; committee on courts and court procedure, Judge Michael Schenck, Raleigh; committee on memorials, Andrew Joyner, Jr., Greensboro; committee on grievances, J. B. Cheshire, Jr., Raleigh; and committee on legal ethics and conduct, G. H. Hastings, chairman, Winston-Salem.

The executive committee of the bar association is composed of E. Earle Rives, chairman, Greensboro; Fred I. Sutton, Kinston; B. M. Covington, Wadesboro; Nat S. Crews, Winston-Salem; F. E. Winslow, Rocky Mount, and Allston Stubbs, Durham; J. M. Broughton, president, and Henry M. London, secretary.

Greensboro, N. C. News
December 8, 1935

Lynching Study Group Named By State Bar

It Will Study Methods of Preventing Lynching During Year

RALEIGH, Dec. 7.—(AP)—Roy L. Deal of Winston-Salem, a former superior court judge, will head a special committee of the North Carolina Bar association to study the subject of prevention of lynching during the next year and offer recommendation to the next bar convention.

The lynching study committee was named today by J. M. Broughton of Raleigh, president of the bar association, along with other regular and special committees, completing the set-up of the organization.

Prof. James H. Chadbourn, Jr., of Chapel Hill, who has made a particular study of lynchings and who has done extensive magazine writing on the subject, will serve as secretary of this committee. Other members will be: J. Wilson of Elizabeth City, George C. Green of Weldon, Robert M. Gantt of Durham and Walter H. Woodson of Salisbury.

C. R. Wharton, of Greensboro was named by Broughton as chairman of a special committee to study and make recommendations concerning summary judgment law with a view of proposing legislation to shorten civil litigation and avoid frequent delays that result from frivolous or dilatory pleading. A resolution calling for the study was passed at the last association convention.

Albert Coates of Chapel Hill will head a committee on criminal law and its enforcement, a comparison group to that headed by Wharton.

The committee on revision of the corporation law of North Carolina will be composed of Prof. M. S. Breckenridge of Chapel Hill, chairman; John H. Anderson, Jr., of Raleigh; Ozmer L. Henry of Lumberton, Kempt B. Battle of Rockyden Mount, and Charles A. Hines of Greensboro.

William B. McGuire of Charlotte will head the special committee on the junior bar, the first in the history of the association. Other members will be: Edward L. Cannon of Durham, M. A. James of Asheville, W. J. Hooks of Kenly, E. D. Kuykendall, Jr., of Greensboro, W. J. Adams, Jr., of Rocky Mount, and R. S. Averitt of Winston-Salem.

Junior Bar associations already have been organized in a number of cities of the state, including Durham, Winston-Salem, Asheville, Charlotte, Smithfield and Raleigh.

The special committee on American citizenship will be: Oscar Leach of Raleigh, chairman; T. L. Johnston, of Asheville, Charles P. Green of Louisburg, Judge Marshall T. Spears of Durham, John W. Aiken of Raleigh, R. S. Pruette of Wadesboro, and D. C. Barnes of Murfreesboro.

J. Y. Jordan, Jr., of Asheville will head the committee on unauthorized practice of law, which has the following other members: Joseph L. Carlton of Raleigh, Fred P. Parker, Jr., of Goldsboro, Roy L. Deal of Winston-Salem, and Carroll W. Weathers of Raleigh.

Jordan's committee will study the proposed passage of legislation designed to prevent individuals who have not been licensed and corporations who cannot be licensed from engaging in law practice.

Chairman of other special committees named by Broughton are: James G. W. MacLamroch of Greensboro, justices of the peace, J. S. Bradway of Durham, legal aid; H. C. Horack of Durham, cooperation with the American Law Institute; R. H. Sykes of Durham, selection of judgts; Edward L. Cannon of Durham, cooperation between attorneys and banks.

Chairmen of general or standing committees for the year will be: W. F. Taylor of Goldsboro, admission to membership; L. R. Verser of Lumberton, judiciary; Willis Smith of Raleigh, legislation and law reform; Justin Miller of Durham, uniform state laws; Ben W. Parham of Oxford, legal education and admission to the bar; Justice Michael Schenck of Raleigh, courts and court procedure; Andrew Joyner, Jr., of Greensboro, memorials; Joseph B. Cheshire, Jr., of Raleigh, grievances; G. H. Hastings of Winston-Salem, legal ethics and professional conduct.

The executive committee of the association is composed of President Broughton, Henry M. London, secretary of the association, ex officio; E. Earle Rives of Greensboro, chairman; Fred I. Sutton of Kinston, B. M. Covington of Wakesboro, Nat S. Crews of Winston-Salem, F. E. Winslow of Rocky Mount, and Allston Stubbs of Durham.

Lynchings-1935

Ohio

5137

Prevented

COLUMBUS, O.
DISPATCH

JUN 26 1935

Threatened Lynching

A SCENE, fortunately rare in Ohio, took place in Christiansburg, on the border of Miami and Champaign counties, the other day, which reflects little credit on the community. Following an altercation between two residents one died. The coroner released the other, reporting that death did not ensue from the squabble.

Almost immediately a mob, bent upon accomplishing what to them seemed justice, surrounded the home of the freed man with violence to person and the destruction of property as obvious objectives. Fortunately, the mob's intended victim escaped through the intervention of peace officers, although considerable damage was done to his home.

While there have been other manifestations of this nature in Ohio, lynchings have been rare in this state. One of the last, if not the most recent, was the lynching in Newark in 1910 of Carl Etherington, agent of the dry forces. In the case at Christiansburg, there was no broad social movement such as prohibition to afford platform for animosities of this nature. It would seem a plain case of mob hysteria inflamed by local prejudices brought into violent focus over the death of one of the residents of the community.

By now the participants in the demonstration must be thoroughly ashamed of their part in the affair. Usually, members of a mob, after the hysteria of the moment has passed, suffer shame and remorse. This must be the case among the ordinarily peaceful citizens of the rural community of Christiansburg.

Police Save Man From Lynch Mob

CINCINNATI, O.—Police on Monday saved Harry Logan, 34, from an infuriated mob which attempted to lynch him. Logan is accused of having attacked Esther Minton, a 16-year-old white girl.

Two police squads quelled the bloodthirsty crowd.

LOOKA HERE AT WHO'S CAUGHT THAT LYNCHING SPIRIT!!

Cleveland, Ohio (Special)—The lynching of a white man for an attempted attack on a 10-year-old colored girl was narrowly averted here Tuesday night of last week, when an infuriated group of men roughly manhandled John Sua at 80th and Cedar Avenue.

The arrival of police a short while before the defenders of the girl could get a chance to "string their victim up" is what prevented this city from having upon it the foul blot of a lynching. When they reached the scene they found John Sua, the white man, badly beaten up. He was carried to a precinct station where his condition was found to be so serious that he was rushed to a hospital for treatment. It was feared that he had suffered a fractured skull.

The little colored girl who figured in the near lynching of the white man stated that while walking along the street she was attracted into an alley between an ice house and the "Greasy Spoon" restaurant by seeing a quarter on the ground. The quarter, evidently had been "planted" at the point as a "bait" by the white man. "As I stopped to pick up the quarter," the girl said, "a man caught me by the arm and said that the quar- was his. I wanted to keep it because I had found it. The man who was with another white man, then told me he would give me five dollars if I would go with him to his apartment. I became frightened and tried to pull away, but he held on to me and tore my middy blouse. The other man tried to make him turn me loose by striking him and telling him to get a woman. I was scared nearly to death and when I saw Mr. Sonny Slaghter standing on Cedar Street I called him to help me. Mr. Sonny came running and the two white men ran but Mr. Sonny caught the one who had hold of me. In a little while people came from everywhere, it looked like. Someone put a rope around his neck and then the police came."

Lynchings–1935
Prevented.

Pennsylvania

5138

Bronx, N.Y. Home News

MAR 17 1935

Police Save Youth from Hands of Lynch Mob

State police rescued Theodore Caranelli, 23, in Newell, Pa., yesterday just as a lynching mob broke down the door of his barricaded home and was about to seize him. Rumors had spread that the youth had attacked two girls, and a mob of about 200 men and women tried in vain to force their way into his home. Caranelli insisted that he was innocent.

5138

Lynchings – 1935
Prevented

South Carolina

5139

Abbeville, S. C. Press and Banner
August 12, 1935

THE MOB SPIRIT

Saturday night a mild attempt was made to get eight negroes from the Abbeville County jail. The negroes were arrested several days ago and face charges in connection with an attack on a white man. The mob formed in Calhoun Falls, the scene of the attack and came to Abbeville in a half-hearted attempt to get the negroes to lynch or whip them.

When the mob arrived they found that Sheriff McLane had wisely taken precautions to protect his prisoners. The day is passed in these United States when the people can take the law into their own hands. Laws are more strict than they were when the country was young and public opinion is opposed to the law of General Lynch. The law is strong enough at the present time to cause the members of the mob serious trouble although no direct attempt was made to enter the jail. The leaders might be charged with "inciting to riot" a transgression of the law of Uncle Sam.

The national guard is not what it was at one time. Now the guard is a business-like organization with the finest equipment possible. When the command is given to fire—they fire. It would have been tragic if that command had become necessary on Saturday night.

And now let's analyze the mob and their desires. The negroes are in jail. They'll be tried within thirty days. They'll get a fair trial and justice under the direction of the court and a jury of men of Abbeville County. Abbeville County juries are still capable of judging the facts and the presiding judges are still capable of passing sentences. This mob has cost the state hundreds of dollars. In the event a negro had been lynched the law says that the family shall receive $2,000 from the county. We assume that the members of the mob are taxpayers. In the event of a lynching they would have paid for their "fun."

Abbeville has had her share of lynchings. The G-men of Uncle Sam have the gangsters on the run. The gangsters were organized mobs. They are removed because people were determined that they should go. Lynching is no longer popular because people are determined that the law shall prevail.

Sheriff McLane is to be praised for his foresight in protecting his prisoners. That's his business and sworn duty. His cool handling of the situation in this instance as he has in many instances in the past has saved many embarassing situations for the county. Much trouble in Abbeville is averted because the Sheriff of this County has the reputation of "getting his man." Of an even cool temper many people underestimate him but those who have had the misfortune to run afoul of the law have found themselves securely bound before they realized that anything was happening. That's the reason Abbeville stands high in the counties of the state as county of law-abiding people. The small percentage of people who would like to disobey the law know that they must come in contact with a law officer who knows what his duty is and does it regardless of consequences.

Columbia, S. C. State
November 19, 1935

WANTS BOARD PAY OF 'SAFE KEEPERS'

Governor Says Must Have Warrants for Month.

County officials sending "safe keepers" to Columbia for incarceration in the state penitentiary must in future have arrangements made for payment of board for the prisoner for a month in advance, Governor Johnston announced yesterday.

The governor said he was issuing orders, under which county officers seeking to place "safe keepers" in the state prison, must present warrants or vouchers for sums sufficient to pay for the board and keeping of the prisoner. If at the end of the month, an additional voucher to cover expenses for the next month is not sent, the governor said the prisoner would be sent back to the county from whence he came. Expense of caring for a "safe keeper" at the state prison is about 75 cents per day, Col. A. M. Scarborough, superintendent, said, though it varies somewhat in different cases.

Not a great many "safe keepers" are placed in the state prison during a year. At times, when some sheriff has in his jail a prisoner who is regarded as particularly desperate and dangerous, he brings him to Columbia and places him in the state prison, first, however, getting an order from the governor to the officers in charge of the penitentiary, to admit the prisoner for "safe keeping." The prisoner is often kept in Columbia until the time for his trial. Then, too, when a lynching seems imminent, and there is danger that the jail will be stormed and the prisoner taken from the custody of the sheriff, or when officers apprehend a man, wanted on some serious charge, in the open, and a posse forms bent on taking the man away from the officers, they often bring their prisoner to the state penitentiary rather than attempt to get him to the county seat. Such a prisoner is sometimes held for weeks and the institution is at considerable expense to care for him.

It was said that some counties were in debt to the penitentiary for as much as $400, some of the obligations having accumulated over a number of years. Letters are sent to county officials, relative to the obligation, but the letters apparently get little consideration, according to penitentiary officials. It was to prevent accumulation of such obligations that the governor gave his orders for "safe keepers" to have arrangements made for their "keep" for a month in advance when placed in the state prison.

Lynchings-1935
Prevented 6

South Carolina

5140

FLORENCE, S. C.
NEWS REVIEW

MAR 31 1935

OUR STATE PATROL

The law-abiding citizens of Florence county are due a vote of thanks to the South Carolina State Highway patrol and to Sheriff W. R. Wall for averting mob violence at the county jail here in Florence last Monday.

They are also due a vote of condemnation of Governor Johnston who if his orders were carried out would have left our sheriff powerless to cope with the threatening situation.

You will recall that the Governor in his mean, spiteful attack upon the highway department ordered all county sheriff's by letter not to commission state patrolmen and that any who had, should immediately revoke them.

Captain George Young wanting to save the Sheriffs any embarrassment attempted to return eight of these commissions that had been given his men, but the sheriff in every case refused to accept their return, holding that they were responsible to the taxpayers of their counties for the proper enforcement of the law and not to the Governor. That they welcomed in no uncertain degree the valuable assistance being rendered them by this splendid body of officers selected by the state highway department.

Sheriff Wall of this county faced with the protection of a negro guilty though he thought he was, of one of the most heinous crimes in the annals of this or any other county, knew that under his oath he was sworn to protect the man and see that he had his day in court where twelve men should be allowed to decide his fate and not a mob fanned into a hysteria who perhaps would regret later having the blood on their hands of even so low a beast as they sought to destroy. He was also faced with an executive order from the Governor not to accept the assistance of the state patrol and not under any circumstances to commission them.

The Sheriff did commission however those operating out of the Florence division and appealing direct to the state highway department had fifteen patrolmen in all, armed with high-powered rifles stationed in the county pail before noon Monday. The presence of these officers of the law did much to control a tense situation, while local officers were out gathering the chain of evidence that would fasten the man suspected with the crime. The state patrolmen later on in the afternoon assisted the Sheriff in spiriting the man away to the state pen through a back door, while the angry crowd milled around the regular entrance to the jail.

It is now up to the good citizens of this county to back up our Sheriff in his open defiance of the Governor, when that Governor has proved his inability to govern. The Sheriff has a right to deputize any citizen in a crisis, so why shouldn't he have the power and right to commission armed trained officers who are conceded to be an exceptionally fine group of law-enforcement men in spite of the fact that they were selected by what Governor Johnston is wont to term that obnoxious highway department.

Sheriff Wall may rest assured that he is not alone in disobediance to our embryo Governor. The Senate is openly hostile . . . the House is growing more so each day as he continues to threaten them . . . the Federal Government has sat down on him good and hard in his efforts to upset their plan of federal relief for this state. Newspapers of the state who openly advocated his candidacy for the governorship are deserting him. The spectre of Ben Adams sitting at his right hand and mis-directing the affair of this state are more than they can tolerate. Many of his supporters express disappointment in his every action so far. There are still a few who yet contend, you have to admire him for the fact that he is a self-made man. To these few we would answer, perhaps he is, but he didn't get very far with the job. They say he has risen from the ranks but has he? We can only judge a man by his actions and his to date tend to prove that he is still a mill-hand.

Troops Withdraw As Mob Vanishes

ABBEVILLE, S. C., Aug. 12—(AP)—Troops sent here early Sunday to forestall threatened mob action against 10 negroes charged with beating a white man, were withdrawn today after Sheriff S. F. McLane announced all was quiet with the situation controllable by local officers.

The negroes were arrested after Jim Strickland, 40, had been beaten by a crowd in the Calhoun Falls section because, some of the suspects alleged, he had molested negro women who were emerging from church.

The sheriff received warning Saturday night that a mob was forming, asked Gov. Olin D. Johnston for aid, and when the truckloads of farmers arrived they were greetedby bayonets and machine guns. The crowd quickly dispersed and threats to "get more men and come back" failed to materialize.

South Carolina Mob Thwarted

Soldiers Guard Abbeville Negroes After Attempt At Lynching Is Foiled

ABBEVILLE, S. C., Aug. 11—(AP)—Alert National Guard troops with bayonets fixed tonight guarded from threatened violence 11 negroes imprisoned here on charges of assaulting and attempting to kill Jim Strickland, 40, a white man of nearby Calhoun Falls.

Strickland, badly beaten early in the week, was expected tonight to recover.

Learning of the approach of a crowd of men early today of "between 200 and 300" with the expressed determination of storming the jail, Sheriff F. B. McLane of Abbeville County called upon Gov. Olin D. Johnson at Columbia for a company of national guard troops which quickly was mustered from Abbeville under command of Capt. A. B. Godfrey.

About 1:30 a.m. McLane said, within an hour after the troops had thrown a cordon of steel around the jail, a group of "between 50 and 100 men" swiftly rolled up in three trucks to demand the negroes. Upon seeing the soldiers, however, he said the men, whom he could not recognize "because of the darkness," listened "to reasoning" and quietly departed with the threat they would return with augmented forces.

Despite this threat, however, the sheriff said he did not expect further trouble with the troops on duty, and he planned not to remove the negroes elsewhere for safekeeping. He reported all had been quiet since the "mob's" departure. The negroes are expected to be tried the first week of September with the convention of court.

They range in age from 20 to 45, and were jailed here last Friday, three days after Strickland had been found, badly beaten, near a highway not far from a negro church in the Calhoun Falls section of the county, about 18 miles from Abbeville.

Strickland, who was discovered by a passing motorist shortly after 4 a.m. last Tuesday, said many negroes had made an unprovoked attack on him Monday night on the church grounds, knocking him unconscious with sticks and stones, and leaving him "for dead."

McLane said several of the arrested negroes had confessed participation in the assault, saying it was caused by Strickland's alleged molestation of members of the congregation after the church service, which they said, he attended.

Troops Bare Steel To Save 11 From Mob

ABBEVILLE, S. C.—A company of State Militia, hastily ordered out by Governor Johnson in answer to a frequest for help from Sheriff F. B. McLane of Abbeville County, bared their bayonets to drive back a mob that sought to lynch 11 colored men here Sunday. The troops called for by the sheriff when he learned that a crowd was planning an assault on the jail, arrived barely an hour before the mob appeared in motor trucks.

The eleven prisoners were arrested after Jim Strickland, white, had been found badly beaten outside a colored church last week. Ranging in age from 20 to 45, they were arrested as his assailants three days later. Strickland is expected to recover.

Although the mob threatened to return in larger numbers, no further trouble is expected, and the prisoners will be kept here until their trial next month.

Lynchings-1935

Prevented

Tennessee

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FOR ABOUT TWELVE HOURS on December 19 there was civil war in Shelbyville, Tennessee, when a mob attempted to take a Negro prisoner, accused of the rape of a fourteen-year-old white girl, from the courthouse and was repulsed by the National Guard. Three of the mob were killed and a number seriously injured in the fracas; and when the militia had temporarily retreated after conveying the Negro to Nashville, the attacking party formed again and burned the courthouse to the ground. Out of this desperate and bloody story stand the important facts that the law was upheld, and that the Governor, Hill McAlister, when advised that violence was imminent and a lynching would be attempted, was courageous enough to order out the troops to protect the prisoner and the court. There are instances recorded of lynching mobs which were repulsed by a determined sheriff with a pistol; that the Shelbyville rioters could be conquered only by tear gas and machine-gun bullets is perhaps to be accounted for by the increasingly bitter economic competition between Southern whites and Negroes for the few jobs that exist. Race prejudice has been heightened by unemployment and starvation, as it undoubtedly was in the recent torture and lynching of Claude Neal in Florida. All possible credit is due to Governor McAlister for preventing a repetition of that nightmare; but both the Marianna and the Shelbyville episodes should result in enormous pressure on Congress for the enactment early in the coming session of a federal anti-lynching law.

Foiled Lynchers Burn A Courthouse

PROMPT action by the governor in sending a strong force of militia frustrated the murderous intentions of a mob bent on lynching a Negro at Shelbyville, Tennessee, but at the cost of two lives and the burning of the county courthouse. The offense charged was a serious sex crime. The suspect had been arrested and was held in custody in the courthouse which was stormed by a formidable mob of local citizens. The Negro was spirited out of the building, disguised in a uniform and a gas mask, and was taken to Nashville. Enraged by the escape of its quarry, the mob attempted to dynamite the building and was successful in completely destroying it by fire. A more stupid exhibition of blind passion it would be difficult to imagine. The incendiarists were, as has been stated, citizens of the county and town. The courthouse was their house. The insensate rage which moved them to destroy their own property as a protest against the escape of their victim was inconsistent with anything even remotely resembling intelligence, but singularly consonant with the general processes of the lyncher's mind and the general patterns of his behavior. Any attack by mob violence upon an accused or hated individual is an attack upon a possession of the attackers which is much more precious than their courthouse. It is an attack upon the law, the state and the social order—their own law, their own state, their own social order. Such infliction of injury upon oneself is a symptom of psychological abnormality. The individuals may be sane enough in the ordinary affairs of life, but the collective mind which they express in such moments of mob action is a proper subject for analysis by the psychiatrist. But, to return to the Shelbyville incident, lynchings can be prevented when determined officers are mindful of their oaths of office and use the resources which have been put in their hands.

SHELBYVILLE, Tennessee, was the scene last week of an attempted lynching that was met by treatment almost unheard-of in such cases. Governor Hill McAlister ordered out the National Guard, and when the lynchers attempted to storm the jail and get their victim—a Negro named E. K. Harris—they were met with bullets. Several of the mob are dead, others are wounded, and Harris has survived to experience due process of law. Those who died in Shelbyville did not know it, but by their deaths they probably helped the South move toward realization of an important principle—the principle that there should be justice before the law for both black and white. If the lesson is appreciated, they may have helped to save the lives of many innocent men in the future.

SHELBYVILLE RIOT NEWSREEL FEATURE

Tennessee Mob Scene Is Recorded By Camera

The furious riot at Shelbyville, Tenn., in which two persons lost their lives is pictured in The Birmingham Post-Universal newsreel which starts at the Strand tomorrow.

Birmingham

Angered because a Negro they sought to lynch had been removed from the jail, the rioters burned down the Courthouse and wrecked four Army trucks before National Guardsmen could restore order.

Other interesting events pictured in the reel include the opening of the new Santa Anita race track at Arcadia, Cal.; Amelia Earhart Putnam preparing for a Hawaii-to-California flight; a New York department store giving away 10,000 suits of clothing in a holiday gesture, and scenes of three train wrecks which brought death to 22 passengers.

TENNESSEE NEGRO GETS VENUE CHANGE

SHELBYVILLE, Tenn., Jan. 24. (AP)—E. K. Harris, negro whose trial December 19 resulted in mob violence which cost four lives and the burning of the courthouse today was granted a change of venue to Davidson county criminal court at Nashville.

Circuit Judge T. L. Coleman, of Lewisburg, in granting the appeal of Harris' attorneys, said he would ask for an early trial in Nashville, where Harris has been held in jail for safekeeping. Harris is accused of assaulting a white school girl.

MILITIA GUARDS NEGRO ATTACKER

Telegraph

Repetition of Shelbyville Riots Feared at Trial by Tennessee Governor

2-18-35

NASHVILLE, Tenn., Feb. 17 (AP). Governor McAlister today ordered out as many national guardsmen as necessary "to take every precaution" against possible trouble at the trial beginning tomorrow of E. K. Harris, Negro, whose trial at Shelbyville, Dec. 19, precipitated a riot in which four lives were lost.

When a mistrial resulted from the Shelbyville mob action, Harris was granted a change of venue to Davidson county (Nashville). He has been held in the county jail here. He is charged with having criminally attacked a young white girl in Bedford county, of which Shelbyville is the county seat.

Sheriff L. A. Bauman of Davidson county said tonight that "fully 400 men," including guardsmen, police and county officers, would be stationed about the courthouse and jail before the opening of the trial tomorrow.

Asked whether there were definite indications of trouble Sheriff Bauman said "I wouldn't say there were." However, he added that he believed "they have been mapping the geography of the jail," and that other plans which might foreshadow some mob action had been laid.

The sheriff did not say whom he ment by "they," but his words were interpreted as meaning the leaders of a mob of several hundred men who stormed the Bedford county courthouse at Shelbyville the day of Harris' trial there.

Two civilians met almost immediate death at the hands of guardsmen in Shelbyville. Two others were fatally wounded as the mob three times stormed the building before Harris was disguised as a guardsmen, taken to a waiting automobile and rushed here.

Cheated of its intended prey the mob turned upon the withdrawing guardsmen, booed them through the city streets, captured and burned four militia trucks and finally set fire to and destroyed the courthouse.

TROOPS ARE CALLED TO PROTECT NEGRO

Trial Of Alleged Attacker Begins In Nashville

By United Press.

NASHVILLE, Tenn., Feb. 18.—Two hundred National Guardsmen and 100 police officers encircled Davidson County Courthouse today as the second trial opened for E. K. Harris, 22-year-old Negro charged with criminally attacking a white girl.

Six machine guns were manned at the entrance of the combined jail and courthouse. Traffic was stopped in a two-block area. Pedestrians were searched for firearms before being permitted to

ness through guard lines.

Home Burned After Pastor Urged Action Against Mob

SHELBYVILLE, TENN., Jan. 20.—(AP)—Fire early today destroyed the home of a Methodist preacher who had urged the law to act against leaders of the mob that a month ago rioted here, burning the Bedford County Courthouse and bringing about the deaths of four men.

City Judge C. C. Smith said an appeal had been made to State fire authorities to investigate the fire in the belief that it had been of incendiary origin.

The Rev. W. O. Largen, the preacher and pastor of a Methodist Episcopal Church, South, circuit, said "it looks like somebody did" when asked whether he believed someone had set the blaze that destroyed the six-room frame house and $2,000 worth of personal property.

He believed the fire may have been an effort to intimidate witnesses in a forthcoming grand jury investigation of the mob.

The house was owned by the church. The Rev. Mr. Largen said his personal loss included his library and all his furniture and other belongings with the exception of a few pieces of clothing and bedding he snatched up and took with him through a window when he jumped from the flaming building about 3 a.m.

In discussing his theory of incendiarism, Mr. Largen revealed that he had received two letters warning him, he said, "to quit meddling in matters of protecting negroes against white people," and that these intimated the writers might resort to use of the torch if their demands went unheeded.

Mob violence swept Shelbyville shortly before Christmas when several hundred persons tried to get E. K. Harris, negro, from the courthouse where he was on trial on a charge of criminally attacking a young white girl. Guardsmen with bayonets and bullets rebuffed the mob's attacks, leaving two men dead and two fatally wounded.

Judge Smith said warning letters had also been received by two other clergymen. All pastors of the city recently preached on law enforcement.

"It is a fact that I received one letter directly and another was given to a man to give to me," Mr. Largen said. "My life has not been threatened. They only wanted me to quit meddling in matters of protecting negroes against white folks."

He said he had not preached directly on the subject of the mob but that "I did discuss it with officers interested in the trial" and that he had been active "just like any other good citizen and not as an extremist" in seeking law enforcement and talking "for law and order."

Belief that the fire was set as a means of intimidating persons who might be called before the grand jury next week in connection with an expected mob investigation was expressed by Mr. Largen.

The fire broke out about 3 a.m.

"I was awakened by it, I suppose," the clergyman related. "My family was away visiting and I was home alone. Rooms all about me and the hallway were burning and there was no way to escape but through the window.

"I had a gun I had kept here recently for emergency and I knocked out a window, grabbed up a few clothes and some bedding in a bag and jumped out." Unable to use his own phone because of the fire, he went to a neighbor's and called the fire department, but, by the time firemen arrived, the house was destroyed.

Bronx, N.Y. Home News

FEB 18 1935

400 Are on Guard Against Lynch Threats

More than 400 men, including National Guardsmen, police and county officers today surrounded the courthouse at Nashville, Tenn., to prevent the gathering of lynch mobs as the second trial of E. K. Harris, colored, began. The first trial of Harris, accused of attacking a white girl, ended at Shelbyville, Tenn., on Dec. 19 in a riot in which four persons were killed.

MOB MISSES 2 MEN WHO ATTACKED GIRL

JOHNSON CITY, Tenn., Aug. 24.—(UP)—Two men charged with the criminal assault of an 11-year-old girl, were spirited out of Johnson City and removed to an unknown jail early today to avoid violence.

The men, Howard Loftis, 29, and Smith Dugger, 39, were given a preliminary hearing on the charge immediately after their arrest today and bound to the grand jury under bonds of $5,000 each.

Word of the attack spread rapidly and a mob started forming. Sheriff's deputies removed the prisoners from the jail through a back door and raced them out of the county.

Deputy Sheriff Is Slain By Negro

MEMPHIS, TENN., Oct. 17.—(AP)—Frank Freemon, 65-year-old Lauderdale County negro, was held in the county jail here tonight for safekeeping after officers quoted him as saying he unintentionally shot to death an officer who went to his home to protect him.

Sheriff A. H. Craig announced at Ripley that Freemon would be held at the Memphis jail until the grand jury meets when he will seek his indictment on a charge of second degree murder.

Sheriff Craig quoted Freemon as saying that he shot Deputy Sheriff Will Evans, 57, at Henning, Tenn., last night thinking the officer was James Reed, a 37-year-old negro who Freemon, his wife and daughter had charged in warrants with threatening to kill them.

Evans was shot to death in front of the Freemon home where he had gone with a warrant for Reed, the Sheriff said. Believing Reed had slain the officer, the sheriff offered a $250 reward for his capture "dead or alive" and a posse of citizens and officers began searching for him.

While the search was under way for Reed, Sheriff Craig said Freemon admitted the shooting and was brought here for safekeeping.

"Freemon," the sheriff said from Ripley today, "said he saw a man approach his home last night, and thinking it was Reed demanded him to identify himself. He said the man, possibly thinking he was Reed, shot at him twice, and that he opened fire, killing the officer.

"We thought Reed had killed the officer and started a search for him all over West Tennessee." Freemon "got restless," the Sheriff said, and "broke down and told us the whole story."

Lynchings-1935
Prevented

Tennessee

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Tennessee Troops Called Out For Negro's Trial

NASHVILLE, TENN., Feb. 17—(AP)—Gov. McAlister today ordered out as many National guardsmen as necessary "to take every precaution" against possible trouble at the trial beginning here tomorrow of E. K. Harris, negro, whose trial at Shelbyville December 19, precipitated a riot in which four lives were lost.

When a mistrial resulted from the Shelbyville mob action, Harris was granted a change of venue to Davidson County (Nashville). He has been held in the county jail here. He is charged with having criminally attacked a young white girl in Bedford County, of which Shelbyville is the county seat.

Sheriff L. A. Bauman, of Davidson County said tonight that "fully 400 men" including guardsmen, police and county officers, would be stationed about the courthouse and jail before the opening of the trial tomorrow.

LYNCHINGS CAN BE STOPPED

The way to stop lynchings—is to stop them.

That is the moral of what happened Wednesday night at Shelbyville, Tennessee.

It is not pleasant to think of American citizens being mowed down by machine guns. The necessity for such drastic measures is almost as disgraceful as the institution of lynching itself.

But the fact remains that recent lynch mobs in Maryland, California, Louisiana and Florida have carried out their intention—because the forces of law and order did not act.

In Florida, only a few weeks ago, the forces of the law, taking their cue from Governor Dave Sholtz, openly tolerated one of the most revolting lynchings in history—a sure method of breeding mob violence in the future.

The Shelbyville mob was thwarted chiefly because of the attitude of Governor Hill McAlister, who apparently made up his mind to enforce the law at any cost.

If more Governors were willing to follow his example, it would not take long to stamp out these revolting crimes. It would not be necessary for troops to fire on American citizens. Governor McAlister can thank Governor Sholtz, in part, for the troubles of Tennessee.

Few office holders in the South have been noted for such courage in similar circumstances. The feeling has prevailed that a really firm stand against lynching would be political suicide. It is The Record's guess that this belief is mistaken. The majority of people in the South are just as opposed to lynching as those in the North.

Governor McAlister may find political rewards for the performance of his duty. Certainly he deserves them.

The handful of national guardsmen also deserve credit. They kept their heads and their determination to protect the prisoner. They tried reasoning with the mob. When that failed they tried tear gas. When that failed, they used bullets.

The mob withdrew. To avoid bloodshed, the guardsmen spirited the Negro prisoner away in a soldier's uniform, his face covered by a gas mask.

Then their work was done. They marched out of town in good order while mobsters pelted them with stones. The guardsmen made no effort to defend themselves or return the attack **—a magnificent exhibition of self-control and courage.**

* * *

After the guardsmen left, an event occurred which throws considerable light on the lynch spirit.

The mob deliberately burned the Courthouse.

They knew the Negro and the guardsmen were gone. There was no conceivable purpose in this act of sheer vandalism. Doesn't this strengthen the contention that a part of the lynch psychology is savage manifestation of the spirit of rowdyism?

Apologists for lynching are apt to over-rationalize it. They will tell about the great "dread" of the Negro which is supposed to exist in the South. They will discuss the inflammatory effects of dilatory trials and miscarriages of justice.

But how to rationalize the burning of the Courthouse along those lines?

The mob was not revenging itself on the Negro. It was not harming the lawyers or the guardsmen. It was destroying county property which the members of the mob will have to pay to replace.

Further, every building in the town was endangered by the fire. The would-be lynchers might easily have burned down their own homes as a result of firing the Courthouse.

The only explanation is that they were out to destroy. And when they were deprived of a human victim they built a big bonfire—the Courthouse—instead.

When this aspect of the lynch motive is more clearly understood perhaps officials will be less likely to excuse and condone and let mobs have their way.

600 TROOPS GUARD LYNCH RIOT CITY AS THIRD VICTIM DIES

Deputy Sheriff Blames Fatal Outbreak on 'Moonshine.'

SHELBYVILLE, Tenn., Dec. 20.—This county seat, cowed by the guns of 600 National Guardsmen, tonight counted the third death from yesterday's lynch mob riots.

Gilford Freeman died in a local hospital of wounds. R. O. Edwards, a house painter, and an unidentified man whose body was spirited away from the hospital, were the other fatalities. They were shot by National Guardsmen who repulsed three attacks by a mob attempting to lynch a Negro accused of attacking a white girl. Eighteen others were wounded.

Formation of a vigilante committee to aid in maintaining order was proposed during the day in a mass-meeting of business men. The meeting also considered means of housing county officers left without headquarters when the mob set fire to the $150,000 courthouse.

"Moonshine" Blamed.

Blaming "moonshine" corn liquor for the disorder, Deputy Sheriff John E. Gant said: "If there hadn't been any drinking, there wouldn't have been any trouble at all."

Funeral services were held today for Edwards. Relatives said he was a bystander and an innocent victim of gunfire from the hard-pressed militiamen. He is survived by his widow and three children.

A physician said he pronounced the other man dead when he was brought to the Shelbyville hospital. The doctor turned to treat other wounded and the body disappeared before it was identified. He believed it was taken by relatives.

Self-Defense Claimed.

Lieutenant Colonel John R. Stark, commanding officer of the troops said "every shot fired by guardsmen was fired in self-defense. When members of the mob entered the courthouse and began firing on the boys, I then gave orders to return the fire—with riot guns and low."

After the shooting, Circuit Judge T. L. Coleman declared a mistrial in Harris' case. A jury had been selected and attorneys were ready to begin presenting testimony. Court was adjourned until January 21.

Militiamen disguised the Negro prisoner in a soldier's uniform and spirited him to Nashville, then withdrew hurriedly in hope of averting further trouble.

Hampered Firemen.

The mob continued rioting and made a huge bonfire of four trucks left by the soldiers. Then they set the courthouse afire and hampered firemen until it was destroyed. A Negro hotel also was fired.

Scattered shots were heard during the night from roving groups of rioters. Some threatened to lynch Sheriff Gant, who left town and later was reported in Nashville. Negroes, afraid for their lives, hid during the night.

Mobsmen failed to carry out reported threats to dynamite the county jail and the city water works before dawn. Both points were guarded today by troop details.

Reinforcements Sent in.

The National Guardsmen, ordered back into town in greater numbers late last night by Governor Hill McAlister, began arriving shortly before 8 A. M. today. Business leaders asked the troops to remain for "a few days" as a precautionary measure.

Judge Coleman, at his home in Lewisburg, said he planned to confer later with authorities regarding possible prosecution of mob leaders. He said he believed a change of venue, when Harris is brought to trial again, will prevent future lynching attempts.

TROOPS KILL THREE TO SAVE PRISONER FROM LYNCH MOB





Tennessee National Guardsmen, pictured above, killed three and wounded 18 members of a mob that stormed the Shelbyville Courthouse in a vain attempt to lynch a Negro accused of attacking a young girl. The prisoner, E. K. Harris, 22, is shown with part of the escort that spirited him to safety. A few hours later the mob burned the Courthouse.

Lynchings – 1935
Prevented. 6

Texas.

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NEW YORK SUN

MAR 1 1935

A NEAR LYNCHING

Negro Saved From Texas Mob by Marshal.

LINDEN, Tex., March 1 (A. P.).—Blackie Jackson, twenty-one-year-old Negro, was held in an unnamed east Texas jail today after he had been accused of an attempted criminal attack on a nineteen-year-old Atlanta, Tex., high school girl.

Saved from the hands of a mob late yesterday, Jackson was brought here from Atlanta and then later transferred to another jail after Sheriff Quilla Hardagree was informed a mob had gathered at Atlanta.

The Negro was arrested by City Marshal Homer Carter shortly after the alleged attempt. Carter took the Negro to the girl's home for identification and there encountered a crowd of fifty men—friends and relatives of the girl—who demanded custody of the Negro.

Carter, keeping the windows of his automobile up and the doors locked, managed to elude the crowd and rushed his prisoner to Linden.

The girl told officers the Negro choked her and that her fifteen-year-old sister grabbed a rock and beat off her attacker.

A crowd of about 150 men gathered at an Atlanta drug store later in the night and threats of mob action were heard. The gathering finally dispersed.

NEGRO FARM HAND RESCUED FROM MOB

DALLAS, Texas, May 18.—(AP)—A negro farm hand was rescued from an angry mob of 40 white men on the public square at Richardson today and rushed to the Dallas county jail.

The negro, Allen Samuel, 32, was reported by Justice of the Peace V. S. Blewett to have engaged in a fist fight with Jack Holland and later to have attacked W. T. Jones. The negro was badly cut and battered when the justice of the peace rescued him. He was charged with assault to murder both Jones and Holland.

Negro Rescued From Texas Mob By Judge

DALLAS, TEXAS, May 18.—(AP)—A negro farm hand was rescued from an angry mob of 40 white men on the public square at Richardson today and rushed to the Dallas county jail.

The negro, Allen Samuel, 32, was reported by Justice of the Peace V. S. Blewett to have engaged in a fist fight with Jack Holland and later to have attacked W. T. Jones.

Justice Of The Peace Averts Texas Lynching

DALLAS, Tex.—A Negro farm hand was saved from a lynch-crazed mob [illegible] by angry whites on the Richardson public square, and rushed to the Dallas County jail, here Saturday.

Allen Samuel, 32, the prisoner, is alleged to have been in an altercation with Jack Holland, and later, to have engaged in a brawl with W. T. Jones, according to Justice of the Peace V. S. Blewett.

Blewett further stated that a part of the crowd took two knives from the Negro and started to bruise him, cutting him and inflicting multiple contusions, lacerations and minor bruises, before he was saved.

Negro Is Rescued From Texas Mob

DALLAS, TEXAS, May 2.—(AP)—Alex Bridgewater, negro ex-convict, was rescued from a mob near here today by officers, and rushed to Dallas.

The negro, who assertedly had attacked a white woman, was shot in the shoulder before Bob Atwell, a city marshal, could get him out of Wilmer, a Dallas County town, where a mob of white men gathered.

Atwell, a brother of U. S. Dist. Judge William H. Atwell, arrested the negro shortly after the alleged attack and sought to secrete him in an office at Wilmer.

The mob gathered quickly, however, and the negro was shot before the officer could move him to another location.

Atwell telephoned the Dallas sheriff's office for aid and all available deputies were dispatched to the scene.

Bridgewater was taken to a hospital here and placed under guard.

Texas Mob Attempts To Lynch Negro Prisoner

DALLAS, Tex.—Alex Bridgewater, who allegedly had attacked a white woman, was rescued from a mob near here Tuesday by City Marshal Bob Atwell and rushed out of town for safekeeping. Bridgewater received gunshot wounds of the shoulder before his rescue from the lynch-bent mob.

TEXAS NEGROS ADMIT KILLING WOMAN

COLUMBUS, Texas, Oct. 22.—(AP) Sheriff Frank Hoegmeyer said today two negroes confessed to him that they criminally attacked and killed Miss Geraldine Kollman, 19, whose body was found in a creek [illegible]day. At first it was [illegible]ed she had drowned.

Sheriff Hoegmeyer said the negroes, Bennie Mitchell, 19, and Ernest Collins, 18, made a full confession to the attack [illegible]ying Sunday night. They were rushed to the Harris county jail at Houston after being charged with criminal attack and murder.

Lynchings- 1935
Prevented

Virginia

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Charlottesville, Va. Progress
May 15, 1935

A Lynching is Averted

The humiliation which most Virginians undoubtedly felt when they read that an attempt had been made to lynch John Shell and Joe Jackson, the colored men convicted of the murder of Mr. and Mrs. John Thomas Coleman of Spotsylvania, will be considerably lessened by pride in the achievement of State police in saving their prisoners from the mob.

The crime for which Shell and Jackson were indicted was so revolting brutal that the attempt on their lives was not altogether surprising. The authorities, realizing the anger of the crowd might become uncontrollable, had wisely asked for additional police protection and Gov. Peery had promptly provided it. There is a lesson here for the authorities of many states. Generally lynchings can be prevented if the officers of the government act with common sense, foresight and devotion to their sworn duty.

Incidentally, Virginia's record in lynchings, while shameful enough, is far cleaner than that of any other Southern State, save North Carolina. Georgia and Mississippi have each had more than five times as many lynchings as Virginia. Alabama Arkansas, Florida, Louisiana and Texas have each had more than three times as many as the Old Dominion. Of the 3,600 persons lynched in the United States since 1885, 80 were put to death in this State.

We believe that the primitive and cruel practice is almost at an end in Virginia, if, indeed, we ever have another case of mob murder. Our State anti-lynching law is well drawn. Our judges see that protection for prisoners is always provided—as in the trial of the persons accused of killing the children at Roanoke. The whole weight of the State government is behind the effort to stamp out the evil.

Lynchings-1935

Rape: Alleged Attacks by Negroes.

Alabama.

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Militant Pastor Forces Apology From Newspaper

BIRMINGHAM, Ala., Nov. 1—The reactionary Birmingham News was forced to apologize for a two-inch streamer headline reading, "Negroes Slug Man, Attack Girl," when a vigorous protest was sent the paper by Rev. Stewart Meacham, white pastor of the Dixon Memorial church here.

Meacham attacked the sensational handling of an incident which occurred hundreds of miles away. The charge of rape, he pointed out, was supported only by the testimony of a middle-aged man and a girl who were found alone in a secluded spot known for "petting parties." The two claimed to have been "in conversation" when "robbed and assaulted."

"It is on this type of evidence that you, by inference, slander a fine and noble race of people," Rev. Meacham wrote. "On this type of evidence you feel perfectly free to raise the cry of 'Negro rapist' in our own troubled community.

"The lynch mobs that you so piously decry in your editorials do not bear alone the guilt of mob murder. Every force and instrument that works toward the creation of the lynch mind must share in the guilt."

Commenting on Rev. Meacham's letter, the News was forced to admit the lynch-incitement of the handling of the article but put the blame for "the unfortunate occurrence" on "an error in judgment on the part of one of its news editors."

Scottsboro Case Back in Jackson

New Grand Jury Will Take Up Famous Affair Today

SCOTTSBORO, Ala., Nov. 12. (AP) From its starting point nearly five years ago, "the Scottsboro case" tonight had been moved back to Jackson county where a new grand jury tomorrow will again investigate the alleged mass attacks on two white women March 25, 1931.

The venier of 36 from which the 18-man grand jury will be selected contained the names of two Negroes, the first to be called in Jackson circuit for many years, but whether they will serve was not known.

Lt. Gov. Thomas E. Knight, Jr., special prosecutor retained by the state, said he would call as many witnesses as necessary, and would ask that true bills be returned against the nine Negro defendants charging them with attacking Mrs. Victoria Price and Ruby Bates.

Negro to Be Tried On Assault Charge

SAVANNAH, Ga., Nov. 11 (AP)—Lonnie Pickett, Negro prisoner, who was placed in the Chatham county jail for safe keeping about four months ago following a riot scare at Blackshear, is expected to go on trial in Blackshear today. Pickett is charged with assaulting a white woman.

James N. Rahal, Savannah attorney, is representing the Negro. Mr. Rahal said today that he would leave for Blackshear early in the morning. The local attorney plans to ask for a change of venue for his client.

Lynchings - 1935

Rape; Alleged Attacks by Negroes.

Alabama.

5147

ATTACKER HUNTED

Southside Girl Breaks Away From Grasp Of Negro

Police Wednesday were searching for a Negro who was reported to have attempted to attack Mary Lou Craft, 17, 1625 Twelfth Avenue, South, on South Seventeenth Street between Fifth and Sixth Alleys, Tuesday night.

The girl, who was taken to Hillman Hospital by Officers Thompson and Collier, after she had broken away from the Negro and fled to Eighteenth Street, was treated for an abrasion of the knee. She told officers the Negro knocked her down.

The Negro, the girl said, came up behind her as she was on her way home and seized her. After a struggle, she said, she succeeded in breaking away and screamed. The assailant fled.

The Negro wore a gray hat, overcoat and suit.

ACCUSE PAIR OF ATTACKS

Two Held Without Bond on Complaints of Girls

FLORENCE, Ala., July 22.—Hale Whitten, 25, and Hargrove Mocre, 23, of Florence, were ordered held without bond today on charges of criminally assaulting two young Florence girls at a roadhouse cabin 10 miles north of the city Saturday night. The warrants were sworn out by R. L. Bryant, father of one of the girls.

Squires J. A. Dowdy and A. S. Goard conducted the preliminary hearing, during which Miss Bryant hurled epithets from the witness stand at the youths, who entered pleas of not guilty, although not represented by counsel.

TIMELY ARRIVAL OF OFFICERS SAVES NEGRO FROM CLUTCHES OF HUNGRY ALABAMA MOBBISTS

ALL NEGROES RESEMBLING ALLEGED ATTACKER ARE JAILED FOR SAFE-KEEPING

Accused Of Attacking Miner's Wife

BIRMINGHAM, Ala., Feb. 7.—(ANP)—Only the timely arrival of deputies sheriff saved C. C. Sanderson from lynching at the hands of an angry mob which had gathered near the Bradford mines of the Alabama By-Products company for the purpose of avenging an alleged attack on Dora Cosby, 33-year-old white woman.

The Cosby woman claimed that her home had been invaded by a colored miner shortly after her husband had gone to work at six o'clock in the morning, and that the intruder had assaulted her while a confederate maintained a lookout at an outside window. After the attack, she charged, her assailant slashed her wrist with a razor.

She claimed that a "tall, mulatto Negro with a mustache," was the criminal.

The report of the attack spread quickly and, before all the "tall, mulatto Negroes with mustaches" knew that they were being sought, the mob was seizing all the "tall, mulatto Negroes with mustaches" it could lay hands on.

The mob consisted of young men, old men, a few women, and small children. It was armed with shotguns, pistols, clubs and brickbats.

One of the first men to be seized was Sanderson. He pleaded his innocence, but to no avail. He was beaten and kicked in an effort to make him tell who his alleged accomplice was.

Two officials of the company for whom he worked, addressed the mobbists and sought to show them that Sanderson could not be guilty of the crime. But the mob would not release him. While these officials talked, some deputies arrived and they were convinced of Sanderson's innocence.

They forced the mob to give him up because he was innocent.

After what had happened to Sanderson, the deputies realized the jeopardy of "tall, mulatto Negroes with mustaches," so they quickly rounded up all those they could find and placed them under technical arrest for safekeeping.

Among those brought to Birmingham to be out of harm's way were: Luke Edwards, Earl Adams, Henry Sheldon and Gus Boudon.

Colored residents of the Bradford mining area scouted the attack charge.

They said it looked to them like Cosby had given his wife another whipping before going to work and that she had attempted to commit suicide with the razor. The razor which she had said was used was found in the home and it belonged to her husband. No other fingerprints were found on it.

Negro Jailed At Geneva For Attempted Attack

GENEVA, Ala., April 9—(AP)—A negro booked as Richard Johnson, 24, today was held in the Geneva County jail on charges of attempting to attack a young white woman on a farm eight miles from Malvern late yesterday.

The young woman, Miss Gertrude Box, fled to the house, she told officers, when the negro attempted to grab her near the barn. Her screams brought other members of the family, and the negro fled.

The negro was taken into custody two hours later by deputies sheriff, without offering resistance.

Officers said the negro had been employed about the farm, and was working near the house, while others were in the fields.

Negro Tries To Attack Girl In Butler County

M'KENZIE, ALA., July 5.—(AP)—A negro who attempted to attack an 18-year-old McKenzie girl at a swimming party near here was sought today by officers of Butler and adjoining counties.

Officers said the case was the most brazen of its kind reported in South Alabama.

The negro, officers said, attacked the girl in the presence of her mother and other women in a party as they were leaving a swimming hole near her home. He dragged the girl into a nearby thicket, tore away part of her bathing suit, and fled only when the other women flew upon him, screaming, and fought him off.

Negro Unionist Is Railroaded; Faces 20 Years on Chain Gang

BESSEMER, Ala., June 21.—Flagrantly disregarding the constitutional rights of the accused, Bessemer County officials succeeded in rushing through the frame-up case against Walter Brown, Negro worker and union member, charged with "attempting to rape" a white woman.

Because C. B. Powell, the attorney hired by the International Labor Defense to defend Brown, was ill and unable to be in court on Monday morning, a rapid session was held, with the defendant given no counsel whatsoever. The lily white jury was out but t few minutes, after which they returned the verdict of guilty. Brown is scheduled to be sentenced today. He faces a twenty-year term on the chain gang.

Powell had both telephoned and sent a letter to the Bessemer officials, asking for a postponement of the case for two days.

Move to Set Aside Verdict

The I. L. D., through Attorney Powell, has announced that it will move to set aside the verdict of the jury on the ground that the requested adjournment should have been granted; that in any case other defense counsel should have been provided and failure to provide such counsel is a violation of the ruling in the first reversal of the Scottsboro case in the United States Supreme Court; and that the indictment under which Brown was convicted was invalid because it was returned by a Grand Jury in Jefferson County from which Negroes are systematically excluded.

Brown was indicted upon two counts: the "attack" charge against the woman, Lucile Bailey, and another charge of "attempt to murder" her escort. For the first charge he was held under $10,000 bond, for the second, $5,000.

Both the Bailey woman and her escort appeared in the court to testify against Brown. The woman said she "recognized him by his voice." Her escort, Gavin Howton, however, admitted that he could not be sure Brown "was the man."

Jailed Six Weeks Ago

Brown was arrested six weeks ago on a Sunday morning by Bessemer cops and company thugs, who invaded his house, saying they were looking for a "tall yellow man in a brown suit." Although Brown did not even answer to the description, they seized him without explanation, carried him to jail and tried to get him to "confess" to the "attack" charge.

Brown had witnesses to prove his whereabouts. He was at a neighbor's house until about 2 o'clock of the morning in question, and friends escorted him home. The stories told by the Bailey woman and Howton contained several discrepancies as to the time and place of the "attack."

The I. L. D. urges all workers to help smash this latest Scottsboro frame-up in Alabama. Protests should be rushed at once to Judge Gardner Goodwyn, Bessemer County Court House, Bessemer, Ala.

2 Barbour Negroes Held For Attack

EUFAULA, ALA., July 16.—(Special)—Two negroes of this city, Charlie Shorter and John Hall, are being held in Clayton jail in connection with the assault of a 50-year-old white woman on Dale Road early Sunday morning. The negroes were arrested on suspicion Sunday afternoon by Sheriff Pitt Williams.

According to the woman, who is in feeble health and who resides with her paralyzed brother, a barefooted negro came through the window of her bedroom early Sunday morning and when she awoke, dared her to scream. She fainted and when she recovered from the attack the negro was gone and she telephoned the police. The report stated the negro had gone into the hall, turned out the light and shut the door. The woman's brother lay sleeping across the hall.

She gave a partial description of the negro and the arrest of Charlie Shorter, a negro who resided in the southside community, and also John Hall, another negro, followed. Footprints and fingerprints of the assailant were found.

Shortly before the alleged crime was committed, police were called to the home of Allen Coats, white man residing also on Dale Road, where it was reported a negro had attempted to gain entrance. There a negro tore open the screen at the window and when he attempted to enter, a white woman, Mrs. Victoria Grace, of Bonifay, Fla., visiting there, scuffled with the negro, tearing his shirt and screaming. The negro ran.

The news of the attack did not spread here until after the negroes under suspicion had been rushed to the Clayton Jail.

Three Elmore Youths Charged With Attempted Assault On Girl Of 14

Thumbing a ride while walking toward their home on the Lower Wetumpka Road yesterday afternoon brought a frightful experience to a 14-year-old girl and her 10-year-old brother and resulted in the subsequent arrest of three Elmore County youths on charges of attempting criminal assault.

The three youths, seized in West Boylston by Sheriff's Deputies Hayden Sellers and G. A. Mosely, gave their names as Woodrow Picquette, 19, Kenneth Picquette, 23, and Louis Roy Jones, 19. No charge was placed against a fourth man found in their company, described by the officers as having "passed out" from drunkenness.

Early yesterday afternoon the girl and her brother, in response to their "thumbing" for a ride, were given transportation in an automobile occupied by four men. As the car traveled toward Boylston one or more of the men allegedly attempted to molest the girl while her brother was held helpless in the machine.

On a side road near Boylston, the car was driven into a corn field. There, according to the story, an attempt was made to assault the girl. It was reported to have failed, however, because of the girl's struggles and due to the arrival of a railroad worker who ordered them away.

A few minutes afterward, in fleeing from the spot, the car rounded a curve in the highway at too great a speed and overturned. The girl and her brother escaped injury but three of the four men were said to have been bruised, one of them severely.

The youth and his sister fled to their home and reported the occurrence. Deputies Sellers and Mosely went to the scene and later arrested the men at West Boylston.

Deputy Mosley said that a "couple of them admitted the attempted assault." The fourth, he added, was far too drunk to know what had happened.

Night Warden Ray Guice said last night that all four appeared to have been well under the influence of liquor.

Later, the deputies were told by residents of the Chisholm section that they had seen a girl struggling with a man as their car passed along the Lower Wetumpka Road.

Florence Negro Held For Attempted Attack

FLORENCE, ALA., Aug. 14.—(AP)—James Reynolds, negro employe of a barbershop here, was being held in city jail today pending an investigation of an alleged attempted attack on a 9-year-old girl.

The girl's father, Mr. Darby, fired four times at Reynolds after the incident, but all shots were wild. The negro told officers several girls had been creating a disturbance near the barber shop, and he attempted to frighten them away.

FORCE APOLOGY FROM ANTI-NEGRO "BIRMINGHAM NEWS"

BIRMINGHAM, Ala.-(CNA)- The reactionary Birmingham News was forced to apologize for a two-inch streamer headline reading "Negroes Slug Man, Attack Girl" when a vigorous protest was sent the paper by Rev. Stewart Meacham, white pastor of the Dixon Memorial Church here.

Meacham attacked the sensational handling of an incident which occurred hundreds of miles away. The charge of rape, he pointed out, was supported only by the testimony of a middle-aged man and a girl who were found alone in a secluded spot known for "petting parties." The two claimed to have been "in conversation" when "robbed and assaulted."

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Lynchings—1935

Arkansas.

Rape; Alleged Attacks by Negroes—

5148

ATTACKERS ARE IDENTIFIED

Girl, Companion Point to Negro Pair at Blytheville

BLYTHEVILLE, Ark., April 9.—A 19-year-old girl in circuit court today identified two defendants "Bubbles" Clayton and Jim X Cruthers, as the negroes who assaulted her in an automobile on the night of Dec. 21, near Blytheville.

She said that the negroes held a gun on her companion, Wiley Bryant, farm youth, while the assault took place. Bryant also identified the negroes.

The negroes were well guardod as the trial started today and Judge Killough warned that no demonstration would be tolerated.

Another Scottsboro Case Is Unearthed In Arkansas

The Savannah Tribune

Charge of Rape Is Trumped Up Against Two Negro Youths

1-26-35 Savannah, Ga.

WHO WERE THEN RAILROADED IN A QUICK TRIAL

No Lawyer in Town of the Alleged Crime Would Defend the Boys

Little Rock, Ark., Sept. 23 ANP—Only an appeal to the Arkansas Supreme Court saved the railroading of two youths to death this week, when Attorneys John A. Hibbler and John R. Thompson, prominent lawyers here filed a supplemental brief with the court in the case of Jim Caruthers and Bubbles Clayton. Both had been convicted of the charge of rape in the circuit court at Blytheville, Ark.

Little or nothing was known of the charge outside of Blytheville until after the boys had been convicted. Although conviction was procured in the usual lynch atmosphere the Little Rock dailies, leading papers in the state, contrary to custom, carried only a small item inconspicuously placed on the inside of their sheets. White friends of the boys made the first efforts in their behalf and brought the matter to the attention of the Little Rock branch of the N. A. A. C. P. The local branch dispatched a representaative to the scene of the trial and alleged crime. His report indicated that Arkansas had another Scottsboro tragedy on its hands and the local branch launched an effort to appeal to the Supreme Court from the verdict of the lower court.

It appears that, over a period of several months, beginning last October many burglaries, holdups and less serious crimes were committed in Mississippi county with the law enforcement officers apparently impotent. The climax in the reign of felonies and misdemeanors was reached the night of January 12, when some miscreant shot from ambush and slightly wounded the sheriff who was on the lookkout for thieves who had been pilfering articles from autos parked near the Golf Links two miles from the city. Immediately the usual police dragnet was thrown out. Jim Caruthers and Bubbles Clayton, both 19 years of age, and previously charged with minor offenses, were arrested as suspects.

The accused were subjected to the application of the "third degree" in most brutal severity as the boys' clothing, now in possession of their parents, indicates. This inhuman treatment lasted for three or four days. When the officers, despaired of wringing a confession from the boys, one of their number informed the boys that a white woman would be brought in to identify them.

In the meantime the usual lynch propaganda was launched. Rumors were circulated that these two men who had intruded upon roadside illicit love episodes and forced their attention on the women involved. Realizing that a lynching was imminent the officers carried the suspects to Osceola 18 miles south of Blytheville.

However, the officers decided that the suspects were not safe from the vengeanee of the mob in that jail, therefore the boys were secreted in a corn field over night. The next night hotly pursued by the mob, they rushed to Memphis. From Memphis they were carried to the Tucker Prison Farm and incarcerated in the death house. Several days later the sheriff conducted to the prison a white woman and her escort who "identified" the boys as the two men who had assaulted her in the parked car. The usual indictment was quickly voted. All the local lawyers refused to defend the accused and openly declared that they would pay a fine of contempt of court rather than serve. The judge was forced to appoint a lawyer living in Jonesboro, sixty miles away. In spite of the situation the judge denied the motion for a change of venue made by the court-appointed defense attorney.

On the stand the prosecuting witness recited an improbable story. She testified that she and her male companion were seated in an auto parked by the roadside at 8 or 9 o'clock at night; that the two Negroes passed them, retraced their steps, covered thm with a revolver and forced them to get out of the car. She further stated that at the point of the pistol the man was forced to lie down in the ditch by the roadside and she was forced back into the car; that while one man held the gun on her companion, the other raped her; and that the men then changed places and she was raped a second time.

The most interesting part of the prosecuting witness' testimony was that in connection with the matter of her identification of the men, she testified that both wore handkerchief masks and yet she was able, after an interim of six weeks to identify them.

Negroes' Death Verdict Upheld In Arkansas 'Rape' Frame-up

Courier

Not One Shred of 'Evidence' Proved—Case Is Spearhead of Attack on Southern Tenant Farmers Union—Aid Is Needed in Defense

By REX PITKIN
(Special to the Daily Worker)

BLYTHEVILLE, Ark., Nov. 24.—Bubbles Clayton and Jim Caruthers, two young Negro cotton pickers, happened to incur the dislike of a white planter in the electric chair. The Supreme Court of Arkansas has ruled this week.

They stand convicted of rape because this is the one way that remains for the planters to terrorize the share-croppers, both black and white, who are banding together in the Southern Tenant Farmers' Union. This union is in the heart of Arkansas and the plantation owners have used every known tactic to smash the union before it failed. They are more than ever because a month ago the union led a strike which doubled the wages of the day laborers. A year ago there was little or no organization here; today ninety per cent of the croppers and workers are members of the Southern Tenant Farmers Union. A year ago not a single copy of the Daily Worker was sold in Blytheville; today workers and farmers buy a hundred copies a week.

Thus it is that Clayton and Caruthers are incarcerated in the Tucker Farm penitentiary waiting to drag their weary feet along the sheriff and for that crime will last mile to death.

Boys Were Tortured

Their story begins one night last January when someone shot and slightly wounded Sheriff Wilson. He could not be released—"the nigger's gotta be kept in his place." Besides, Wilson was angry at the boys.

"Rape" Frame-up

And so Clayton and Caruthers were thrown into a cell with third Negro. But a few days later the third prisoner was told to himself with a blanket so as to

Evidence Lacking

Mrs. Terry said the two Negroes accompanied another man and woman, both white, from the boys. They said Caruthers raped her on Dec. 21 near a cemetery in Blytheville . . . but the boys that night were at 100 Mathew Street playing cards with four other Negroes.

Lynch hysteria pervaded the town; the only witness found guilty. The white woman, Mrs. Vergie Terry, 19, who is separated from her husband and is known to be keeping company with other men. The white man who was with her that night did not see the crime. He said he was thrown in a ditch. Vergie Terry told the court that the two assailing Negroes wore masks and overalls. But masks were not produced in court that they ever have been worn by Clayton or Caruthers. Clayton has never been known to wear overalls and doesn't wear a cap.

Evidence Lacking

Mrs. Terry said the two Negroes told her to keep quiet for five minutes while they caught a freight out of town, yet the boys proved they were in Blytheville for three weeks after the alleged "crime."

No medical evidence that Mrs. Terry was attacked was introduced. Terry did not complain of the attack to Willie Bryant, the man who was with her all evening. The

court received no evidence of emotional or mental disturbance, no evidence of physical lacerations or injury to her clothes, no evidence of stains on her dress or slip or on the upholstery of the car. Two cars passed while the alleged rape was being perpetrated, it was admitted by both Mrs. Terry and Bryant, yet they did not cry out for help.

Clayton and Caruthers were arrested for the crime of shooting Wilson but by some strange twist of Arkansas justice they were charged with rape, a wholly unconnected crime. This, in itself, is illegal. Moreover, there were no Negroes on the jury and the judge's prejudice permitted the prosecution to attempt to link them with a score of robberies none of which was proved against them.

Another important fact discovered after the original trial but before the Supreme Court reviewed the case is this: the U. S. Weather Bureau reports show that for three days previous to the alleged "rape" it rained in Blytheville in sufficient amount so that the ditch, in which the two assailants were supposed to have pushed Bryant, would have been full of water. But Bryant never claimed that his clothes were soiled.

There is not a bit of evidence against these two innocent cotton pickers. Yet they will soon die unless their defense is broadened and the case is brought to the attention of great numbers of workers. A united front of the International Labor Defense, members of the National Association for the Advancement of the Colored People and Negro churches is carrying on the defense. All funds should be rushed to Box 1142, Little Rock, Ark.

Lynchings-1935

Rape; Alleged Attacks by Negroes.

Arizona.

5149

ARIZONA NEGRO HELD FOR ATTACK ON GIRL

PHOENIX, Ariz., 26—(AP)—Dan Reed, 34-year-old [illegible] Hugo, Okla., was [illegible] to the county jail here today for safekeeping after his capture near Roll, Ariz., for an alleged attack on an 11-year-old white girl.

Sheriff T. H. Newman, Yuma, hurried [illegible] with the prisoner when feeling began to run high and a crowd gathered at the jail.

Lynchings- 1935

Rape: Alleged Attacks by Negroes.

D.C.

5150

THREE FREED OF ATTACK CHARGE ON WHITE WOMAN

Girl Peddling Razor Blades Claims Men Criminally Assaulted Her

2-16-35

The United States government will not prosecute charges of rape of a white woman placed against three men of the District.

The rape case against Norman Peoples and John Swan of 1680 Eleventh Street, Northwest, and Benjamin Clark, 1023 Ninth Street, Northwest, was nolle prossed at request of a United States attorney in Justice Oscar R. Luhring's court ,Monday.

Norman Peoples ,who was represented by white counsel, was allowed to plead guilty to simple assault upon Nellie Conway, white. Swan and Clark were represented by the law firm of Morris and Sanders.

Testimony was brought out that the Conway woman went to the house of Swan on Eleventh Street, accompanied with two men who escaped soon after the alleged rape took place on December 3.

The woman who told police that she was from South Carolina, is alleged to have been a distributor of razor blades and went into the house where she was allegedly criminally assaulted by two men. The woman was taken to Gallinger Hospital. Within an hour after the occurrence took place, police arrested Peoples and Swan. Clark was arrested some days later.

Greensboro, N. C., News

June 27, 1935

ANOTHER EXHIBIT.

While the Wagner-Costigan anti-lynching bill, filibustered to death by a group of chivalrous southrons in the senate, accumulates dust in some Washington pigeon-hole, Mississippi comes forward with an exhibit, done in the leisurely sort of way which one would expect to characterize mid-summer amusements in Dixie, for inclusion in the records.

Friday night a negro who was charged with attacking a white girl, not criminally it was subsequently established, was seized by a mob, taken from his home around 11 o'clock. Subsequently brought before his alleged victim, he was identified, the press reports have it, by "his clothing," which, as the Daily News sees it, is about as unsatisfactory means, standing alone, of identification as any one could wish. Later he was reported to have confessed, although there must be the realization that a confession obtained under the duress which the mob applied would hardly stand up in any competent court of justice. But these details are merely incidental; it is the time element which holds the place of primacy.

The negro was kept all Friday night, carried from his home to the victim's home and then back to the woods in the meantime. The following morning he was transported to town, strung up and made a target for mobsters' bullets. During all this demonstration, the peregrinations about the countryside and the 10 hours or more for which the mob scene held forth, no officer knew anything about it and identity of the mobsters themselves remained the usual deep, dark secret. A coroner's jury met immediately after the negro's bullet riddled body was cut down and returned the wonted verdict that the lynchee met his death at the hands of unknown parties.

If that is an argument for the preservation of state sovereignty, somebody about the congressional premises has an outlook that is highly imaginative.

Lynchings-1935

Georgia

Rape; Alleged Attacks by Negroes.

5151

Negro Is Arrested On Assault Charge

SUMMERVILLE, Ga., Jan. 7 (AP)—Wilbur Murry, 35-year-old Negro was held in the Chattooga county jail today charged with criminal assault upon a young white woman near her home at Berrytown yesterday afternoon. The young woman came to Summerville and swore out a warrant for the Negro. Deputy Sheriff J. W. Alexander went to Berryton and brought the man to the county jail here.

NEGRO HELD IN JAIL CHARGED WITH ATTACK

SUMMERVILLE, Ga., Jan. 7.—(AP) Wilber Murry, 35-year-old negro, was held in the Chattooga county jail today charged with criminal assault upon a young white woman near her home at Berryton yesterday afternoon.

The young woman came to Summerville and swore out a warrant for the negro. Deputy Sheriff J. W. Alexander went to Berryton and brought the man to the county jail here.

WOMAN PREVENTS ATTACK BY NEGRO

Wife of Grady County Farmer Seizes Shot Gun and Holds Man for Sheriff

CAIRO, Ga., June 24.—An attempted criminal assault by a Negro upon the wife of a prominent Grady county farmer, residing near Cairo, and how the woman warded off the attempt and held her would-be assailant at bay until Sheriff E. O. Alligood arrived, was revealed late today by the officer who confirmed rumors that he was holding a 17-year-old Negro, giving the name of David Smith.

The alleged assault attempt was made late Sunday, but the news was suppressed by officers and members of the intended victim's family, who took precautions against possible mob violence. While there is no indication of any effort to do violence to the Negro, the sheriff declines to say whether his prisoner is in jail here or elsewhere. Alligood says the Negro has confessed fully to the assault attempt.

Employed on Farm

The Negro employed as a farm hand at the farm for about four months, had quarters in a small shack near the farm home. The woman told officers she was aroused from a late afternoon nap just in time to see the Negro enter her room unclothed. As he approached, she hurriedly seized a shotgun which was nearby and drove him out of the house. He then locked himself inside his shack.

Waiting for some opportunity to give an alarm, she kept close watch upon the shack, and threatened to shoot the Negro when he attempted to escape by way of a window.

A short time later, the woman says, she attracted passers-by on the road near the home and they promptly notified Sheriff Alligood, who experienced no difficulty in taking the Negro into custody.

Members of the woman's family returned later to find her little worse because of her fearful experience.

Sheriff Alligood says the Negro came here from Wetumpka, Ala., about four months ago. He will await the action of the grand jury at October superior court.

NEGRO HELD IN ATTACK PLACED IN FULTON JAIL

LEXINGTON, Ga., June 27.—(AP) A young negro suspected of severely beating Mrs. C. G. Goolsby, 74-year-old invalid, and her daughter, at their home in Madison county, was placed in the Fulton county jail today following threats of mob violence.

The mother and her daughter, Nettie, 49, were reported in serious condition at an Athens, hospital, with skull fractures, but physicians said neither had been attacked. Officers expressed the theory the case was inspired by a robbery motive.

A posse, including officers from Clarke, Madison and Oglethorpe counties, caught the negro while a large crowd gathered north of here yesterday and threatened violence for a time. Sheriff T. E. Watkins, of Oglethorpe county, named the suspect as Vennie Gains.

The two women had lived alone for years. The daughter also was an invalid.

Fulton county officers said the negro denied knowledge of the crime.

SECOND VICTIM OF ATTACK DIES

Mother and Daughter Succumb to Injuries Received in Home.

ATHENS, Ga., June 29.—(AP)—The second of two women who were severely beaten Wednesday morning by an intruder in their Madison county home was dead here today.

Miss Nettie Goolsby, 49, succumbed last night in a hospital to her injuries. Her mother, Mrs. C. G. Goolsby, a 74-year-old blind invalid, died earlier in the day. Both had fractured skulls.

A negro suspected of beating the women in what police said was a robbery attempt is in the Fulton county jail at Atlanta.

NEGRO CONVICTED IN ASSAULT CASE

Henry F. Barnes to Serve From One to Three Years for Attacking Negress

Harry F. Barnes, Negro, early last night was convicted of making a criminal assault on a young Negress by a superior court jury, which retired about mid-afternoon. The jury recommended mercy, and fixed his sentence at from one to three years. It would have been possible for the death sentence to have been imposed by the jury.

Barnes was represented by F. L. Clements, Grady Gillon and R. D. C. Campbell.

When the case was completed, trial of Elmer Balkcom, Negro, accused of assault with intent to murder, was begun, and evidence was being heard when court recessed for the day. Balkcom is represented by William M. West.

Wife Doesn't Prosecute

After the jury had been dismissed for the day, Judge W. A. McClellan received a plea of guilty in the case of Henry McCarthy, Negro, accused of assault with intent to murder his wife. Passing of sentence was delayed to give the Negro an opportunity to obtain $16.75 costs of forfeiting his bond when he failed to appear in court Monday morning.

Solicitor General Charles H. Garrett recommended that he be given a one-year term, and that the sentence be suspended. McCarthy's wife has declined to prosecute after making the original complaint, it developed.

Lynchings-1935

Illinois

5152

Rape: Alleged Attacks by Negroes.

INNOCENT RAPIST GIVES THANKS HE WAS NOT IN DIXIE

White Woman Later Says Suspect Not Guilty

6-14-35

CHICAGO—(ANP)—"I'm sure glad I was not down south with all this mess happening," gloated 24-year-old Junius Weathers Thursday afternoon, being held in the county jail pending the clearing up of false charges against him which had caused him to be held to the grand jury under bonds of $20,000.

"My name would have been mud," continued Weathers, "if all this had happened down at my home in Alabama. I remember about eight years ago, me and a boy named Ollie Smith, were returning from a fishing trip near Brewton when a mob of whites seized Ollie and accused him of doing something to a white woman. He hadn't done a thing because we had 'been fishin' all the time the thing was supposed to have happened. But just the same, they took him, the white woman identified him, and we never heard of Ollie after that.

"They would-a got me, too, but I saw them coming and sort o'hung back and when I saw how they were talking to Ollie I sneaked out of the way. We lost all track of Ollie after we heard the white woman had identified him. I never expected that I would be in the same fix with Ollie, but I'm mighty happy that I got my bad break in Chicago rather than down home."

Weathers was arrested after Lear LaPorte, a young white woman, had complained that early on the morning of May 18, she and a white companion had been held up near the White Sox baseball park by a colored man. She and her companion asserted that this man had forced them into a small park where the white man was forced to lie on the ground, guarded by another colored man who showed up, while the first man raped the woman.

Armed with the description given by the LaPorte woman, the white police (who always get busy where a white woman is involved) began combing the district to find a man fitting the LaPorte description. Weathers was arrested. Taken before the LaPorte woman and her companion, Angelo Morris, Weathers was identified by both of them. Morris made his identification so emphatic that even the white police became suspicious, suspecting that the white man might be trying to cover up something.

Weathers, however, after a preliminary hearing, was bound over to the grand jury under the heavy bond.

Two days later, the white woman called upon Lt. John F. Scott, colored commander at the Stanton Avenue police station, to explain to him that she had been wrong, that Weathers was not the man and asking what she might do to get him out of the trouble he was in.

Lt. Scott advised her to go to the state's attorney, in whose custody Weathers is while awaiting action of the grand jury.

ATTACKER IS INDICTED IN SLAYING OF GIRL

PEORIA, Ill., June 25.—(AP)—Gerald Thompson, 25-year-old toolmaker, who police said confessed attacks on more than a score of Peoria women, was indicted late today by the county grand jury for the murder of Miss Mildred M. Hallmark, 19-year-old cafe hostess.

6-26-35

Thompson, who was moved from Peoria by authorities because of possible mob violence after his arrest, remained hidden in another city as the grand jurors were told of Miss Hallmark's death.

Atlanta Ga.

The indictment contained 19 counts charging Thompson with her murder, and with other acts of violence he allegedly committed before the girl's almost nude body was left in a cemetery

Lynchings - 1935

Rape: Alleged Attacks by Negroes.

Indiana

5153

CONFESSES TO BRUTAL ATTACK ON WHITE GIRL

Recorder

3-9-35

Indianapolis.

Indiana

BULLETIN

In one of the speediest trials in Marion county in many years, Benjamin Gray 45, who confessed to an atrocious attack upon Miss Lavinia Storey, 19-year-old white hospital secretary Wednesday night, was given sentences totalling forty-one years in the Indiana State prison on his plea of guilty and, under heavy guard, spirited away to Michigan City to serve his term.

Grey was sentenced on three charges by Frank P. Baker, judge of Criminal court.

In pronouncing sentence Judge Baker said:

"Among the most regrettable things in this case is the fact that we have in this city a wonderful colored citizenship. Your act, Grey, hangs a measure of disgrace on them. No one will approve your sentence more than this respectable colored representation of Indianapolis."

Miss Storey is still in a critical condition at the City hospital. In event of her death Grey will be returned to stand trial for murder, Judge Baker said.

The end of one of the most outrageous careers in atrocious crimes, involving rape, attacks and murder of women was precipitated Wednesday night with the arrest in Plainfield of Benjamin Grey alias Carson Noel, in for the rape and attempted murder of Miss Lavinia Storey, nineteen-year-old white girl.

As the young girl lay critically ill with ice-pick wounds in her face and head at the City hospital, detectives were busy securing calm, cold-face confessions from Grey, that he had attacked and murdered two colored women under circumstances similar to his latest crime. Authorities believe other hitherto unsolved murder mysteries will be cleared up during their far-flung investigations.

Assaulted, Stabbed

Miss Storey, office secretary at the Marion County Tuberculosis hospital where she lived, was attacked at the home of her sister, Mrs. H. W. Alford, 6325 Central avenue, early Wednesday night. After being assaulted by Grey, he stabbed her in the face and head several times with the ice pick. It broke off leaving the shaft in her jaw. Believing her dead, Grey carried her limp form to the basement of the Alford home, packed his grip and left to go to St. Louis.

Upon regaining consciousness some time later, the girl dragged herself to the home of a next door neighbor who rushed her to the hospital.

Though weakened from loss of blood and hardly able to speak because the ice pick had been jammed through her mouth, piercing the tongue and lower jaw, the girl revealed the identity of her attacker.

Taxi Driver Gives Clue

Every resource of the police department was used in the hunt for Grey, known here as Noel. The local officers learned from a taxi driver that he had driven a man answering Noel's description to Plainfield. Police there arrested him as he awaited a bus for St. Louis. He was immediately returned here under heavy guard.

Grey readily and calmly admitted the assault. In a signed statement to detectives he said he had formerly been employed at Aurora Ind., by James Story, father of Miss Story. He came here Feb. 16, he said, being employed as houseman at the Alford home.

At his request, he said, Miss Story came to the house, there being no one else at home. After a meal which he prepared, Grey said, he suddenly seized the girl and assaulted her. Fearing exposure, he used the ice pick ,he said, to kill her.

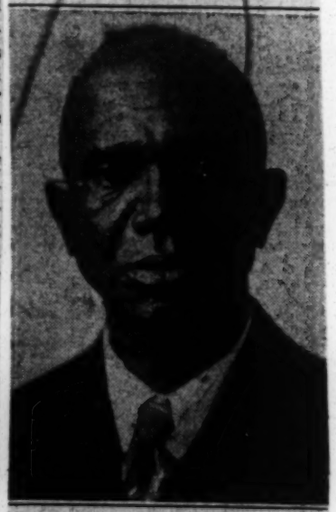
At police headquarters Grey said he served ten years of a life sentence for the murder of a colored woman, Daisy Williams, his common-law wife in Louisville, Ky., being paroled in 1930.

Murders Boy's Mother

Later he was identified by Thomas Irvin, 5837 North Pennsylvania street, as the man wanted in Graycy, Ky., for the murder of his mother, Mrs. Robnet Bowling, in January, 1932. Grey sai dhe killed her by hitting her over the head wit ha hammer.

He has one child, he said, his wife being dead. Police were amazed at the coolness with which Grey admitted his crimes. He changed his name after leaving Kentucky, he said. Mr. Alford said he was well satisfied with his services and he had impressed him as being highly intellectual and well educated. Detectives said he demonstrated at headquarters his ability to take shorthand with ease and rapidity.

Attacks Girl



BENJAMIN GREY
(Alias, Carson Noel)

Recorder

Above is shown Benjamin Grey, whose heinous attack upon a 19-year-old white girl jeopardized the safety of thousands of Indianapolis colored citizens, Wednesday.

Grey caught two hours after he had jabbed an ice pick four times into the face and head of the girl after she refused his advances, calmly admitted his crime and readily confessed to having murdered two colored women in Kentucky.

The rising tide of public indignation was prevented from reaching the point of violence by the action of authorities in bringing the maniac a speedy trial within seventeen hours and whisking him, under heavy guard, to Michigan City prison, 150 miles away, where he will serve a 41 year term.

Lynchings-1935.

Kentucky

5154

Rape: Alleged Attacks by Negroes.

Framed Negro Faces Death In Kentucky

Case Is Before Appeals Court—I. L. D. Urges Mass Pressure

CINCINNATI, Ohio, May 24.—John "Pete" Montjoy will be hanged in Kenton County, Kentucky, another victim of Southern white ruling class justice, unless mass pressure is immediately exerted to force the Kentucky Court of Appeals to set aside the decision of Judge Johnst Northcutt of Kenton County Circuit Court, the International Labor Defense warned today.

Judge Nothcutt has refused to grant a new trial to the Covington Negro youth who was recently convicted by an all-white jury on a trumped-up charge of rape preferred by Mrs. Irene Cummings, a white woman. Mrs. Cummings' charge was unsubstantiated, and she was not even made to submit to a medical examination after the alleged act.

Despite the ruling of the U. S. Supreme Court in the Scottsboro Case that systematic exclusion of Negroes from southern juries is unconstitutional and illegal, Judge Northcutt asserted that no meritorious ground for a new trial existed.

"The Kentucky Court of Appeals should be immediately deluged with telegrams and letters protesting this attempted legal lynching," the I. L. D. urged. Protests should be addressed to Judge Rogers Clay, Court of Appeals, Frankfort, Kentucky.

GIRLS KIDNAPED, SISTER REPORTS

Child Tells Mother Three Negroes Carried Off Pair in 'Big Black Sedan'

LOUISVILLE, Ky., Aug. 28 (AP).—Mrs. Charles North reported to police that three Negroes kidnaped two of her daughters, Catherine, 13, and Mildred, 10, tonight as they were coming home from a trip to a nearby grocery store.

Ann North, eight, who was accompanying her sisters, told her mother she got away when two of the Negroes got out of "a big black sedan" and seized the two older girls. She said the car headed from Southlawn subdivision, where the reported kidnaping took place, toward downtown Louisville.

The girls' father and mother are estranged, and North was not immediately located after the kidnaping report was received. He lives in the downtown section.

Ann told her mother the third Negro, driver of the car, waited at the wheel while his two companions seized Mildred and Catherine. She ran home at once, carrying a broom the youngsters had purchased at the store.

Department of justice agents were notified immediately and descriptions of the missing girls were radiocast to police in this vicinity.

Catherine was described as four feet tall, weighing 85 pounds, wearing a blue dress and having brown hair and blue eyes.

Mildred is three feet six inches tall, blue eyes, brown hair and was wearing a red-checked dress.

Two Girls Admit Story Is Untrue

Kidnaping Tale Used to Hide Misuse of Dollar

LOUISVILLE, Ky., Aug. 29. (AP)—Under police questioning, Catherine North, 13, and her sister Mildred, 10, admitted early today that their story of having been kidnaped by three Negroes was untrue.

Their sister, Adeline, 8, started a wide-spread police hunt last night when she tearfully reported to her mother that the two girls had been seized and carried away by Negroes in an automobile. The three sisters had been given a dollar and sent to a grocery to buy a broom.

Mildred and Catherine, after an hour and a half of coaxing by county patrolmen, said they had spent the money and gone to a park to spend the night. They came home when it got cold, while his two companions seized Mildred and Catherine. She ran home at once, carrying a broom the youngsters had purchased at the store.

Department of Justice agents were notified immediately and descriptions of the missing girls were radiocast to police in this vicinity.

Catherine was described as four feet tall, weighing 85 pounds, wearing a blue dress and having brown hair and blue eyes.

Mildred is three feet, six inches tall, blue eyes, brown hair, and was wearing a red checked dress.

'Kidnaped' Girls Back At Home, Admitting Hoax

LOUISVILLE, KY., Aug. 29.—(AP)—Back at their mother's home, Catherine North, 13, and her sister, Mildred, 10, said today they were "sorry" they had precipitated a six-hour hunt for them last night by their kidnaping tale.

Ninety minutes of questioning at county police headquarters early today unfolded the story that the girls spent 25 cents of $1 given them by their mother, Mrs. Charles D. North, to buy a broom, and then persuaded a younger sister, Adeline, 8, to tell they had been kidnaped by three negroes in an automobile.

The girls related that after Adeline ran home they went to Iroquois Park where they stayed on a bench until they became chilled and decided to return home shortly before 1 a.m.

The story caused a countywide search by city and county police and Department of Justice agents.

The girls' mother does house work. The father is on relief.

Although rueful, Catherine still was inclined to talk romantically of the adventure.

"Where were you last night?" she was asked.

"Some old men got me and took me out in the woods," was the prompt reply.

"Now, Catherine, tell the truth," she was urged.

"Well, we just spent the money and then I went to the park with Mildred," she said, "but I'm not going to do it any more. I had a dream the other night that somebody got me, and I guess that's the reason I told the story."

3 Negroes Kidnap 2 Louisville Girls

LOUISVILLE, KY., Aug. 28—(AP)—Mrs. Charles North reported to police that three negroes kidnaped two of her daughters, Catherine, 13, and Mildred, 10, tonight as they were coming home from a trip to a nearby grocery store.

Ann North, 8, who was accompanying her sisters, told her mother she got away when two of the negroes got out of "a big black sedan" and seized the two older girls. She said the car headed from Southlawn subdivision, where the reported kidnaping took place, toward downtown Louisville.

The girls' father and mother are estranged, and North was not immediately located after the kidnaping report was received. He lives in the downtown section.

Ann told her mother the third negro, driver of the car, waited at the wheel

Lynchings-1935

Rape: Alleged Attacks by Negroes.

Louisiana.

5155

EXTRA

Negro Held In Frame-up

(Special to the Daily Worker)

NEW ORLEANS, La., April 10.—Edward Sanford, Negro, arrested early on the morning of April 2 charged with attacking an "unnamed white woman," has been held incommunicado ever since.

The International Labor Defense has information that Sanford was beaten almost to death to obtain a confession which officials claim he made. No woman has been named in the case.

Sanford's wife has been refused permission to see him. His family is being terrorized. An attorney sent by the International Labor Defense with a woman from the family was also refused permission to see Sanford and told by prison officials to "get the hell away."

After more than a week Sanford is still denied arraignment or preliminary hearing, the authorities evidently having no evidence. The New Orleans District I.L.D. has issued leaflets calling for mass protest against the brutal treatment and danger of murder of Sanford. Protest telegrams should be sent to Sheriff Frank J. Clancy, Gretna, La.

WOMAN INVESTIGATOR GETS REAL "LOW DOWN" ON NEAR MURDER OF LOUISIANAN

News From Scene of Brutal Crime Patiently Doctored to Help Carry on Overworked "Attack" Propoganda

EDITOR'S NOTE: Two stories are here published with regard to the near-lynching of Adam Avie at Ville Platte, Louisiana on July 2. The first is by the Associated Press and is the usual "doctored on" account. The other is the "real low down" account of just about as brutal an attempt to take an innocent man's life as has ever come out of the deep South. The Associated Press story is the usual frail, and indifferently recorded account of an affair where a Negro's life is at stake, always accepted and published, though coming from biased news reporters. The other is the unvarnished truth so plain and plausable that it horrifies one to think of a great news gathering agency like the Associated Press sttempting to palm off on its public the story of this affair that was published in daily papers of July 5. Both stories are as follows:

THE FRAIL STORY

Ville Platte, La., July 4.—(AP)—Adam Avie, Negro, was free today of a charge of assault on a white townswoman after he had been severely thrashed by a mob which spirited him away from the local jail late Tuesday. He had first been reported lynched.

Sheriff Charles Picou lifted the cloud of mystery as to the Negro's whereabouts when he announced Avie was alive, present in Ville Platte and free of the assault charge.

The sheriff said the mob, reported to have numbered about 12 persons when it smashed the lock of the jail, beat Avie but that the Negro was not fatally hurt.

No participants of the mob have been arrested.

Feeling ran high in Ville Platte after the white woman reported she had been attacked, though citizens and officials were reticent over the affair until Sheriff Picou announced Avie's release today.

TRUE STORY

New Orleans, La.—The statement accredited to Sheriff Charles Picou of Evangeline Parish, scene of Louisiana's latest lynching, that Adam Joseph, mob victim, was alive, "safe, and sound and at liberty", was discovered to be anything but true by persons to whom Joseph appealed for aid and who made an investigation of the attempted murder.

Miss Ann Miller, secretary of the New Orleans branch of the International Labor Defense, with headquarter at 435 Carondelet St., went to Ville Platte Thursday, July 11, and interviewed numerous residents in an effort to check up on Joseph's recital of events leading up to the attack of the mob, and the attack itself.

Her investigation disclosed that Adam Joseph, or Avie, as he is commonly known, the last name being a Creole corruption of the name Joseph, was born and reared in Ville Platte, having played as a child with most of the men who later sought to kill him and who thought he was dead when his almost lifeless body was left in a dusty road on the night of July 2. He is 37 years old, and the father of six children, all but one of whom live with Joseph's brother in Opelousas. His wife, one child and Joseph were tenants on the plantation of Mrs. P. M. Reed, boarding house operator, where Joseph was employed over a period of twelve years, as general handy man.

When interviewed by Miss Miller, Mrs. Reed said that during the last days in June she had sent Joseph to the wood yard of Otley Deville, whose family have run a lumber yard in Ville Platte for many years, with instructions to buy a load of wood and to say that payment would be made the following Saturday. This was on Monday, and Deville agreed to allow her the week's credit. Much to her surprise Deville appeared at her home Tuesday saying that he wanted either his money or his wood, and she told him that the money would be paid him Saturday as per his agreement with Joseph the day before. Here, according to Miss Miller, Mrs. Reed paused to say that Deville was considered mentally abnormal by the entire community, and remembering this, she thought no more of his demand for money or wood. Later she looked out of a window and saw him loading the wood to haul it away.

In the process of loading the wood for removal from the Reed yard, Joseph stated that he advised Deville not to remove it, as Mrs. Reed had been a good customer for many years, and that she would not continue to trade with him if he followed the course he was then taking. Deville angrily told him to "shut up", saying further that it was not "for a nigger to tell me anything." Joseph nor Mrs. Reed had any thought that the incident was not ended, and the following days brought no indication that trouble was brewing.

Wife Enters Story

But there enters the "reason" for the mob attack. Otley Deville has a young wife who is left much alone because of the nature of her husband's business. The community, so Miss Miller was told, has long felt that a friendship between her and Loren Soileau, town n'er-do-well, was not platonic, knowing that he frequented her home generally when Deville was attending to the sale of wood. Joseph related that often when Mrs. Reed sent him to the Deville home he found Soileau there.

Following the removal of the wood from the Reed yard by Deville, he is said to have gone to his home, and finding Soileau there related the incident involving Mrs. Reed and began to curse Joseph for his part in the affair. Soileau is reported to have said, "a guy like that ought to be lynched". Upon Soileau's departure from the Deville home, rumors began to circulate that not only had Joseph insulted Deville, but had also insulted his wife.

Arrested

Some ten or twelve days later, Sunday, June 30, Deville went to the Chief of Police Chack Reed, and ordered the arrest of Joseph, making no charges. When Reed asked why the arrest was being made then instead of when the alleged insult had been offered, he was told by Deville, "I thought the story was true but I waited this long to be sure." Joseph was arrested and placed, not in the parish jail, but in a room adjoining the jail proper, access to which was gained by an ordinary key. Mrs. Reed, Joseph's employer, came to the jail and tried to effect his release. This failing, she called on the wife of Deville, questioning her as to when Joseph had insulted her. She told Miss Miller that the woman refused to answer any of her questions, but became very confused in manner and soon began crying, not ceasing as long as

Mrs. Reed was there.

Tuesday night, as Joseph lay in the room alone, a mob of 25 or 30 men broke in the flimsy door, confronted him and demanded that he admit insulting Deville's wife. Shirley Peete, another Negro, was the only prisoner in the jail, and as the jail itself was not entered, he was not molested. No officer was anywhere near the building, according to Joseph, although Chief Reed had said Joseph was being held for safe-keeping. Joseph said he told them he had not insulted her, but was told, "We will get the truth out of you." The ring-leaders seized him, bound his hands and feet, carried him out of the room and threw him into one of the two cars and a truck in which the mob was riding. Joseph said he recognized most of the men.

He said they drove about five or six miles out of town where the cavalcade stopped. He was thrown on the ground, face down, and someone shot him in the lower part of the back. A rope was in the hands of the men, and the recognized leader, Fredinan Deville, insisted that Joseph be strung up. (Deville's leadership was attested to by many persons who had been invited to participate in the lynching, but who had declined, according to Miss Miller who interviewed several). But one man said, "No, let's just beat him", and following much controversy it was decided that each man present would give Joseph ten lashes. Joseph does not know how long he was beaten, because as the lashing continued he lapsed into insensibility.

Left for Dead

Seeing that there was no movement of the bloody, torn body of Joseph, the mob left him in the road, still bound, and dispersed. The next morning as the Negro chauffeur of Dr. Attaway was driving along the road he saw the body, recognized Joseph, and took him into the car, hurrying at once to the residence of his employer. Other members of Dr. Attaway's clinic treated Joseph's wounds, and the chauffeur was given permission to keep the injured man on the premises.

In the meantime, friends of Joseph's heard that he was still alive, but in great pain. Under cover of night they went to him, gave him $3.50 for train fare and the address of the New Orleans branch of the International Labor Defense, and sent him to that organization, at whose office he arrived at 9:00 A. M. Friday, July 5.

—Louisiana Weekly.

Lynchings - 1935

Rape: Alleged Attacks by Negroes

Mississippi.

5156

Confesses Attack

JACKSON, Miss., Feb. 23.—(AP)—A man booked as Charles Lee Trigg, 24, a negro, was in jail here today after officers said he confessed he attacked a 12-year-old negro girl and then strangled her to death.

Mississippi Negro Held For Attack On Woman

3-12-35

GULFPORT, MISS., March 12.—(AP)—Will Nelson, 30, a Wiggins, Miss., negro, was under heavy guard in the Harrison County jail here today following announcement by Dist. Atty. Rod Cowen that he had confessed to an attempted criminal attack on Mrs. C. L. Ford, also of Wiggins.

Tupelo Negro Identified As Woman's Assailant

TUPELO, MISS., April 9.—(AP)—Tupelo was quiet tonight and there was no fear of disturbance as Jessie Freeman, 25-year-old Lee County negro, charged with an alleged attempted attack on a young Tupelo white woman, sat imprisoned behind the bars in the local jail.

Charles B. Hutchins, county attorney for Lee County said today he would ask the Circuit Court to sentence Freeman to death by hanging when the court convenes here in May.

Officers said the woman, after failing to identify several negroes as her assailant, identified Freeman twice, once yesterday and again today, as the man who had attempted to attack her with a pick pick behind her barn yesterday.

Another Black Man Slated "For The Works" In Miss.

GULFPORT, Miss., Mar. 21.—(ANP)—Fresh from a lynching at Slayden last week, Mississippi turns its attention to this city and to Will Nelson, 30, accused of attempted criminal assault on Mrs. C. L. Ford, a white storekeeper of Wiggins, last Friday.

In Harrison county jail, Nelson is lodged behind the bars in "safety." A posse of more than fifty armed white men placed him there.

Nelson was supposed to have entered the woman's store and to have made an offer for a second-hand refrigerator she had for sale and then when they entered the kitchen where the article was, he seized her and attempted to assault her.

He was said to have shot at her three times after he had taken the pistol she had grabbed, away from her.

To this story, Nelson, according to authorities and members of the "posse" which hunted him down, is supposed to have confessed. He is being held without bond to the Stone county grand jury.

NEGRO HELD IN ATTACK

Kept In Unnamed Jail After Girl Is Molested

WINONA, Miss., Dec. 2.—(AP)—J. T. Wilson, city marshal, said an unnamed negro was held in an unannounced jail today in connection with the attack on a 16-year-old school girl Saturday night.

He said a negro held up the young woman's mule escort and then attacked her. The suspect was arrested Sunday morning.

A large crowd gathered at the city jail but dispersed when told the negro had been transferred to another jail.

Wilson said the negro in custody protested innocence but admitted he knew who attacked the girl.

Governor's 'Court Of Mercy' Finds Innocent Man In Prison

Mississippi Negro Serves 14 Years For Assault He Didn't Commit

PARCHMAN, MISS., March 26.—(AP)—Gov. Sennett Conner's unique "court of mercy" today heard the clemency plea of a negro convict who has been confined in the Mississippi Penitentiary here for 15 years although it has been known for the last 14 years that he was innocent.

The negro was John Randolph, 39, of Lowndes County, who was given a life sentence after he pleaded guilty to a charge of attacking an 11-year-old negro girl.

3-27-35

The negro said he made the plea on the advice of his lawyer, who was appointed by the court, when he was told he might be sentenced to death if he went to trial.

Justice of the Peace R. B. Smith, who lives eight miles south of the penitentiary, said the negro had been arraigned before him but that he was convinced of his innocence 14 years ago.

"Did you ever call that to the attention of the Governor?" the chief executive asked.

"No, sir," Justice Smith replied.

The justice of the peace said he became convinced of Randolph's innocence when he discovered that the negro woman had preferred charges against him also had preferred charges, at various times, against two other men for attacking the same girl.

"This is a horrible thing to think about," Gov. Conner remarked.

The Governor held his second "mercy court" today for convicts who have been confined in the penitentiary for more than 10 years. A secretary is taking notes of the men's pleas and the Governor will study them on his return to Jackson before making recommendations.

One convict today, John Smith, of Coahoma County, told the Governor he didn't want to go out into the "free world."

"If it is just the same with you, Governor, I do not want a pardon," he said.

A number of negroes, most of them serving life sentence for murder, made impassioned and often humorous direct appeals to the Governor.

Bill "Crackling" Jones, of Smith County, serving a long term for shooting and wounding, said he would rather be free and taking care of his mother-in-law than staying in prison.

Charlie Smith, sentenced in Leflore County in 1918, said he shot and killed a man "over a woman."

"I don't feel like I ought to be here," he said. "That's my idea. He started the racket. If it came up again, however, I'd run. I didn't have sense enough then."

The Governor indicated today that he would temporarily end the "court" after hearing the pleas of 75 convicts because of a press of business in the capital. He declared, however, that he would return later to hear other cases.

GOOSE CREEK, TEX.
SUN

Lynchings

JUN 22 1935

NEGRO IS LYNCHED AFTER CONFESSING ATTACK ON CHILD

200 Mississippi Men Avenge Young Farm Girl

WIGGINS, Miss., June 22.—(U.P.)—A mob of 200 white men lynched a negro here today after he allegedly confessed to an attack upon the 11-year-old daughter of a white farmer.

The victim was R. D. McGee.

The mob found the negro at his home here after an all-night search and carried him in an automobile into the country where he was hanged to a tree.

Sheriff J. A. Simpson arrived on the scene as the lynchers were leaving. He said he did not recognize any of them.

"There were about 200 men in automobiles", said the sheriff. "When I got there, the body was hanging from a tree and the lynchers were driving away".

"I don't believe there will be any investigation", the officer said.

McGee, he said, confessed the assault before he died.

Lynchings - 1935

Missouri

5157

Rape: Alleged attack by Negro

Negro To Be Hanged

KENNETT, Mo., Aug. 15.—(AP)—C. D. Ward, Negro, is scheduled to be hanged tomorrow morning for assaulting two women near Malden, Mo.

Ward, who denied the charges during his trial in 1933, and since then had asserted he was innocent, confessed the crime for which he is to be executed, Sheriff Tom Donaldson said last night.

Ward, the sheriff observed, seemed relieved by his confession and exclaimed after he finished he had "made his peace with God, and would be saved."

Lynchings-1935
Rape: Alleged Attacks by Negroes.
6

New York.

5158

PORT CHESTER, N. Y.
ITEM

NOV 13 1935

The Sane Viewpoint

A YOUNG student nurse, a white girl, was criminally attacked by a Negro youth on a lonely Port Chester highway the other evening.

The offender, if convicted, should be mercilessly punished. The crime is one of the most abhorrent of which any man is capable.

But the punishment should be no more severe because the man is a Negro than it would be if he were white.

Degenerate tendencies are not confined to men of any one race. Right here in Port Chester we have had just as revolting crimes committed by white men.

Nor should there be any disposition on anyone's part to penalize all Negroes because of this despicable act committed by one member of their race. Most Negro residents of Port Chester are God-fearing, law-abiding, respectable citizens. The proportion of malefactors to the whole number of Negro folks in Port Chester is no greater, in our opinion, than the proportion of the number of disreputable whites to the whole number of whites—when one considers that, even here in Port Chester, far north of the Mason-Dixon Line, there is an official disposition, at times, to pounce on and punish colored folks for law infractions which we are inclined to condone among the whites.

We have no race problem in Port Chester.

We will have none if we wait for the Negroes to create it.

We white folks should keep our own heads cool, guard our own tongues—and bear always in mind that America guarantees all men equal justice under the law.

That is why, if you wondered after having heard excited gossiping on street corners, you did not find a great sensational story on the first page of yesterday's Daily Item about the young nurse's unhappy experience.

Lynchings–1935
Rape: Alleged Attacks by Negroes.

North Carolina

5159

5159

Carolina Court Orders Negro Put to Death

Defense Witnesses Not Called to Stand—Man Railroaded by Jury

WENTWORTH, N. C., Aug. 10.—An all-white jury yesterday returned a sentence of death against George France, 35-year old Negro farm hand, charged with attempted assault on a white woman.

France had no legal defense whatever as his state-appointed defense attorney refused to either call defense witnesses or to cross-examine the prosecution witnesses.

Sentence of death was immediately passed upon the Negro laborer by Judge J. A. Rousseau who, in his haste to rush the worker to his death, ignored the customary procedure of allowing passage of a few days between the return of a death verdict and passing of sentence. The judge also allowed less than three weeks for the possible organization of defense by friends or relatives of the worker. He ordered France put to death by lethal gas at the State's Prison, Raleigh, on Sept. 27.

HUNT ATTACKER OF SMALL GIRL

Negro Farm Hand Sought for Attempted Assault on Girl Near Lumberton.

LUMBERTON, Aug. 10.—Feeling was running high here today over an attempted criminal assault on a four-year-old girl whose parents live near Lumberton on the Fairmont road, by Jim Watson, negro farm hand about 35 years old. Details of the attempted assault two weeks ago were revealed by the child today to her father. Her brother, armed with two pistols, attempted to guard a tenant house in which the negro was staying until his father could come to Lumberton and get officers. Young Bruton shot at Watson five times, he reported, as the negro ran out through a corn field. Blood hounds were put on the trail, but the negroe's arrest had not been effected tonight. Shriff Mark Page and members of his force emphatically denied rumors that the negro had been taken and spirited out of the county.

SENTENCED TO DIE

WENTWORTH, N.C., Aug. 10.
George France, negro, was convicted of criminal assault upon an elderly Rockingham county white woman in superior court here today and was sentenced to die on September 27.

Constitution, Atlanta, Ga.
8-11-35

New York World Telegram

SEP 4 1935

HUNT NEGRO IN SWAMPS

Bloodhounds Take Trail After Alleged Attack on Girl.

By the Associated Press.

CREEDMOOR, N. C., Sept. 4.—Granville County officers and scores of citizens, aided by bloodhounds, searched swamplands today for John Kinghan, elderly Negro charged with attacking the 12-year-old daughter of Bryant Peed.

Officers scouted reports of a possible lynching which caused Governor Ehringhaus to order a company of State highway patrolmen to the scene.

CAROLINA NEGRO HELD IN ATTACK ON GIRL

RALEIGH, N. C., Sept. 4.—(AP)—John Kingham, negro, charged with attacking a 12-year-old white girl, was brought to Central prison this afternoon by state highway patrolmen.

Captain C. D. Farmer, of the highway patrol said Kingham was taken near Butner, a small town several miles north of Greedmoor. It had been thought he was surrounded in a swamp near where he is alleged to have attacked a daughter of Bryant Peed, of Creedmoor.

The negro denied he was guilty, Captain Farmer said.

Girl Identifies Man She Saw In Dark

Belvie Dispatch
10-5-35
Carolina Pen

WINSTON-SALEM, N. C., Sept. 31.—(ANP)—On the testimony of a 14-year-old white girl, Willie Taylor, 21-year-old youth was held here Thursday charged with burglary in the first degree and attempted criminal assault, both of which carry capital punishment, Tuesday morning when he was positively identified as the man who under darkness of night entered the room in which she was sleeping and attempted to attack her, only to be frightened off by her screams.

Taylor was arrested charged year-old white farm girl Monday and was also charged with attempting to assault Miss Edna Dodson, with the crime involving the 14-a 23-year-old white woman. Miss She only saw a shadow.

Audrey Farmer, 14-year-old las-Dodson declared that she could not identify him as the man who entered her room Sunday night because there was not sufficient light. sie, however, was positive in her identification and further told the officers that she kicked the assailant in the chest as he bent over her and drove him from the room with a chair. Taylor has denied knowing anything about either case and apparently his life hangs on the testimony of the Farmer girl.

Lynchings-1935
Rape: Alleged Attacks by Negroes.

Oklahoma

5160

RAPE CHARGE AGAINST MILLER DISMISSED BY MUSKOGEE JUDGE

N. A. A. C. P. VICTORIOUS IN DEFENSE OF BELL BOY HELD ON FRAME-UP CHARGES OF WHITE PROSTITUTE

Hotel Places Defendant Back On Pay Roll

MUSKOGEE, Okla., Sept. 9.—Charlie Miller, Muskogee hotel porter, who has been held in the county jail at Muskogee for six months following his arrest and trial on a charge of rape on a white girl, was unconditionally released on September 5 on motion of the assistant county attorney, J. F. Beavers, and by an order signed by the Honorable Enloe V. Vernor, district judge.

Miller's release marks the end of a persistent fight waged by the Muskogee N. A. A. C. P., headed by C. E. Robertson attorney for Miller, and J. J. Simmons, Jr.

Miller was tried on May 24 on a charge of rape. Counsel was employed by the Muskogee N. A. A. C. P. because of the belief that Miller was the victim of a frame-up.

His trial attracted wide attention because of a motion filed to quash the panel of jury on the ground that Negroes were excluded therefrom. His trial resulted in a hung jury of 8 to 4 for acquittal. Since that time C. E. Robertson and J. J. Simmons, Jr., have persistently pleaded with the assistant county attorney to dismiss the case against Miller, and finally Judge Beavers presented a motion and order to Judge Vernon who promptly signed the order for Miller's release.

Miller's white employer at the hotel where the alleged attack occurred immediately called Miller back to work and now he is making a livelihood for his wife and three children and is none the worse for his long confinement.

Lynchings - 1935

Virginia.

Rape: Alleged Attacks by Negroes.

5161

Inter-Racial Social Condition Was Background of Famous Clifton Forge Killings.

By Josephus Simpson

(Written Exclusively for The Richmond Planet)

So much has been said and written about the celebrated 'Phillips Jones Case', which was tried in Fincastle recently, that it will be a rather hard matter for the gentle reader to get the record straight. Then, too, there is the ever-present string of facts underlying all cases of this nature. The "Jones Case" was no exception. This writer will, therefore, attempt to give to readers of this paper a fleeting glimpse behind the scenes of the Jones trial.

The writer's impressions, as set forth in this article, as well as the facts stated herein, have never been published in the daily press nor have they been given vent to in open court. The true story of this celebrated case may never be known, but I shall attempt in this article to give you, dear reader, the impressions gained by me as a result of my attendance upon the trial and my discussion of the case with court officials and with various residents of Clifton Forge, including the Scotch-Irish mayor of that little town.

First, let us shatter the theory that Jones, his wife, or any of the other principals in the case were ever in any danger of being lynched. A band of men had been organized by the mayor of Clifton Forge by early night, after the children's disappearance, to search for them. The word having leaked out all over town that the Hill children were missing after going to Jones' home in the afternoon and that a searching party had been formed to hunt for them, crowds of young men and boys followed the searching party. This was not a mob, per se, but a potential mob; which fact was recognized by those in charge of the search.

These people at the time were only what might be termed a curious throng of between 75 and 100 people scattered about on the road leading from Clifton Forge to the Scott Farm, where Jones lived. There was no danger of their harming anyone at the time, it is reported, but the mayor's action in ordering that the prisoners when arrested be not taken to the jail but to his home, after he had found blood in Jones' home, was based upon the potential damage such a crowd could do if the children were found harmed. As a result of the mayor's orders, all of the prisoners were carried to his own home, except Jones' wife, who was carried to the court house upon her arrest.

Another startling but unpublished fact, one unknown to all except a few people, is that it was known that the Hill children were dead before any of the prisoners were taken from Clifton Forge to Roanoke. It was only through a ruse that the milling crowd was kept in ignorance of this important fact. After the bodies were located, the searching party was sent in an opposite direction from that in which the bodies had been located, in order to give officials time to spirit the prisoners out of town before the crowd learned the truth of what had happened. Not more than three men knew of this. Police officers did not know that the bodies had been found when they started to Roanoke with their prisoners, nor did members of the searching party know that they were looking for children whom it was known were already dead and had already been found. Had it been known generally that this was the case, it is hardly probable that Jones or any of the other prisoners would have lived to stand trial. The man who was responsible for this ruse was a high official who is well known, but whose identity must forever remain a mystery for this sake of his own skin—at least until his death or until all danger has been passed. Were he known, if he did not lose his life physically he would certainly be a suicide politically.

When the bodies of the children were first located preparations were immediately made to spirit the prisoners, who had been captured, out of town and as soon as the last prisoner in any way remotely connected with the crime had been located and whisked away, the searching party was "accidentally" led to the scene where the bodies were found. Finding that the prisoners had been removed to a distant city, a group of young men and boys gave vent to their feelings by firing the Jones cabin. Incidentally, they would have in all probability fired Jones too if they could have gotten their hands on him. But Jones, thanks to the foresightedness of Clifton Forge's cooler-headed citizens, was at that time near the city of Roanoke and safety. The scene of the crime was known to a precious few long before 3 o'clock, but the bodies were not located by the searching party until 3:55.

Throughout the long drawn-out trial no motive has as yet been established for Jones' alleged act. It is inconceivable that Jones would have murdered these children, with whom he had always been friendly, without some reason, even though intoxicated. To the untrained mind it might seem on the surface reasonable enough to say that Jones committed the crime because he wanted to commit rape, but to those who have a knowledge of psychology it is patently evident that there is something lacking, in view of the obvious fact that, according to the testimony of witnesses, considered competent, there was no evidence of a struggle at the scene of the crime nor had either of the children been roughly handled, as if they had been dragged to the scene.

Whether it was intentional on his part or not the writer cannot say, but T. Warren Messick, counsel for Jones, established a perfectly logical motive for the crime in his cross-examination of commonwealth witnesses. Mr. Messick established the fact that Jones was not only friendly, even intimate, with the Hill children but with other white girls, some about the same age and some much older white girls. One white woman, 30 years old, admitted that she had gone to Jones' home on several occasions and that he had given her fruit as well as held a conversation with her. It was further brought out in cross-examination by defense counsel that Jones had not only been good to the girls, six or eight of whom were at his house on the day of the killing, but had kept in the good graces of the white boys also.

The logical conclusion of the whole matter, in this writer's opinion is that Jones had compromised himself. Incensed and driven to utter distraction by the situation in which he found himself, it was perfectly natural for Jones to attempt to stop up the source of evidence against him. He knew it meant death to let the child live, but by silencing her he might escape. Terrified at Jones' action the older girl, who was about Jones' height but rather slight of build, would have naturally told her father of Jones' act, probably giving voice to such intentions. Jones attempted to seal the book of evidence against him by putting them both out of the way, and in attempting to retrieve the "tell-tale" gun, bent and blood-spattered, from the bushes where he had thrown it in desperation, after having time to collect his thoughts, was shot in the right leg.

There may be some who doubt that Jones is guilty of the crime with which he was charged, but there is little doubt in the writer's mind that Jones actually committed the crime. He does not believe however that the true story has been or ever will be told in court. There is some doubt in the writer's mind that Jones voluntarily made the confession admitted to record by Judge Haden, but there are certain statements contained therein attributed to Jones that the writer believes were actually made by him, forced out by fear. For instance, Jones' story as to how he was shot sounded perfectly logical, and in fact, is about the only conclusion, one could possibly draw in the circumstances.

The Jones case should prove a valuable one to black men in this state, in view of the obvious guilt of the accused, in that, if it is possible the National Association for the Advancement of Colored People, or some other interested body, is muffing its chances if it does not appeal the case of Jones on the issue of a faulty indictment or an improperly drawn petit jury. It is in such cases as these that such questions can be raised without jeopardizing the life of the accused. Jones has already been sentenced to death and an appeal in his case, on the jury issue, resulting in a new trial, would have a profound and lasting effect on Virginia jurisprudence.

Whether J. Byron Hopkins, observer for the N. A. A. C. P., was in error in refusing to testify to the fact that Jones and his wife told him of threats made against their lives to wring confessions from them is a matter of question, but the fact remains that the prosecution charged in its testimony that no mention of threats had been made by Jones or wife until shortly before the trial began. Mr. Hopkins' testimony would have refuted this contention of the prosecution. The story about the white man, Hyler, was too fantastic to even mention.

It might be interesting to my readers to know that conditions between white and black in Clifton Forge are somewhat different in many respects from those existing in other parts of the state. It is true that some conditions are similar, but on the whole conditions are radically different. The younger whites there are not afraid of being contaminated by their association with blacks nor are they filled with the rank prejudice found in many other sections of Virginia. It is only the die-hards of the Putnam type who keep alive the fires of race prejudice in that section.

This writer's investigations lead him to believe that Jones' home was a rendezvous of the younger element of Clifton Forge, especially the white group. The frequent visits made to the home by numerous white boys and girls gives added weight to the contention that Jones' home was no more than a trysting place for the lower element of whites and the black and tans. There are some whites in Clifton Forge who know these facts, but with whom "mum" is the word.

The only significant fact that would cast any doubt upon the contention that Jones himself was the perpetrator of the crime in question are certain pertinent facts brought out in the cross examination of state's witnesses by Attorney Messick. The fact that Jones' cabin only contained three rooms, two down and one up, and that this group of boys and girls remained at the house for a considerable time, talking with Jones, his wife and the [illegible] girl without once seeing the older girl, and on asking about her was told by the younger child that she was in the house, would naturally give rise to the question: Where was the older girl during all this time. Not being in the kitchen with Jones, his wife and the smaller child, it stands to reason that she was in the bedroom, either upstairs or down, two of the rooms in the house being bedrooms and the other a kitchen and would raise some question as to what she could have been engaged in that would have so completely occupied her attention as to keep her from greeting her friends, whom she was bound to have heard if she was in the house. This line of reasoning, in

the writer's opinion, raises a hypothetical question that will probably never be answered.

Proof of the fact that race relations are different in Clifton Forge than in many other parts of the state, is found in the fact that Dr. S. G. Gibbs, a colored physician-surgeon, who first treated Jones for gunshot wounds, has a large practice in the town of Clifton Forge and its environs, two-thirds of which practice is among white citizens of the place. He is highly respected by both white and black citizens of the town, but admitted to this writer that the Jones Case had hurt his practice for a while, but that it was gradually coming back to him.

The group of young men may have had more than one reason for firing Jones' cabin. It could have been that they were motivated to burning the cabin by a hostile feeling against Jones and it might have been that they were motivated by fear of what the officers might find in the humble cabin. If by some twist of fate that cabin was gifted with the power of speech, from what the officers might find in the humble cabin. If by some twist of fate that cabin was gifted with the power of speech, from what this writer has learned, there would be many broken and aching hearts and probably a few suicides in Clifton Forge as a result of what it would tell. It appears that Jones furnished a trysting place for numerous youngsters in Clifton Forge, but lacked the knowledge to make any money out of the game.

As to Jones' plea of insanity, in spite of the fact that men more nearly sane than Jones have been sent to state institutions for lunatics and the further fact that men more nearly insane than Jones have been sent to the chair or given life terms, the writer believes Jones sane within the meaning of the law. It does not seem reasonable, in spite of testimony to the contrary, that Jones would have enjoyed the reputation he did in Clifton Forge among white people, who permitted their children to associate with him, if he had been subject to violent fits twice a month or had shown any violent signs of insanity. Jones impressed the writer as being illiterate, naturally dumb, but very cunningly clever. He has done so many cunning tricks for his friends, probably, that he had learned the art himself.

Both Jones and his wife named commonwealth's attorney M. J. Putnam, of Clifton Forge, as the ring-leader in the attempt to wring confessions from them. This the writer believes to be true, in view of the attorney's attitude generally, but we cannot agree with some who would indict the whole population of Clifton Forge of rank race prejudice because of the attitude of this one man. There are others like Mr. Putnam, it is true, but on the whole the whites in the town of Clifton Forge are exceedingly friendly with their black neighbors.

The celebrated "Phillip Jones" case is probably ended for all time, as far as the courts are concerned, but the question of how these children were killed, why they were killed, who was the rapist, if any, where Alice was and what she was doing when her friends called at the Jones home, what part the mystery man "Hy-lee" played in the tragedy, are unsolved questions that will remain for the gods of time to supply the answers.

Negro Did Not Attack Woman

Planet
12-7-33
Richmond, Va.

A Scottsboro tragedy in miniature seemed destined for Petersburg in the arrest of Sterling Mattox on the complaint of a white woman, that he attempted to criminally assault her, but her tale was so strange that Commonwealth's attorney Chas. H. Pollard, asked for a further investigation, and Police Justice Edwin F. Clemments readily concurred.

What the Woman Said

The woman, Mrs. P. T. Barrow, swore that Mattox came to her home Saturday night, Nov. 23rd and knocked at her door, saying that her husband had sent him to deliver some coal. When he was admitted he had no coal but forced entry into her bedroom and took a purse containing $17.50 from under her pillow and announced his intention of raping her 14-year-old daughter. She finally dissuaded him by telling him the age of the child. He then attempted to rape her. This she said, was done in the presence of her 14-year-old daughter and a 15-year-old son.

What the Man Said

Mattox denied the woman's accusations and said the woman whom he had been knowing for sometime, in whose neigbhorhood he lived, and to whose home he had frequently carried packages and messages for her husband, called him as he was passing and asked him to come into the house that she might speak to him. She was drunk, and talking very excitedly, asked him to go with her to get bail for her husband, who had just been arrested. She was sitting on the bedside and as he told her he positively would not go with her to the Police Station to bail her husband, she caught him by the sleeve and asked him to sit on the bed beside her that she might persuade him to go with her to get the bail. He then told her the reason he would not go was because she was so drunk that she would get locked up, too, and walked out of the house.

What the Police Said

The arresting officer said that Mattox was sober when arrested (the woman had said that he was drunk) and seemed to have registered genuine surprise. He swore that the woman was drunk as Mattox said. His testimony also showed that to enter the house from the front door, you would enter the bedroom, and there was no evidence of the terrific struggle which the woman said took place, nor was anyone found who had heard any outcries. He further said that the woman's husband had been arrested, and had sent to her for bail. There was no evidence that Mattox could know this unless informed by the woman as he had said.

What the Judge Wants to Know

Mattox was not represented by counsel, but Mrs. Barrow was cross-examined by the Judge who wanted to know: How did she get $17.50 when neither she nor her husband was working? How did Mattox know that the money was under the pillow, and could walk directly to it? Why should Mattox attempt such a crime in the presence of 2 children as large and as old as hers? Why did Mattox stay in the neighborhood after committing such 2 crimes. How did Mattox know that her husband was in jail if she did not tell him.

The case has been postponed pending the finding an answer to these questions.

Lynchings-1935

Virginia

Rape: Alleged Attacks by Negroes.

5162

VIRGINIA CASE ANOTHER INSTANCE OF NEGRO BEING CHARGED WITH OFFENSE COMMITTED BY MEMBER OF OTHER RACE

Chicago, Ill.—(ANP)—After a mob was repulsed at Shelbyville, Tenn., and guardsmen prevented the lynching of a Negro prisoner by killing four of the mob leaders and wounding a score of others, the Memphis Commercial Appeal complained against the killing of the mob leaders and insisted that the mob was only trying to see that the criminal was given the just punishment he deserved. There had been no trial.

Just how the public may be misled as to the guilt of any particular prisoner before trial is disclosed in the news stories within the last two months concerning a Negro accused of a crime at Clifton Forge, Virginia.

November 19 the International News Service released the following story from Clifton Forge, Virginia, to the newspapers of the country:

"Philip Jones, 25-year-old Negro, late today confessed he had clubbed to death with a rifle butt the two small daughters of A. N. Hill, local painter, while they were returning to their home through a wooded path on the outskirts of the city late yeasterday.

"The confession was wrung from Jones in the Roanoke jail, 35 miles from here, where he was taken with his wife and two other Negro suspects. Commonwealth Attorney M. J. Putnam and J. W. Huffman, local police chief, announced they had obtained the admission upon their return from Roanoke this afternoon.

"Putnam said Jones exonerated his wife, John Pryor and Arthur Smith, who had been held with him, from participating in the brutal slayings.

"Putnam explained that Jones confessed after his wife had admitted under grilling that he had attacked the girls. Jones had told a number of conflicting stories, but broke when confronted wth his wife's statements.

"Angry crowds which swarmed about the local police station all morning dispersed after it became known that the four suspects had been whisked to the Roanoke jail under heavy guard."

On the same day, the Associated Press released from Richmond, Va., this story:

"Efforts to prevent a quadruple lynching were taken by Gov. Peery tonight when police were ordered to bring to Richmond three Negro men and a Negro woman, after one of the men had confessed, police said, to the slaying of two white girls near Clifton Forge, Va.

"Governor Peery, however, ordered the prisoners brought to Richmond when feeling became intense at Roanoke. It was expected that state troops would be called out if a mob assembled outside the jail where the four were to be imprisoned here."

On November 20, the Associated Press released a new "confession" story in which Jones dramatically portrayed his part in the crime. This story, with a Richmond dateline, read:

"Sheriff T. Wilson Seay of Henrico county told today of a new statement made to him by Philip Jones, Negro, in which he said Jones had admitted ravishing 13-year-old Alice Hill as well as killing Alice and her 9-year-old sister, Ellen, near their Clifton Forge home.

"Today, Sheriff Seay said, Jones was urged to tell the whole truth since he could not make his case any worse than it was.

"'Yes, sir, I reckon you're right,' the sheriff quoted him as saying. 'I was not telling the truth when I said I did not ravish the little girl. I did. When I saw what I had done I killed her and the other one so they wouldn't tell.'

"Again Jones expressed sorrow for what he had done and asserted 'the devil must have been in me,' the sheriff said."

This latter story is very convincing.

But last Wednesday, January 2, the trial of Jones was begun at Fincastle, Va., and from that town, the Associated Press sent the story reproduced below:

"Asserting through his counsel that he did not murder two little Clifton Forge girls and did not criminally assault one of them as charged in indictments against him, Philip Jones a Negro, today told the Fincastle court that to the contrary, he had received an ugly leg wound while trying to defend them from a white man.

"T. Warren Messick, the defense attorney (a white man appointed by the court), in his opening statement said:

"We expect to prove that (and then he named a man) a white man residing in the city of Clifton Forge was the one who attacked these little girls and that Jones was shot in the leg in a scuffle after he had gotten his gun and ran to their assistance.

"Messick described the location of a house in which he said the man lived and asked that the state investigate his assertions with its law enforcement officers and bring this person 'before this jury if necessary.'

"He said Jones and this white man had a business arrangement whereby Jones would get apples and the other would sell them. He said when the Negro went into the orchard he found this white man awaiting him. The latter was quoted as saying to Jones:

"'I got two d— brats tied up over there.'

"The attorney said the Negro found Ellen and Alice Hill, the two Clifton Forge girls, who later were found slain, tied to a tree. He said Jones freed them.

"Messick, continuing his dramatic recital in a courtroom cleared of all persons save the defendant, court officials and newspapermen, quoted Jones as saying he then returned to his house.

"Later, the attorney said, Jones, after hearing screams, ran to the place from which the cries came. The defendant was pictured as running to the scene, engaging in a scuffle with the white man and receiving a bullet wound in his leg in consequence."

Lynchings-1935
Rape by Whites.

Alabama

5163

ATTACKER IS GIVEN LONG PRISON TERM

Adulterer

M. C. Weatherly Gets 35 Years In Kilby For Assaulting Florence Girl

4-14-35

FLORENCE, ALA., April 13.—(AP)—Convicted of attacking a prominent young woman here the night of March 26, Maurice C. Weatherly, 22, was sentenced today to 35 years in the State penitentiary. The jury was out three hours.

Weatherly said he had "nothing to say" before he was sentenced by Judge C. P. Almon. Henry D. Jones and Fred S. Parnell, his attorneys, filed immediate notice of appeal. They said, however, that Weatherly would start serving his sentence immediately pending the outcome of the next legal move.

The courtroom, cleared twice of spectators yesterday because of disturbances, was jammed for the verdict.

The alleged victim in the case and members of her family declined to comment on the decision. From the witness stand yesterday, she told of a trip to "get cigarets" with Weatherly on March 26, which culminated in the alleged attack.

She testified Weatherly bound and attacked her, after she repulsed his advances. Before she was called to the stand, two physicians, two nurses, and a health department employe testified concerning her condition after the incident.

Weatherly took the stand to admit intimate relations with the girl, but denied they were forced.

In rebuttal, the State called a score of witnesses to testify to the girl's good character.

The trial was interrupted when a man booked as A. I. Beale stood up in the balcony and shouted. As Judge Almon remonstrated with him, he interrupted the lecture and was fined $50 and sentenced to five days in jail for contempt of court.

Later, gases were released in the balcony and Judge Almon ordered the courtroom cleared of spectators for the remainder of the testimony.

YOUTH AT FLORENCE INDICTED IN ATTACK

Committed

Grand Jury Acts Following Charges by Girl

4-4-35

FLORENCE, Ala., April 8.—(AP)—A Lauderdale County grand jury in special session today returned an indictment against Maurice C. Weatherly, 22, member of a prominent family, on charges of attacking Miss Vivian E. Voss.

The indictment was returned after only six witnesses had appeared before the grand jury, and after arraigning young Weatherly, Judge Charles P. Almon ordered a special term of court to convene on Friday for the trial.

A special venire of 100 was drawn for the case.

Miss Voss last week swore out a warrant charging Weatherly with attacking her on the night of March 26. The warrant was sworn out before Justice of the Peace J. A. Dowdy.

YOUTH BEGINS TERM ON ASSAULT CHARGES

Sentenced Started

Weatherly Serves Sentence Pending Appeal

4-21-35

FLORENCE, Ala., April 20.—Maurice C. Weatherly, 22, of Florence, convicted at a special term of Lauderdale Circuit Court recently of assaulting Miss Vivian E. Voss Florence health worker, today began serving his term of 35 years imposed by Judge C. P. Almon.

Weatherly's attorneys appealed the case, but the youth elected to begin serving his term pending the outcome of the appeal. The crime committed on the night of March 26, resulted in the calling of a special grand jury and a special term of court.

The trial was the most spectacular in Florence in many years, motions for mistrials being overruled following release of gas and sentencing of a specator for contempt of court. The courtroom was cleared of all except newspaper men and attorneys during most of the testimony.

Attacker To Die.

MONTGOMERY, Ala., June 7.—(AP) A Montgomery circuit jury today returned a verdict of death against 55-year-old Dick Hull, a former Birmingham resident, found guilty of criminal assault upon a 9-year-old girl. The jury deliberated 15 hours.

JURY STILL OUT IN ATTACK CASE

Adulterer

Deliberations Continue As Jurors Refuse To Go To Bed At Midnight

6-7-35

The death penalty for a white man was demanded in Circuit Court yesterday by Solicitor W. T. Seibels who has been vigorously prosecuting capital cases since Tuesday morning. Dick Hull, the defendant, about 50 years old, was charged with criminal assault upon a nine-year-old girl, who was one of the State's principal witnesses. At midnight the jurors declined to be put to bed and at 1 a.m. today no verdict had been reached.

Montgomery

Trial of the Hull case was marked by more than the usual amount of wrangling on the part of counsel, the solicitor and Luther Patrick, of Birmingham, who came here to represent Hull, a former citizen of the Magic City. So heated did the argument between the two men become that on one occasion Judge Eugene W. Carter held up court long enough to remind "the gentleman the county has a nice, large jail across the street." This threat was made after Attorney Patrick had accused the solicitor of trying to run the court. "The court is running this court and will continue to do so," Judge Carter fired back at Patrick. "This foolishness has got to stop."

The case did not go to the jury until after 8:30 p.m., the evidence having been concluded shortly after 6 o'clock. Women were not permitted in the court room during the hearing of evidence.

Hull, arrested about two months ago on a statutory charge, denied on the stand that he confessed the crime to Deputy Sheriff Addie Moseley, who had testified the defendant made the confession while in jail. Hull also denied he attempted to commit suicide while in jail, although several deputies and wardens said he cut himself severely with a safety razor one night while alone in his cell.

In his opening argument to the jury, Solicitor Seibels said "this man ought to be killed for the good of society." The solicitor criticized Attorney Patrick on his manner of cross-examining the little girl and her mother.

The trial of Ben Cronier, local barber and former policeman, charged with murder, was carried over until today. Cronier killed Malcolm McDade after the latter had been arrested on Montgomery Street a little more than a year ago.

This week's capital docket is said to have been one of the largest in many years. Already there have been three life imprisonments and one death sentence returned by juries.

Two of the cases on yesterday's docket were transferred to the Juvenile Court when evidence disclosed the defendants were under 16 years of age. One was a negro girl and the other, a negro boy, both indicted for first degree murder. The trial of the girl, Annie Lee Meyers, was almost finished when she testified as to her age. Attorneys A. J. (Gus) Harris and Robert Parks, representing the girl, immediately made a motion to have the case transferred. The State's witnesses had testified and some of the defendant's had been called to the stand when the age question came up. Freddie Lee Scott, the boy, was represented by Thomas H. Watts, who has assisted as special judge during the last two weeks.

The only acquittal since the capital docket was begun came in eight minutes after the jury retired Wednesday night. James Williams, negro youth, was charged with killing Andy Williams. Gus Harris handled the case for James Williams and Thomas H. Watts was the special judge. The case was tried in the solicitor's office, as Judges Carter and Jones were using both court rooms. Judge Jones has been tied up for several days on a long and involved civil suit.

Goodwater Youth, 19, Is Accused In Attack

Adulterer

GOODWATER, ALA., Nov. 21.—(Special)—Preliminary hearing for Samuel Evans, 19, of Goodwater, charged with criminal attack on a 21-year-old white girl here early Monday morning, will be held Friday before Milt Graham and J. T. Fielding, justices of the peace. Young Evans is at liberty under bond of $1,050, officers said.

11-22-35

The alleged attack took place between 1 and 2 a.m. Monday, when the youth was taking the girl home after she had been sitting up with a sick relative, officers said. Physicians at Alexander City pronounced the girl's condition serious.

Florida.

Lynchings- 1935
Rape by Whites.

5164

Negro Girl Attack Victim Is Given No Aid

Daily Worker
6-12-35

JACKSONVILLE, Fla., June 11.—Negro and white workers here are protesting the chauvinist attitude of hospital and police authorities in connection with an attack by two white men on a 14-year old Negro girl.

The girl, Alberta Taylor, was thrown off the Lee Street viaduct late last Monday night by two white men, when she resisted their attempts to rape her. She was taken to Duval County Hospital, after a pedestrian heard her groaning on the tracks below and summoned an ambulance. At the hospital, although she was suffering from severe shock, a broken elbow and internal injuries, the doctors merely set her elbow, and dismissed her from the hospital within an hour of her arrival. Next day she was spitting blood and complaining of severe internal pains.

The police have made not the slightest effort to trace and arrest her assailants.

Lynchings-1935
Rape by Whites.

Georgia

5165

CLAYTON NEGRO FREED ON ASSAULT CHARGE

JONESBORO, Ga., Feb. 25.—A Clayton county jury tonight acquitted Charlie Palmer, negro, of a charge of assault upon a white woman December 31, near College Park.

The case was put on trial this morning in superior court, the verdict being returned early tonight, after a few minutes deliberation by the jury.

Jury Convicts Man Charged With Rape

CAMILLA, Ga., April 24.—Marion Jarrells, a white man of Mitchell county, was sentenced to a term of 14 to 18 years by Judge B. C. Gardner of the superior court of the Albany circuit, in Camilla yesterday after a jury had found Jarrells guilty or rape upon a Negro woman. The jury was out about one hour.

Macon, Ga., News
December 31, 1935

NEGRO ATTACKER BROUGHT TO BIBB

Track Dogs Used to Locate Former Convict After His Assault on Three Women

H. P. Baker, 36-year-old Negro, was brought to the Bibb county jail for safekeeping early this afternoon after he allegedly had criminally assaulted two white women and a Negress yesterday in Chattahoochee county.

Baker was brought here by Sheriff J. D. McGlaum of Chattahoochee, after the suspect had been tracked through swamps of that county and nearby Muscogee and had been apprehended early this morning.

Baker, interviewed in the county jail here, said he had been released from the Marion county chain gang Monday. Asked about the crimes of which he is accused, he replied:

Fills Up On Booze

"I was on my way home wher a man gave me some liquor. I drank that and I don't know what I did."

According to information received by the Associated Press from Columbus, Baker is charged with having attacked a white woman in a rural section of Chattahoochee county and of having fled after the victim's husband had been summoned from a nearby field. A Negro woman, a servant in the home, fired a shotgun at the attacker, but he wrested the weapon from her.

A short time later, another white woman, with an infant in her arms, was attacked in the yard of her home. The child was snatched from her arms, thrown to the ground and the moter was beaten and assaulted. A short distance away, the Negress also was attacked, according to reports to officers.

Three Crimes Charged

Baker is accused of having committed all three of the crimes.

Following his arrest, the Negro was carried to the Muscogee county jail in Columbus, but the suspect was removed to this county early this afternoon.

While Baker told a newspaper man he had been sentenced for assault with intent to murder, prison commission records show he was "sent up" for carrying a pistol without a license. The term was 12 months.

Lynchings-1935

Rape by Whites.

Louisiana.

5166

Truck Driver Sought In Attack On Young Girl

SHREVEPORT, La., May 25.—(AP)—A 19-year-old truck driver was sought by police here today after they received a complaint that he had criminally attacked a 15-year-old [illegible] picture show last night.

Dr. Harry W. Paul, Caddo Parish assistant coroner, examined the girl and told officers she had been severely treated. She furnished police with the truck driver's name and description.

Lynchings-1935
Rape by Whites.

Mississippi.

5167

CRIMINAL ASSAULT CHARGE IS BROUGHT

Held in Hinds Jail After Girl Is Attacked.

9-11-35

GULFPORT, Miss., Sept. 10.—A formal charge of criminal assault, which carries a possible death penalty, was filed in county court here yesterday by County Prosecutor Gaston Hewes against Louis Boudreau, 23, now held in the Hinds County jail at Jackson, following his arrest here last Friday night and his purported confession of having attacked Lillian Stiflets, 11-year-old Gulfport girl.

Taken to Jackson for safekeeping after threats of mob violence here, Boudreaux was said to have signed a written confession following his arrival at the Hinds County jail. Prosecutor Hewes today said he was awaiting receipt here of a copy of the confession.

Hewes said he had understood, however, that Boudreaux would waive preliminary hearing and remain in the Hinds County jail pending action of the Harrison County grand jury which is not scheduled to convene until next January.

Lynchings—1935
Rape by Whites

Mississippi.

5175

WHITE ATTACKER OF GIRL GETS NEW TRIAL IN DIXIE

Mississippi Supreme Court Reverses Decision—Prisoner Must Be Allowed to Tell His Story.

JACKSON, Miss., April 11.—(ANP)—The Mississippi Supreme court last week reversed and remanded for new trial the case of Troy Hester, white, convicted in Webster court of an alleged criminal assault on a 12-year-old colored girl because the trial court would not allow him to tell his version of the alleged assault.

The Supreme court contended, in reversing the case, that the Circuit court was in error in sustaining an objection of the district attorney to Hester's testifying to all the alleged facts surrounding the offense against Mississippi statutes.

In this case court records showed that Hester had been asked to tell the circumstances of the crime and that as he started in to relate incidents about the assault, the state objected to his admission of relations with the girl. In the absence of the jury, the district attorney's was sustained by the court.

Assault Charged.

MERIDIAN, Miss., May 11.—(AP)—Charged with committing a statutory offense against an eight-year-old white girl, was booked by officers as J. A. Allen, 59, a former school teacher, was bound over to the Lauderdale county grand jury here today. Allen denied the charges in a preliminary hearing before Judge A. M. Byrd in county court.

Allen said that he came to Meridian two years ago from Ellisville, where he had been farming. Before that time he said, he had been a school teacher in Tennessee.

RELIEF WORKER HELD AS CHILD'S ATTACKER

J. A. Allen Denies Charges at Meridian Hearing

5-12-35

MERIDIAN, Miss., May 11.—J. A. Allen, 59, relief worker and former school teacher, of Meridian, was held to the Lauderdale County grand jury today on a charge of committing a statutory offense against an eight-year-old girl.

Allen denied the charges in a preliminary hearing before Judge A. M. Byrd in county court.

Allen said that he came to Meridian two years ago from Ellisville, where he had been farming. Before that time he said, he had been a school teacher in Tennessee.

Lynchings - 1935
Rape by Whites.

Missouri.

5168

ATTACKERS SENTENCED

Ten, Five and Two-Year Terms Ordered

KENNETT, Mo., Feb. 13.—Chester Wilkins, 27, received a sentence of [illegible] circuit court on a charge of criminally attacking Mrs. Cleo Marshall at Cardwell on Sept. 24, 1934.

Dewey Hardin, 22, received five years, and Boh Davis, 32, two years.

The three, driving an automobile, accosted Mrs. Marshall on the street at Cardwell as she was returning from the grocery store. When she refused to ride with them they forced her to enter the car. They then drove to a spot outside of Cardwell where Wilkins dragged her from the car and attacked her.

Bronx, N.Y. Home News

OCT 3 1935

Missouri Lyncher Held for Similar Crime

Although he helped lynch Lloyd Warner, colored, who was accused of assaulting a woman, Carl Fisher was held in the St. Joseph, Mo., jail today in default of $2,000 bail on a charge of a similar crime. Fisher, who pleaded guilty to theft of a pistol during the lynch mob's raid on the sheriff's quarters, served three months in jail. He was the only one of a dozen indicted lynchers to be punished.

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Rape by Whites

New Jersey.

5169

Girl Says Otays Beat Companions And Raped Her

Pro-American

Son of Three Accused White Men Is Temple University Graduate.

4-6-35

MUSICIANS HELD UP ON WAY FROM HALL

Baltimore Afro,

Trio Held Without Bail; Fourth Man Hunted.

(Special to the AFRO)

HAMMONTON, N.J. — Thr white men, one said to be a Temple University graduate, were held without bail here, Sunday, accused of attacking Miss Mabel Brown, 22, of 248 Sixth Terrace, Egg Harbor.

The accused men, according to the accusation, dragged Miss Brown into a wooded section near here, early Saturday morning, after beating her companions, a group of musicians.

The white men gave their names as Anthony Scola, 35, South Egg Harbor Road; Anthony Curreri, 22, N. Third Street; and Albert Janski, South Egg Harbor Road. Another man is also being sought in connection with the crime.

Held Up Car

According to testimony given before Justice of the Peace William Harper, the occurrence took place between four and five o'clock, while the young woman, in company with John Knox, 28, and other companions, was returning from an orchestra engagement.

Knox declared that after playing until around four o'clock in a Hammonton tap hall, the white men came in and requested them to play longer. Having finished their night's playing, they did not remain.

Drum Broken Up

Gathering their instruments they started home when the white men, who had followed them, forced their machine off the road, and after beating up the musicians and breaking up a drum, took the young woman into the woods and cruelly mistreated her, Knox testified.

Miss Brown identified Curreri as one of the men who attacked her. Curreri, it is said, is a graduate of Temple University, and his father runs a feed store at Hammonton.

Scola runs a pool room near the hall where the musicians were employed. Knox is said to have once played in Cab Calloway's orchestra.

Girl Tells Story

Here is the story of her harrowing experience, as Miss Brown told it exclusively to the AFRO-AMERICAN:

"I left here Saturday night with Joseph Ford, Bill Williams, John Knox and another musician by the name of Walker, to go to the Cafe Parisi in Hammonton where the men had an engagement to play.

"The manager, Parisi, offered me a job as waitress, and after working until 4:30 Sunday morning, I changed from my uniform and, with the men, got into the car belonging to Knox.

"We were about to leave for home when the car containing the five white men drove up. The men requested the musicians to go back into the cafe and entertain them.

Afro-American

Past Closing Time

"The officer on duty at the place informed the white men that it was far past closing time, and ordered them away. We were all then requested to go to some other hot spot where, they said, the musicians would be liberally paid for their services.

4-6-35

Baltimore Afro

"We were told to trail them and after doing this for several miles, the occupants of our car became skeptical and decided to turn back. We had gone but a short distance toward Egg Harbor when the car bearing the white men overtook us and forced our car into a ditch.

Men Driven Away

"The white men pulled some of the men out of the car, threatening them with a revolver. They were beaten, their instruments and money taken and then driven into the surrounding woods.

"Coming back to the car, they began cursing and beating me, and in terror, I made an effort to escape from them when they surrounded and caught me. I exchanged blows with them until they subdued and pinned my arms behind my back.

Stripped Off Her Clothes

"My God! I hate to tell what happened then. Two of the men attacked me in succession. Then they threw me into their car and drove to a more secluded wooded section. There they stripped off my clothes and forced me to do the most repulsive and inhuman things I have ever known.

"I begged them for my life as they threatened to kill me. Gaining some strength, I begged them to allow me to go a short distance. I saw a lighted bungalow, and, gathering all the strength I could, I began running and screaming toward this house.

"They followed a short distance, but I made it to the house which proved to be the home of a white family. They gave me assistance and first aid and got in touch with the police. They also sent for a doctor, who treated me.

"My God! I hope I shall never have to live through it again."

Alexander Takes Case

Both Miss Brown and Knox were placed under bail as witnesses against the men. The incident has aroused the indignation of people in the Hammonton section and in Philadelphia.

Raymond Pace Alexander has been retained to look after the interests of the young women and the musicians.

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North Carolina 5178 5170

Negro Reverses Stand In Rape Case; Heavy Guard

LUMBERTON, N. C.—(ANP)—Pleading guilty to assault with attempt to commit rape here last Thursday afternoon, Jim Watson was sentenced by Judge Paul Frizzelle to a term of 15 years in the state prison.

Watson was charged with having attempted to rape an eight year old white girl several weeks ago. He spectacularly eluded the combined efforts of three mobs all bent on lynching him. He sustained only a gun shot wound allegedly inflicted by J. R. Bruton, father of the girl whom he is charged with assaulting, J. R. Bruton, and for two weeks remained free finally surrendering to the sheriff and 11 deputies at the home of Avery Powell. He was rushed to Raleigh for safekeeping and was returned here under heavy guard for the trial on Wednesday night.

He, although having vigorously denied his guilt when arrested, without any preliminary words, readily admitted his guilt in court Thursday, declaring that he was drunk at the time and did not know what he was doing. Judge Frizzelle passed sentence and the prisoner was hurried back to Raleigh as the crowd in the courtroom was apparently dissatisfied with the sentence. However, the presence of the large number of heavily armed guards prevented any demonstration.

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Rape by Whites.

Tennessee

5171

BROTHER - IN - LAW OF BESSIE JOHNSON WANTS DROP CASE

While the thoughtful leadership, not only of the Negro racial group, but prominent members of the white race, set about in a determined manner to bring about the punishment of Charles R. Calloway, white lawyer now under $2,000 bond for action of the grand jury on the charge of attempting to rape Miss Bessie Johnson, young colored woman as she returned to the place of her employment Sunday night, after attending church, the startling fact came to light that Frank Kyle, well known character about town, and a brother-in law of the young Negro woman, with the aid of his wife, is actively cooperating with Calloway and his friends to persuade the Johnson woman to withdraw the charges for a certain sum of money.

Kicked From Sheriff's Staff

Kyle is the same individual who, after numerous complaints of irregular conduct in office were registered against him, was kicked from Sheriff J. Wesley Brewer's staff of deputies. Many women of the Negro racial group told how Kyle, under his authority as a deputy-sheriff, beat and otherwise maltreated them and resorted to the most despicable sort of fee-grabbing as he operated about the city. The East Tennessee News took the lead in the request to Sheriff Brewer that Kyle be dismissed from his staff, and when the facts of Kyle's conduct were brought to the sheriff, he ordered the fellow to turn in his badge.

Kyle later had the temerity to offer for constable in the August election and got only a few votes. He then ran for justice-of-the-peace, city at large, and in that race got barely more than a dozen votes.

In recent weeks he again appeared in the limelight in view of a Chancery court suit he instituted against a local loan concern in an effort to enjoin the concern taking his household goods under a chattel mortgage.

Offers $400.00 To Quit.

The last issue of the ETN gave the Yeager Street address of the sister of Miss Johnson, but at the time the writer did not know that the sister was the wife of Frank Kyle. According to information furnished the ETN Calloway procured this address from the paper and immediately proceeded to the Kyle home.

Not finding any one at home, he is said to have left a note under the door asking that the Kyle woman come to his office. Later it developed that Kyle went to the home of Mr. and Mrs. Morris, white employer's of the Johnson girl and talked at length to the young colored woman in an effort to get her to accept $400 as a compromise of the matter and agree to withdraw the charges against Calloway.

According to a reliable informant, Kyle is said to have warned the Johnson girl not to divulge his scheme to her attorney, W. L. Porter, and not to discuss the matter with any one other than him. He is said to have admitted tha he had been promised enough out of the deal to recover his furniture.

Suggests Another Lawyer

Another suggestion of Kyle to Miss Johnson was that she take the case out of the hands of Attorney Porter and turn it over to a lawyer that he might suggest. This plan was outlined, apparently, by Kyle, to enable the parties in whose behalf he was working to procure the services of some one who would "deal" with them.

The young woman positively refused to agree to any such arrangement, according to her statement.

To the proposition Miss Johnson is said to have positively turned a deaf ear and in talking of the matter she stated:

"Regardless as to the outcome of this case, I am determined to fight it to a bitter end. There can be no compromise in view of the brutal and uncalled for assault directed at me."

Sought Her Pastor's Aid.

Not only did Kyle approach the young woman on behalf of Calloway, but according to Rev. H. J. Bailey, pastor of the Main Avenue Baptist Church, where the young woman attended on the night she was attacked, Kyle's wife phoned his home and in a talk with Mrs. Bailey, told of her efforts to have her sister accept a sum of money to settle the mater and further solicited her aid in persuading the Johnson girl to drop the charges for a sum of money. Both Rev. and Mrs. Bailey stated they resented the suggestion and warned the Kyle woman of the law that provides prosecution for attempting to compound a felony.

Ministers Take Action.

At no other time in the history of Knox county has the Negro citizenship been so thoroughly aroused over a matter involving a member of their racial group. Not only the leadership of the race, but the mass group, almost to a man, as they read the account of the brutal treatment to which the young woman was subjected, were strong in their denunciation of the conduct as charged to the white lawyer and were equally as strong in expressing their desires that the law should deal with him exactly as is prescribed under our statutes.

At the Thursday session of the conference of local A. M. E. Zion ministers, held at Clinton Chapel Church, resolutions condemning the charged act of the white lawyer and asking court officials to bring about the punishment of the guilty and thereby offer more protection for Negro womanhood, were adopted. Members of the organization pledged five dollars each to go toward a fund to be used in pushing the prosecution of the accused lawyer.

At the regular meeting of the Interdenominational Alliance on Monday morning, members of that important organization also took definite action concerning the shameful treatment accorded the young Negro woman and not only pledged their moral support, but immediately set about formulating plans for raising money to be added to the fund to be used in aiding the prosecution.

Grand Jury Now In Session

The March term of the Knox County grand jury convened on Monday and the warrant charging Calloway with attempting to criminally assault Bessie Johnson as sent down from the city court, will be presented to that body for their consideration by Attorney General J. Fred Bibb. The young woman, the two police officers who arrested Calloway, Officers Roach and Norton, and another witness whose name has not yet been divulged, will appear before the grand jury. Finding of a true bill by that body will place the matter in court for trial on a date to be selected on the date cases are to be docketed.

Many Whites Aid Fund.

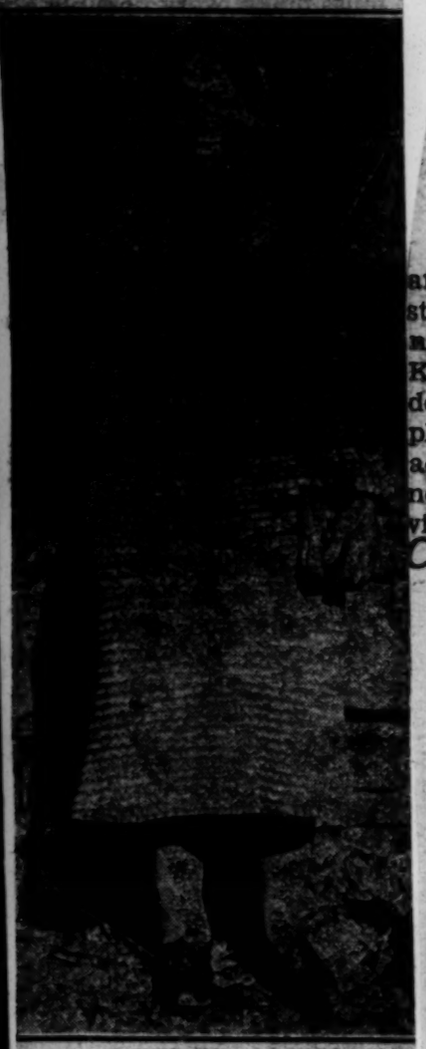
Not only are many outstanding white persons strong in their denunciation of the terrible treatment to which the young Negro woman was subjected, but many have forwarded money to go toward a fund to be used in pushing the prosecution of the accused lawyer.

In additon, failure of either one of the white daily papers to publish a line concerning the matter, notwithstanding the fact the case came up for hearing in city court, has come in for a share of adverse criticism, both from white and Negro observers. It is pointed out that the East Tennessee News is the only local publication that enlightened the public as to what was happening.

Young Woman Without Funds

Expense is incurred in the employment of additional counsel to aid the state in the prosecution of this case and to make certain investigations to be placed in the hands of the attorney general. Miss Johnson, while employed, is without sufficient money to pay the cost of waging the prosecution and she has appealed to those interested in seeing justice administered in so grave a matter, to furnish money in her behalf. The money may be sent to Rev. S. H Marion, 310 East Clinch Avenue to be added to that already subscribed.

ATTACKED



MISS BESSIE JOHNSON

Young woman employed as a cook for a white family in the exclusive residential section of West Knoxville, who refuses to be "bought off" as she declares that Charles R. Calloway, white lawyer, forced her into his automobile under threats to kill her, as she walked along the dark road leading down Scenic Drive, after stepping off a Kingston Pike car, while returning from church on Sunday night, February 27.

Her screams, according to Miss Johnson, attracted the white residents, and they sent in a police call that brought a radio car with Officers Norton and Roach to a point far out in the wooded section where she declares Calloway had actually stripped her to the very skin and was about to proceed with his attack when the police car came up. The young woman states she had to request the officers to turn off their lights while she put on the clothes that had been torn from her body by the lawyer. She exhibited her heavy coat and articles of underwear which she states were torn as Calloway pulled them from her body.

The affair which has served to arouse the entire community, was staged after eleven o'clock at night. Scenic Drive is west of Knoxville three or four miles down Kingston Pike. The telephone directory gives Calloway's address as Chicamauga Avenue, near three miles north of Knoxville, in a direct opposite location.

CITY COURT REPORTER SAYS HE WROTE STORY

Surprise was expressed among citizens of both racial groups that neither of the local dailies published city court proceedings at least, concerning the case of Chas. R. Calloway, white lawyer on the charge of attempting to criminally assault Bessie Johnsen, young Negro woman. Reporters for both papers were present each time the case was called.

Ministers of the Interdenominational Alliance took notice of the fact at their session and the organization addressed a resolution to both papers asking that they exhibit fairness in handling reports in their columns.

Just before press time, a News-Sentinel reporter, the one who was in city court at the time the case came up, phoned Attorney Porter asking for more information concerning the case. He stated that he had written a story of the case on the day it came up but for some reason "they" failed to print it. And he concluded: "By the way, did you cal on Editor McNeill concerning the matter?" Mr. McNeill is editor of the News-Sentinel to whom the resolution was delivered by the ministers on Wednesday morning of this week.

TO KEEP THE RECORD STRAIGHT

(AN EDITORIAL.)

By WEBSTER L. PORTER

FOR NIGH UNTO TWENTY-NINE YEARS the editor of this publication has published the East Tennessee News and for near seven years he has practiced law. At no time since he engaged in the practice of law has he endeavored in the slightest degree to try any lawsuits with which he has been connected, through the columns of the paper. On the other hand, readers have been denied their rightful privilege of having first hand information concerning cases in our courts wherein the editor was employed, for fear there might be those who would misconstrue the motive as designed to create sympathy or mould sentiment for or against the opposition, according to the lawyer's personal wishes.

Too, many cases that should have been passed on to the readers of necessity were left out of this paper due to the inability of the publisher to find experienced reporters who could accurately and fairly cover the same. It has been physically impossible for the editor-lawyer to devote the necessary attention to his lawsuits and serve in the capacity of reporter.

At no time during the more than twenty-eight years of continuous service as publisher and editor has there been the slightest inclination to violate our obligation to our readers to publish FEARLESSLY and FAIRLY all accounts of happenings that our readers should know about. Such has been true both at times before we were engaged in the practice of law and since, and when a situation arises that will deny us the opportunity to perform that duty to the very letter, we will then be ready to fold up and turn the job over to the other fellow. The mere fact that we are engaged in the practice of law offers no just cause or excuse for the newspaper's failure to serve the interests of its clientele by publishing facts concerning happenings, regardless as to who might be involved.

The above thought arises following the comment of certain individuals in view of the expose of the alleged conduct of a white lawyer in which he is charged with the terrible mistreatment of a young Negro woman several days ago. The reporter covering that case was alert and progressive in that he gave the public a thorough account of the disgraceful affair. His failure to do so would have resulted in our turning over what money was due him for salary and getting him out of the back door of the office as quickly as was possible, regardless as to whether or not the owner of the East Tennessee News was lawyer for the outraged young Negro woman, or, whether the accused lawyer was a "brother lawyer," or not. In fact, if the accused had been a brother in blood, our position and contention would not be altered in the least, as we DEMAND a strict and rigid ENFORCEMENT OF THE LAW, regardless as to who might be involved.

At no time in the history of the East Tennessee News' ... lawyer has their been the slightest tendency to arouse race ... hate or stir up strife. Those observers who are inclined to ... be fair in their criticism of the conduct of the paper will say ... and the case of this paper, there was no tendency to exhibit ... than a fair and impartial statement as was offered by ... the grossly mistreated young Negro woman. Comparisons ... are made and in view of each and every statement appear ... in both the news article and editorial, THE EAST TENNESSEE NEWS OFFERS NO APOLOGY TO A SINGLE LIVING SOUL.

Comparisons are oftimes odious, but in this connection, ... as charitable toward the accused white lawyer as we may, ... miles distant, in the opposite direction to where he was dis...

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covered on that night. The situation leads one to believe that had that young Negro woman been slain that night, or, if some white woman of that section had fallen victim to such charged mistreatment as this young Negro woman, the finger of suspicion would have been pointed toward some innocent "NIGGER," and the first Negro man picked up would have stood in danger of mob violence, if a white woman had been involved.

The demand that EXACT JUSTICE be meted out in this case is not based on an argument of comparative handling of such matters. Our contention in this instance is the same as has been true when Negroes have been charged with crimes against white persons—LET JUSTICE PREVAIL! If, after a FAIR AND IMPARTIAL TRIAL ,the accused is adjudged guilty, inflict such punishment as the law prescribes.

If the powerful majority racial group is to successfully enforce their demand that there shall be no racial intermingling, they must exhibit the sincerity of their demand by putting a stop to the tendency of their own race members to "MINGLE." It will be far more easy to put a stop to any tendencies of Negroes to "MINGLE" with whites, when such examples are offered.

Finally, we reiterate, the East Tennessee News offers not a single apology for its stand in this matter. It is encouraging to have the emphatic expressions from thoughtful white men and women, indicating their thorough accord with our position. The earnest leadership of the Negro racial group is also awake to the threatening and deplorable situation, wherein the safety of every Negro woman and girl is at stake, if such terrible treatment as was inflicted on Bessie Johnson can go by unpunished.

Those who manifest an inclination to look upon the matter lightly or appear to minimize its gravity are considered flagrant condoners of the act, especially in view of the convincing facts that prevail and admissions of the accused following the deplorable affair.

If our law enforcement officials are in earnest as they contend for strict law enforcement, now is the time to show it. The courts are in their hands. Negroes are standing by WATCHING AND WAITING. They demand that exact JUSTICE PREVAIL. They want nothing more; they will accept nothing less.

THE JOHNSON - CALLOWAY CASE

East Tennessee News

Friends of the defendant white lawyer charged with the commission of a felony against a Negro woman and the condoners of such acts involving a woman of the Negro racial group may feel inclined to snicker up their sleeves at the outcome of the case, thus far, but the encouraging phase of the matter is, there are hundreds of white people as well as Negroes who are sufficiently FAIR and JUST as to frown upon the commission of such crimes, whether the woman is black and the man white, or whether the woman is of the white racial group and the man black.

There is another certain phase of the situation and that is the eventual boomerang effect over the failure of our law enforcement group to bring this matter into the courts to be passed upon by a jury of twelve men. 3-21-35

An effort may be employed to pass the responsibility for such failure to the ignorant and irresponsible young black woman who recently came into this section from Alabama, where such treatment which she claims she was subjected to is of common occurrence, and where it is generally known that when black women fall victims to any such treatment at the hands of white men, they dare not complain lest they suffer worse treatment. In fact, Negroes in and out of the city of Knoxville and white persons who advocate EQUAL JUSTICE were more concerned over the need of throwing the protection of our law enforcement machinery about Negro womanhood in general than they were about bringing the charged attacker of Bessie Johnson to the bar of justice.

It has been referred to time and time again, that crime like disease, is no respecter of persons. It might have been the richest and most highly respected white woman in the exclusive residential section of Westmoreland Heights, at the point of the alleged attack, who suffered the fate of the ignorant and gullible black woman. If the crime involving the latter type can be passed off the boards by the mere wave of the hand, IS WHITE WOMANHOOD SAFE?

Knoxville Tenn

As far as the responsibility of Bessie Johnson is concerned, such might easily be compared to an eight-year-old child. It is not known definitely what happened to her to cause her to let up in her determination to press the charges which she preferred against the white lawyer, but in view of the frantic efforts of the defendant and his frank admissions, the public has somewhat of an idea just what happened and judging from expressions coming from every angle, there will certainly be a reckoning day for somebody over this very same case.

"OH, SHE WAS JUST A 'NIGGER' GAL," may be the conclusion reached by certain forces in connection with the case, but every indication points toward the fact that a terrible crime remains unpunished within the jurisdiction of the Knox county courts. Can the citizenship of our section feel safe in view of such an alarming situation?

Another phase of the matter that has served to attract widespread comment is the attitude exhibited by the attorney general's office as concerns co-operating with the counsel employed to assist the state in prosecuting the charge. Patrolman Roach declares that some sort of paper signed by the ignorant young Negro woman was presented before the grand jury by Attorney General Bibb. The ethical attitude at least, would have justified the attorney general acquainting said counsel with such an alarming phase of the situation, or disclosing any effort to pass the matter over even with the approval or disapproval of the employed counsel. Or maybe it was just another instance of "JUST A 'NIGGER' LAWYER!"

That a crime WAS COMMITTED as charged is beyond question in the minds of those who have looked carefully into the matter.

THAT ANOTHER CRIME HAS BEEN COMMITTED in that the situation offers all appearances of having been settled for a price is the definite opinion of many.

Police officers functioned in bringing about the arrest of the accused. Judge Williams, of city court performed his duty in passing the case on the the Knox county grand jury.

There the scene ends in a most abrupt manner and the question in the minds of friends and foe is, WHAT ARE YOU GOING TO DO ABOUT IT? The answer may be NOTHING! Present situations make it impossible to do anything, apparently, but rest assured the thoughtful citizen-

ship of Knoxville and Knox county are not asleep to such an alarming state of affairs!

BAN OUTSIDE INTERFERENCE.

Suggestion of soliciting or accepting the aid of the National Association for the Advancement of Colored People, or the International Labor Defense to organize forces among the local Negro racial group to crystalize sentiment that will bring about the prosecution of the white lawyer charged with attacking the young Negro woman in our city several weeks ago has been turned down in an emphatic and prompt manner by the attorney employed by the young woman to represent her interests and in view of such dissatisfaction has arisen in the ranks of certain groups that tends to impede the efforts of those who desire to see justice administered in behalf of the young woman. 3-14-35

The attitude of the attorney in this connection is exactly the same as he has exhibited heretofore as concerns calling in outside interests and organizations to assist in bringing about the proper administration of justice in our local community, whether it is in defense of some member of the Negro racial group charged with crime, or the demand for the strict enforcement of the law as might be directed toward a member of the white race charged with unlawful treatment of a Negro. Knoxville, Tenn.

There are hundreds of law-abiding and influential Negroes in Knox county who pay taxes and exercise their franchise in an unrestrained manner. If their influence cannot be wielded in a manner sufficient to bring about the administration of justice in our courts or other administrative bodies, the situation is hopeless. Certainly we will not be among the number who will send to New York, Atlanta or any other out-of-town place and ask some group or organization to come into our home town to help in such matters.

In fact, it has never dawned upon us to the slightest degree that officials in charge of affairs in Knoxville and the county of Knox are so inclined toward an unjust attitude that it should become necessary to even suspect them of refusing to do their duty and of carrying on under their oaths of office in a manner that will bring about equal justice to all men, regardless as to race or class.

If there are those of the local citizenship who are of the opinion that their suggestion of handling the case in question will bring about more satisfactory results to all concerned they have but to make that clear to the forces now in charge and there will be a prompt stepping down and out in favor of their plan, but certainly as the situation now stands, outside interference will not be tolerated.

As far as organization is concerned, there is no inclination to infer that the law-abiding thoughtful Negro citizenship of Knoxville and Knox county should be without an effective organization whereby the interests of the racial group might be properly presented under all conditions and upon all occasions. Certainly there is nothing wrong with having such an organization, call it a Negro Civic League or whatever else appropriate. Our white neighbors have their Rotary Club, their Kiwanis Club, their Chamber of Commerce and many other effective organizations. The Negroes have their National Association for the Advancement of Colored People, with headquarters in New York. Such is a sad reflection on the local Negro citizenship.

The most evident need here is an organization that will stimulate the desire in the minds of Negro men and women to exercise their franchise in elections of city, county, state and nation, and when such an organization is perfected and proceeds to function properly, all of these other things will be added unto us.

Lynchings-1935
Rape by Whites.

Virginia.

5173

WHITE YOUTH CONVICTED ON RAPE CHARGE

Draws 5-Year Term; Identified By Colored Victim

3-2-35

HAMPTON—Although the five-year sentence imposed by a jury of 12 white men here Tuesday, February 26, on Bartlett Young, 20-year-old white youth charged with criminally assaulting an 18-year-old colored girl, was the minimum that could be given, his conviction is believed to have established a precedent in this state.

The case, which occupied all of Monday and half of Tuesday, was tried in the Circuit Court of Elizabeth City County, presided over by Judge C. Vernon Spratley. The jury deliberated an hour and three quarters. It could have imposed the death penalty.

Lee Ford and Frank A. Kearney, defense counsel, made a motion to set aside the verdict as being contrary to the law and the evidence and because the jury was misdirected and the remarks of the commonwealth attorney, Roland D Cock, to the jury, improper.

Judge Spratley will hear arguments on the motion Friday.

Boasted To Friends

Young emphatically denied that he attacked the girl on the night of January 8, but admitted having been in the vicinity of the place where the attack took place with two companions.

The two companions, Carter Shelby and Albert Bryant, however testified that Young, after being absent from them for about 10 or 15 minutes, returned and boasted to them that he had accomplished his purpose.

The "boasting" was admitted by the defendant, who qualified this by declaring that he had not meant it seriously and was only "joking."

The young woman was positive in her identification of Young as the man who attacked her. She picked him out of a police lineup in the Hampton jail several weeks after the attack. E. W. Covington, special Wythe officer, supplied most of the information on which the prosecutor's case was built.

NORFOLK, VA.
VIRGINIAN PILOT

MAR 7 1935

Her Fair Face Unmarred

In our neighboring town of Hampton last week, a 20-year-old man was found guilty by an all-white jury of criminally assaulting an 18-year-old girl and was sentenced to serve five years in the penitentiary. The girl was colored. The man was white.

Ordinarily such a discrepancy between punishment and crime would have caused trouble in a Southern community, but it is gratifying to note that in the present case there was no disorder of any kind. At no time either during the trial or after, was there any threat of mob violence, any motion for a change of venue, or any need for the National Guard or for more police protection than that afforded by the court bailiff. Justice emerged with her fair face unmarred.

Lynchings- 1935
Rape by Whites.

Virginia.
6

5174

PETERSBURG, VA.
PROGRESS INDEX

MAR 10 1935

Justice In Virginia

RECENTLY in the town of Hampton a 20-year-old man was found guilty by an all-white jury of criminal assault upon a colored 18-year-old girl and was sentenced to serve five years in the state penitentiary.

"At no time," observes the Norfolk *Virginian-Pilot*, "either during the trial or after, was there any threat of mob "violence, any motion for a change of venue, or any need for "the National Guard or for more police protection than that "afforded by the court bailiff. Justice emerged with her fair "face unmarred."

The comment of the Norfolk paper is to the point. We suspect that certain northern papers which regularly insist that where Negroes are concerned justice in the South is miscarried will not find this item of news worthy of comment.

DECENT NEGRO WOMEN ENCOUNTER MUCH ANNOYACE FROM WHITE MEN ACCORDING TO PHILLY COPS

PHILADELPHIA, Pa. — White mashers who insult colored girls in the First Police District are going to get jail that's coming to them, if police have anything to say about it.

Two white men have received sentences for making improper advances to attractive colored girls, escorted and unescorted, on the highways.

Isabel Bradley, well known musician, 122 N. Redfield street, was the latest victim. She was standing on the corner of 16th and South streets talking to her brother, Elmer Bradley, who is well known in social circles here, when a white man persisted in walking past her and rubbing himself against her and hissing and beckoning to her.

Her brother was so outraged by the antics of the man that he was forced to speak to the man who made out that he knew Miss Bradley. A policeman was called and he molester, Marry Sehabel, 43, of Clover Hill Farm in Media, Delaware County was placed in custody for annoying the girl.

Magistrate Henry fined him $10 and costs or thirty days in jail when he offered as his alibi that he thought Miss Bradley was a girl he worked with.

Miss Ruth Norton, of the 100 block of Fitzwater street, was accosted in a like maner a little over a week ago. Her would-be masher was also sentenced and fined.

Captain Robert Black declared that it was getting so that it was hard for a decent colored woman to walk in the sreets of South Philadelphia and he was not going to allow the policemen in his district to continue to allow men to insult peaceful, law-abiding women just because they are without escorts.

Magistrate Henry, in pronouncing sentence stated, "We are going to break up this damnable practice. Some white men think every colored woman they see is of an immoral character. I intend to fine every man brought before me who affronts decent colored women on our streets."

Hold White Lawyer For Attack On A Young Negro Cook

Charles R. Calloway, well known young white lawyer was bound to the Knox county grand jury under $2,000 bond when he was arraigned in city court on a charge of attempting to commit criminal assault on Miss Bessie Johnson, young colored woman.

The charge against the lawyer grows out of his attack on the young woman on Sunday night as she was returning to her home after attending church.

The young woman, 35 years of age, is employed as a servant in the home of Mr. and Mrs. B. E. Morris, near Scenic Drive, just off Kingston Pike. She called at the office of Attorney W. L. Porter on Monday and employed him to prosecute the charge against Calloway, at which time she gave the following account of the affair:

"I attended church at the Main Street Baptist church, now being held in the Green School auditorium, on Sunday night. After the services were over I walked down Vine and up Gay street to the corner of Gay and Union where I boarded the Lyons View car to go to my home, at the place of my employer. I got off the car at Scenic Drive and when I was half way down the block a car drove up and by me, suddenly stopping. The car was backed down to overtake me as I walked along and I tucked my pocket book under my coat, believing that it was a hold-up. The driver, a young white man was alone and he opened the door and suggested that I get in stating that he would take me home. I promptly told him that I didn't want him to take me home as I lived only a half block away. He then jumped out and ordered me to get into his car, stating:

'you get in that car, G-- d--- you, or I'll kill you '

"I started to run and screamed as loud as I could. As I ran, the heel of my shoe turned over and that caused me to fall. The man, acting like a wild man, caught the back of my fur coat just as I fell and ripped a place down the back. He then ordered me to get up and return to his car, still threatening to kill me. As I got back to his car and was holding on to the side in an effort to prevent his pushing me into the seat, he deliberately pushed the door to on my fingers causing me to release my hold. I continued to scream as he speeded up his motor and drove off for a distance of what I consider two miles."

The young woman exhibited the bruised finger nails where the car door had been slammed shut on her hand.

Stripped Of Clothing

"When the man drove quite some distance away to a dark place near the river, he stopped and ordered me to pull off my coat. When I refused, he attacked me in wild man fashion and tore my coat off, as well as tearing off all of my clothes down to the very last piece. I continued to scream.

Police Officers Arrive.

....."The white people residing in homes at the point where I was first approached by the man evidently heard my screams and sent in a call to police headquarters, for just about the time my attacker tore off all of my clothes and was about to proceed with his attack, the police cruising car came up. The man ordered me to get down on the floor, threatening to kill me if I made further outcry. The officers came up and demanded that he open the car door and this he refused to do, whereupon one of the policemen extended his arm through the opening, pulled the key from the ignition switch and opened the door from the inside.

"The officers flashed their light into the car and when they saw me they asked Calloway,

" 'what are you doing with this colored woman in your car?'

to which he replied, 'that's alright.' "

"I immediately protested to the officers that it wasn't alright, either, and told them of his mistreatment of me. Another young white man had evidently heard my screams and he followed the officers' car, coming up to where my attacker held me just about the time the officers got there.

"The four white men stepped over and began talking, the man who mistreated me pleading not to be arrested and declaring to the officers that his reputation would be ruined if this affair got out.

Turned Out Lights So She Could Dress.

....."I asked the officers to turn out the bright lights of their cars so that I could put on the clothes that the man had torn from me, and they complied with this request, and after I had gotten the torn peices back on, they ordered the man to get into the car of the white man that drove up with the officers and then took me into the police car and drove to city jail."

Released On Drunk Bond

Calloway gave his name at city jail as "Jimmie Smith," and notwithstanding the fact the charge of "attempted criminal assault"

(Continued on page 2)

Hold White Lawyer For Attack On A Young Negro Cook

(Continued from page 1)

was registered against him, as is shown by the police blotter, when the case was called in city court on Monday afternoon, the startling fact was disclosed that Calloway was released on a bond signed by City Bondsman Seaton on a drunk charge, that carries only a fine of $7.50.

According to Miss Johnson, Officers Roach and Norton, who made the arrest, told her the correct name of the man and further told her to appear again as the case would be heard before Judge Bob Williams in city court on Monday afternoon at 1:30 o'clock. Captain Tom Moore, of the police department, was in charge of the detachment at the time the arrest of Calloway was made.

Early Monday morning, Miss Johnson engaged the services of Attorney Porter to prosecute the charges and he, in company with the young woman appeared in city court at the appointed time.

Upon looking into the matter Attorney Porter promptly had the young woman prefer the charge of attempted criminal assault against Calloway, it being necessary to have the warrant issued in the name of "Jimmy Smith, alias," as his correct name was not known at the time.

Submitted On Drunk Charge

"Officers Roach and Norton," Judge Williams called out, in his usual manner of disposing of the many cases on Monday's docket.

"Jimmy Smith charged with being drunk," the judge added, whereupon City Bondsman Seaton came forward in the absence of "Jimmy Smith," and announced "submit him, Judge."

Questions Release Of Calloway

"Yes, this is the same 'Jimmy Smith' that assaulted a young colored woman Sunday night under what we are informed is one of the most aggravated forms of attempted criminal assault that has ben staged in Knoxville," Attorney Porter declared to the court, and he handed the judge the warrant charging the defendant with attempted criminal asault on Bessie Johnson.

The attorney added in emphatic protest to the court, "Judge, we can't understand how this man was released by the city bondsman on a drunk charge when the police blotter shows opposite his assumed name the charge 'attempt to commit criminal assault.' "

The warrant charging a felony was immediately placed in the hands of Chief L. M. York and he handed it to Detective "Pat" Wells who notified Calloway to appear and make bond.

Seek To Effect Compromise.

The young colored woman reported to her lawyer that she had been called at the home of her employer a number of times on Monday afternoon, by a man who said he was Calloway, offering her money to withdraw the charges against him and declaring that he would be ruined if the matter got out on him.

Despite the fact that Attorney Porter was at home suffering from a cold, he was called time and time again to answer the phone as Calloway and his attorneys endeavored to get their offer of a price over for a withdrawal of the charges, to which proposition they were promptly told, "there's positively nothing doing and I don't even want to discuss the matter with you."

Case Called Tuesday Afternoon.

Hearing on the assault charge against Calloway was set for 1:30 p. m., and again his attorneys, Messrs. Cecil Meek and William Cooper approached Attorney Porter with offers to settle the matter as a civil action and requested an agreement to pass the case for another day. Their requests were as promptly turned down by the attorney for the young colored woman, and this time Attorney Porter queried of the lawyers:

"would you want to settle as serious a charge as this for a monetary consideration if the defendant was a Negro and the prosecutrix had been a white woman?"

When the case was called by Judge Williams before the crowded courtroom, Attorney Meek made a motion to pass the case to another day. In resisting the motion to pass, Attorney Porter stated:

"Your honor, please, we at all time desire to favor opposing counsel, but in this instance we most respectfully resist any effort to pass this case, in view of the serious charges here, and the fact that this defendant is yet allowing a fictitious name to remains on this warrant. We want him in court now, and desire to ask the court that this warrant be amended so as to insert the proper name of the defendant,—Charles R. Calloway."

Judge Williams allowed the amendment and then overruled the motion to pass the case to which action Attorney Meek anounced that he would then waive any preliminary hearing for his client and the judge ordered Calloway held under a bond of $2,000 for action of the Knox county grand jury.

The Knox county grand jury will convene next Monday, for its March session and as soon after the body is organized as Attorney General J. Fred Bibb sees fit, the young colored woman will be called before that body to tell of the brutal treatment which she was subjected to.

White Sentiment Indicates Sympathy For Woman.

Miss Robinson, a native of Selma, Ala., came to Knoxville early in April, 1934 to visit her sister Mrs. Della Mae Kyle, of 949 Yeager Street. After remaining here a few days she was offered a job as a servant in the home of a white family on West Church avenue, and her services were of such a satisfactory kind that Mr. and Mrs. Morris, for whom she is now cooking, heard of her and gave her an offer. She has been employed in the Morris home for several months. Mr. Morris came to Knoxville from Virginia and is in the employ of the TVA.

Expressions of hundreds of fair-minded white persons who watched the case indicated a desire to see the law takes its course in deal ing with Calloway on the charge of attacking the young colored woman.

Ministers Organize To Aid Prosecution.

Local members of the Ministers' Interdenominational Alliance got busy as soon as they received word of the case and a delegation from that body, under the leadership of Revs. Downer, the president, and S. H. Marion, anounced that they would launch a movement to raise funds to bring about vigorous prosecution in view of the terrible treatment accorded the young woman.

Even before a meeting of the body was held, individuals ministers approached the East Tennessee News with the request that a call for funds from the general public be announced through the columns of this paper and the following launched the movement with substantial subscriptions:

Rev. H. H. Hubbard,	$5.00
The East Tenn. News	$5.00
Rev. L. W. Veal,	$5.00
Rev. S. H. Marion,	$5.00
Rev. S. A. Downer	$5.00
	$25.00

Others who desire to subscribe to the fund should make their remittances to Rev. S. H. Marion, 310 East Clinch Avenue, Knoxville, Tenn., Phone No. 2-5649.

nder County A

Tornado Destroys Texas Shacks

Dying Man Takes Gun From Man

Admitted as Second Class Matter, October 15, 1906, at the Post Office at Knoxville, Tenn., under the act of March 23, 1879.

All unsolicited articles, manuscripts, letters and pictures sent to THE EAST TENNESSEE NEWS are sent at the owner's risk, and EAST TENNESSEE NEWS expressly repudiates any liability or responsibility for their safe custody or return. All communications must be sent in the name of and all checks and Money orders should be made payable to THE EAST TENNESSEE NEWS. No attention whatever, will be given unsigned matter. Stamps must accompany all requests and manuscripts.

Vol. XXVIII. Thursday, February 28, 1935. No. 20

LET JUSTICE PREVAIL

A CRIME was committed in Knoxville Sunday night with all the gravity and injuries that characterize some for which black men are now being confined in death row at the State Penitentiary at Nashville, awaiting the day when their lives will be exacted following their convictions on charges of forcing their lustful desires on white women.

The difference between the convicted felon from Shelby county, whose sentence of death was affirmed by our Supreme Court in session at Nashville last Saturday, and the charged felon whose depredations served to arouse the Negro racial group as nothing else in many months, as enacted last Sunday night, is color of principals involved. At Memphis, a black boy attempted to rape a white woman. In Knoxville, a white man of standing tried with all the brute force to rape a black woman, and but for the timely intervention of police officers, he would have accomplished his purpose.

Notwithstanding the gravity of the crime staged in our city toward NEGRO WOMANHOOD, there has been a total absence of LAWLESSNESS AND DISORDER, much to the credit of our local citizenship—believers in law and order, and altogether different to the conduct of certain citizens of Shelbyville, where an alleged crime of the exact type is said to have been committed.

In Knoxville, there was no blazing lines in newspapers referring to a woman having been brutally assaulted, (and by the way, although news reporters representing both daily papers have had thorough and definite knowledge of just what actually happened here, not a single line has appeared concerning the matter up to the time this editorial is being penned.)

There has been no call issued to the governor of our state for troops to patrol the streets of Knoxville to quell disorders arising from the fury of an outraged citizenship.

There has been no hustling off of the accused to an adjoining town or city to prevent mob violence.

There has been positively no maltreatment of harmless and innocent men, women and children by hoodlums acting under the guise of avenging a wrong perpetrated on a poor, defenseless woman who dared to protect her virtue even at the cost of her life.

On the other hand:—

When policemen, attracted to the dark, dismal wooded section where a young NEGRO church woman was being held captive under threat of death by a WHITE LAWYER, he has at no time seen inside of a jail cell with a view of holding him on so serious a charge.

(It must be said to the credit of Officers Norton and Roach—they refused to be persuaded to release the alleged would-be rapist, and properly entered the charge which appeared to them correct upon the police blotter.)

Taxpayers of Knoxville employ a city bondsman. Then what right did this bondsman have executing a $7.50 bond for a man charged with so serious a felony? What superior officer authorized him to do so?

When and at what time was a drunk charge preferred against the alleged would-be rapist, and under whose authority did the city bondsman attempt to submit him on a $7.50 drunk charge ,when a crime of so serious a nature had been preferred against him, as shown on the police record.

The action of the accused lawyer in this matter has been the subject of strong denunciation on the part of every fair-minded white person who has expressed themselves concern- the affair, and this includes many of our court authorities. The statement of the accused and his friends infers that he committed a "serious mistake." True enough, he has committed a serious mistake, but no less grievous than had the intended victim of his lustful desires had been the wife or daughter of one of the prominent white families residing in the section where the act was staged. Nor, was the act of this lawyer any less grave than that charged to a black embecile who might have been operating under the influence of bad liquor.

Here was a defenseless black woman, who gave her assailant sufficient warning that she had no inclination to entertain his attentions. She had been to church and was enroute to her home in a room on the place of her employer where she might sleep for a few hours and with all of the faithfulness as characterizes her kind, she planned to sleep a few hours and then arise to perform her duties about the household of her employers. However, it matters not what her reputation might have been or what her mision, as she walked the streets of our city, she is entitled to the same protection as the whitest woman who ever breathed, and fair-minded, justice-loving white citizens, as well as members of the racial group to which this

pects our law enforcement officials to do their duty. They expect nothing more; they will accept nothing less.

Negroes are not concerned about editorials denouncing mob rule and injustices as might be directed toward their racial group on the part of newspapers who fail to give the public information of so grave a crime having been committed. The question resolves itself into one—CAN A NEGRO WOMAN BE MISTREATED? IS THERE A LAW FOR A BLACK WOMAN'S PROTECTION DIFFERENT FROM THAT PROVIDED FOR WHITE WOMEN?

A CRIME has been committed! Womanhood has been outraged! Proffer of money will not suffice and until the accused can give a satisfactory explanation of his terrible conduct that will satisfy the courts of our county that he is not guilty as charged, JUSTICE DEMANDS that he pay the penalty as the law prescribes!

ESPREAD FAVOR

the orphanage on Brandau Hill.

Among the ten agencies recommended to receive aid from the Chest fund were the Payne Avenue Day Nursery and the Phyllis Wheatley Branch Y. W. C. A.

The recommendations of Mr. Chavannes, especially as concerns the Colored Orphanage, has met with widespread approval from the ranks of the local Negro citizenship who are interested in having a much larger number of dependent children secure aid from the county funds provided for like institutions. As it is now, only a few children are cared for at the place on Brandau Avenue, and the activities of those in charge of the institution wherein they exhibt an altogether selfsh.aij
air of owning the place, causes many who would do more for the youngsters to desist.

See Court Members

Persons interested in having the recommendation relative to the Colored Orphanage, adopted should get busy and see members of the county court, requesting them to support the change at the next session of their body in April.

Bishop Vernon Speaks To Kansas Rotary Group

KANSAS CITY, Kan. (By the Continental Press)—Bishop W. T. Vernon was the guest speaker at the Rotary Club in the Chamber of Commerce in Kansas City, Kansas on Tuesday afternoon, having been invited to speak on Lincoln. This was the first time in the history of the local Rotary Club that a Negro had been thus honored.

It was singularly significant that thirty years ago this same speaker was selected as the first and only Negro ever to be the orator on Kansas Day at the great celebration in Topeka.

He discussed the lessons one could get from the lives of George Washington and Abraham Lincoln. He said in part, "This nation is safe so long as we are inspired by the spirits of such men as these. One was the aristocrat and patriot, the father of his country; the other, the commoner and patriot, the savior of his country; the two types constitute the anchor of our hope."

Superinendent Vernon was introduced by Dr. C. C. Nesselrode. The school's quintet, composed of Jack Johnson, Fred Wright, George Royston, Morris Wright and Robert Reid sang to the accompaniment of Miss Marie Lillard, head of the music department at the institution.

Police Silent On Cause Of Death

CHICAGO—For the second time in the past month alleged "pleasure" visits to the South central district have proved too much for white gentlemen.

The latest to die from "heart trouble," was Harry Robinson, 42 years old, well-known club man and prominent in civic affairs in his own neighborhood.

Robinson, according to police records, had a "heart attack" while visiting in the room of Mrs. Virginia Meredith, 5302 Calumet avenue, on Tuesday nght.

There was an immediate attempt to hush up the second fatality, but investigation into the affair revealed that Robinson allegedly suffered undue excitement which caused his premature death.

The body was removed from the apartment. Police ascribed his death to sudden failure of the heart and let it go at that.

In Knoxville

JACKSONVILLE, Fla. — Mrs. Martha O'Neil, 29, of 720 Market Street, the wife and secretary of Bishop Socrates A. E. O'Neil, was sentenced to fifty-nine days in the county jail for alleged shoplifting the other day, the "Mirror" learned today.

Bishop O'Neil, husband of the convicted woman, is known throughout the United States as an agitator for legislation to prohibit interracial marrages in Eastern, Northern, and Western States. He recently completed a tour of 16 states in which he advocated the return of Negroes to the farm.

It is said that the Bishop founded a feligious and educational institution in North Carolina, and s well known n that state for his alleged advocation of "follow the good white folks."

The Bishop is at present in the city trying to raise funds to go to the State Capitol to see the Governor relaive to having an anti-lynching law passed while his wife languishes in jail because she couldn't pay a fifty dollar fine which was imposed for the offense.

When interviewed today by a "Mirror" reporter, she said she was guilty and pleaded guilty in court even though the white storekeeper did not appear against her. Asked why she pleaded guilty when there was no one to prosecute her, she said, "I didn't know what else to do; I was guilty."

It had been rumored around town that Mrs. O'Neil had an accomplice; this she denied vehemently. "I was by myself," she said. "There was another woman across the street from the store, but she had nothing to do with it and was gone when the police arrived."

Asked about her marriage to the Bishop and the place of her birth, she said they had been married nearly five years; that her home was in a small town in Alabama.

Mrs. O'Neil was interviewed in the kitchen of the Jailer where she is working as a trusty.

In reply to a queston by the reporter as to why her influential husband didn't use his influence to have her released, the little woman smiled: "I guess he's doing all he can. You see he's behind in everything. But I have faith in him."

Decrease In Poison Liquor Deaths, Say

PHILADELPHIA, Pa. — There was a noticable decrease in sudden deaths this week.

Last week the total number of known sudden death cases were counted at 14. This week there was only one.

This week's victim was Henry Reese, 45, 1232 Cambride Street, who was found at his home dead in bed, by another tenant in the house.

The man was removed to the St. Luke and Children's Homeopathic Hospital, where he was officially pronounced dead by the hospital physicians. The body was sent to the morgue, where it is now awaiting identification by the man's relatives, who, police say, are in South Carolina.

Although it was not confirmed officially, many of the recent sudden deaths are alleged to have been as a result of poison liquor that has been distributed by "small time" bootleggers in various tenderloin districts of the hity. In many lases, it was reported, the victim prior to the time of his death had been a heavy drinker.

Show the boss that you want to get in step with him.

Lonliness is one form of torture om which none escapes.

WOMAN PROSECUTRIX LEAVES AS GRAND JURY ADJOURNS WITH NO REPORT ON ATTACK CHARGE

East Tennessean 3-21-35

"Just what has happened as concerns the case of Charles R. Calloway, white lawyer, on the charge of "attempting to commit criminal assault" on Bessie Johnson, Negro woman, is not a part of the available record, as far as I know," was the statement issued by Attorney Webster Porter, today, and he added, "such is true, notwithstanding the fact I was employed and paid to assist the state in the prosecution of the charges and this fact was definitely known to Attorney General J. Fred Bibb." Knoxville, Tenn.

It is known, however, that the grand jury, which has been in session since the first Monday in March, failed, as far as can be discerned, to issue a report on the case, and whether an indictment was drawn by the attorney general's office, or whether Bessie Johnson, the alleged victim of the attack, was ever summoned to appear before the grand jury could not be learned. Deputy-sheriff Ethel King, whose duty it is to serve subpoenas for the grand jury could not recall, when asked whether he had served a summons on the Negro woman, and just about the time he was endeavoring to answer the query, in walked Eugene Mynatt, whose duty it is to draw the indictments for the grand jury, as secretary to General Bibb, and he too, "knew nothing about the matter."

"In fact," Attorney Porter stated, "it seemed more difficult to secure information concerning the case, wherein I was employed to assist the state, than it was to secure information concerning previous cases wherein I appeared as attorney for defendants charged with serious crimes against white persons."

It is further known that no report appears that would indicate whether the grand jury took any action on the matter. It is further known that the grand jury has adjourned, and still further, it is known that Bessie Johnson, the ignorant Negro woman cook who complained in a most earnest manner that she was the victim of one of the most flagrant and brazen attacks that has come to the attention of the local populace, has left town without conferring with her attorney or letting it be known as to her whereabouts.

According to Patrolman Roach, who with Patrolman Norton, made the arrest of Calloway on the Sunday night in question, when they found the woman in the nude, "Mr. Norton and myself were the only ones to appear before the grand jury," and Officer Roach tells of having been confronted with some sort of a statement signed by the woman.

Reports have been rife, many of which were well founded, of efforts on the part of Calloway and his friends to have the charge dropped for a sum of money. Other reports have been circulated charging that a compromise has been effected in the matter. Read what the LAW OF TENNESSEE HAS TO SAY CONCERNING "COMPOUNDING FELONIES:"

"COMPOUNDING CRIMES. Article II. Section 6691. If any person having knowledge of the commission of any offense punishable by imprisonment in the penitentiary for a limited term of years, take any money or valuable consideration or gratuity, or any promise therefor, upon an agreement or understanding, EXPRESS OR IMPLIED, to compound or conceal such offense, or not to prosecute the same, or not to give evidence therefor, he shall be punished by imprisonment in the county jail not exceeding one year, and by fine not exceeding five hundred dollars."

The brief facts in connection with the case are outlined as follows to give the readers another opportunity to determine in their own opinion as to whether a crime has been committed:

On Monday morning, February 25, a feminine voice called the law office of Attorney W. L. Porter and stated "this is Bessie Johnson. A white man attacked me while I was returning from church last night and the case against him comes up in city court at 1:30 this afternoon. I want to know what you will charge to represent me there.'

The woman was told to come to the office at twelve o'clock and the matter would be further gone into.

Rev. S. H. Marion, pastor of the Logan Temple A. M. E. Zion church just happened to stop by the office of Attorney Porter at the noon hour and it was while he and the lawyer were conversing that the woman walked in and

(Continued on page 2)

ALITY IN NORTH CARO

JOHNSON QUI

Wins First Honors

GONE!



BESSIE JOHNSON

When Bessie Johnson, young Negro woman, above, posed for this picture at the office of the East Tennessee News, several weeks ago, she told of efforts to "buy her off," as concerns pressing the charge against Charles Calloway in [illegible] On Tuesday Bessie phoned her lawyer that she was summoned to her Alabama home on account of a sick child, "but I'll be right by to see you before I go," she stated. Nothing has been seen or heard of her since.

SORDID STORIES OF TORTURE RELATED TO PROBERS OF PRISON CONDITIONS IN NOR. CAROLINA

RALEIGH, N.C. (by Continental Press)—Stories so sordid as to approximate the incredible, were related to an investigating committee looking into the purported abuses, tortures and deaths of Negro convicts, in Mecklenburg county prison camp No. 413, that Solicitor John G. Carpenter has communicated with Gov. Ehringhaus to arrange for a special term of the Criminal Court in Charlotte so as to bring to account the responsible party or parties in the series of sordid crimes of inhumane treatment.

Among the unbelievable stories related are these:

That Negro convicts have been tortured.

That Negro convicts have been starved.

That feet of Negro convicts have been frozen while chained in dark solitary cells.

That one Negro convict was lashed unmercifully weekly for four consecutive months.

That convicts have been forced to dig secret graves to bury the dead at night.

That half a dozen Negroes are buried secretly near Convict Camp between Blowing Rock and Boone.

"Can Hardly Believe It," avers Dr. Burrus, one of the Committee

"We can hardly believe it," says Dr. J. T. Burrus of High Point, a member of the committee.

"We cannot see how human beings could do the things we are forced to believe they have done. We had no idea things like these existed in North Carolina.

"There must be a change, and at once," says the High Point doctor after listening to the unparalleled recitations of brutality perpetrated allegedly by those in charge at the prison camps.

Disclosures startling in the extreme led the committee to believe that return to the old time last as a corrective measure was far better than the present "torture methods" in vogue in the Tar Heel state.

A former convict, whose name is being withheld, told how "half a dozen" or more Negro convicts lay buried secretly near a moun ain between Blowing Rock a Boone; and how other prisone were forced to dig graves a bury the dead under cover night after other friendless co victs had died while held in so tary confinement in dark cells.

The informant also related detail how two Negro convic Robert Barnes and Woodrow W son Shropshire, had lost both fe because they were frozen fro long exposure while chained dark solitary cells during Jan ary. It was the amputation of t feet of these two convicts whi finally prompted the investig tion.

Another story was related co cerning L. Bogan, whose dea occurred while in solitary co finement last summer. Althou Bogan complained of being guards are alleged to have tak him at night and threatened chain him back in an upright a standing position, "if he did n shut up."

It was also disclosed that t prison or camp physician, Dr. S. McLaughlin, had signed death certificate in which he sa Bogan's death was due "to acu [illegible] so represented in the prison r cords.

Another story cruel and sord in a very strict sense, was rel ed: A Negro convict, Carter name, died in the Mecklenbu County Home following a ser of cruel, unmerciful beatings a ministered each week over a p iod of four consecutive month

The sordid revelations ha shocked even hardened pris officials throughout the sta and various social agenci churches and other interests ha sent in appeals, insisting th state officials, from the govern on down, will exert every infl ence and agency at hand, th the ends of justice will be me A thorough sifting of the who matter has been promised a Gov. Ehringhaus wired Solicit Carpenter he could be depende upon to use his influence t bring about the special sessio so as to determine the facts i the case and mete out justice.

County Schools In Health Program And Art Exhibit

Great interest was manifested in the Blue Ribbon health program conducted by teachers and pupils of Knox county schools in the courthouse auditorium on Saturday morning.

The first prize for a showing of 100 per cent of pupils who have reached the required health standard, was awarded to the Mascot school of which Miss E. Parks is teacher. The second prize was awarded the Armstrong school, of which Miss M. Rathers is teacher, pupils of that school having registered 85 per cent. Mrs. Johnson, of Powell Station, presented the prizes of $7 and $3 respectively, the money having been subscribed by officials of the courthouse.

Mrs. Ford presided at the program on which appeard many interesting numbers by the pupils.

In a short talk delivered at the meeting, Attorney W. L. Porter praised the interest and efforts of Judge S. O. Houston and [illegible] Brickey, Misses Cates Leath an Jackson and the energetic grou because of their earnest interes in promoting such a worthwhi program designed to improve th health conditions of the Negroe of our county.

Prof. Dudley Tanner Speaks.

Following the program at th courthouse the pupils and the teachers attended a moving pi ture show at a Vine Street thea ter and at 1:30 Saturday after noon they joined hundreds of ci tizens of both races to witness th exhibit of needlework, quilts, han painting, weaving, cooking an basketry as was shown at th Lyons View school.

Miss Nellie Ford again presided at a program and after severa selections rendered by students o the different schools, addresses were delivered by Superintendent Brickey, of county schools, Attorney W. L. Porter and Prof. Dudley S. Tanner, of the state deparment of education, and Rev. H. J. Bailey.

One hundred and ninety children were presented certificates for reading by Prof. Brickey, and pins for spelling were presented seventy-five pupils by Prof. Tanner.

Mrs. J. T. Tanner, mother of

BESSIE JOHNSON QUITS TOWN

(Continued from Page 1)

announced: "I am Bessie Johnson—the one who called to employ you for the case in city court this afternoon."

Whereupon she was told to have a seat and proceed to tell of her matter in the presence of the pastor.

The young woman told of having attended church at the Main Avenue Baptist Church on Sunday night and while returning to her room at the home of her employers, Mr. and Mrs. B. E. Morris, near Scenic Drive, just off Kingston Pike, at 11:15 at night she was attacked by a white man and outlined the details of the attack and arrest as have been narrated in these columns heretofore.

Attorney Porter accepted the case and in company with Rev. Marion, Rev. H. H. Hubbard, Rev. S. A. Downer and other local ministers, went to city court and there found that the charge of "ATTEMPTED CRIMINAL ASSAULT" as had been written along side of the name of "Jimmy Smith," on the police blotter, had dwindled to one of "drunkenness," and the "Jimmy Smith" had been released on a charge that carried only a $7.50 fine, by bond furnished by City Bondsman Seaton.

As soon as Attorney Porter stept into police headquarters with the young woman, several policemen and court attachees whispered into his ear "his name isn't 'Jimmy Smith,' but Calloway, and he is a young lawyer here."

When the city bondsman attempted to submit "Jimmy Smith" on a drunk charge, Attorney Porter intercepted the scheme by directing the attention of the court to the matter and then presented a warrant containing the charge as had been registered on the police blotter by the arresting officers, Patrolmen Norton and Roach—"ATTEMPTING TO COMMIT CRIMINAL ASSAULT."

Judge Williams then ordered "Jimmy Smith, alias," taken into custody and set the hearing for the following Tuesday afternoon.

In the meantime, it became of general knowledge that the accused attacker of Bessie Johnson was Charles R. Calloway, a white lawyer of the local bar. When he was taken into custody on the "assault" charge, late Monday afternoon, Attorney Porter had gone to his home where he was confined on account of a severe cold.

Calloway called him over the phone and stated:

"I have made a terrible mistake—one that will mean the loss of my job and oust me from my profession, and I want you to help me out. I want to come out to see you right now."

"I am sick and hoarse and I don't want to see anyone. I will be in my office at eight in the morning," Attorney Porter replied.

A short time after, Attorney Cecil Meek called Attorney Porter and told that he was looking after the case for Calloway and he wanted to come out to talk the matter over, to which he was also told that in view of Mr. Porter's illness he would not see any one.

On Tuesday morning as Attorney Porter entered his office, he answered the telephone to receive a call from Mr. Meek seeking a conference on the matter and he suggested a meeting at his office in the Empire building after having been told that Attorney Porter was then on his way to the courthouse.

Matter Called To Attention Of Attorney General.

While Attorney Porter was in the criminal court clerk's office at the courthouse, Attorney General J. Fred Bibb walked in and he was told of the case.

"Charles Calloway is accused of attempting to criminally assault a young Negro girl, general, and he is endeavoring to hush the matter up by paying off," Attorney Porter stated to the attorney general.

"I hadn't heard anything of it," General Bibb replied, and added, "give him hell!"

Upon returning to his office Attorney Porter was confronted by Attorney Cecil Meek and Mr. Sherrell, of the Sherrell Motor Co., former employer of Calloway and his bondsman on the charge that had been preferred in city court.

Attorney Meek employed every reasonable means to have Attorney Porter agree to get in touch with the attorney general's office with a view of settling the matter out of court and failing to do so he then requested that an agreement to pass the case for a later date be entered.

The case was called before Judge Williams and again attorneys for Calloway endeavored to have the case passed. When the judge denied their motion the preliminary hearing was waived o behalf of Calloway and he was bound to the Knox county grand jury under a bond of $2,000.

Even at that time attorney for Calloway was urging Attorney Porter to adjust the matter on a civil action basis which proposition was turned down.

Public Sentiment Aroused.

In the meantime, as news of the treatment accorded the young Negro woman gained circulation expressions from many white persons as well as Negroes, indicated a desire to see justice fairly administered in pressing the charges against Calloway.

Enter The Kyles.

Members of the Ministers' Interdenominational Alliance took immediate action in the matter to the extent of visiting the office of Attorney General Bibb for the purpose of letting him know that the Negro racial group wanted a fair and impartial investigation of the matter.

Various sums of money poured into a fund to pay counsel to assist in prosecuting the accused lawyer. Persons who believed the Johnson woman had been wronged and that she would stand to the last in demanding punishment for her attacker, sent money from out of town as well as in Knoxville. Then suddenly the woman told of the tactics of Frank Kyle and his wife, Della Kyle, wherein they approached her to consider a compromise of the case. The Kyle woman, a sister of Bessie Johnson, is reported to have even sought the assistance of Rev. and Mrs. H. J. Bailey, well known local minister and wife, in an effort to have their aid in persuading the woman to accept a sum of money as a compromise of the matter.

Denies That She Would Quit.

When approached by Attorney Porter with the query as to whether she would listen to the suggestions of Frank and Della Kyle for a compromise, the Johnson woman declared that she would not and expressed a determination to prosecute the matter to the

The Knox county grand jury began its deliberations on the first Monday in March and every report of that body was watched with keen interest in an effort to see whether any action had been taken on the Calloway case. The Johnson woman was notified by Attorney Porter to report to him as soon as she was called before the grand jury and she made a definite promise that she would

Called To Alabama.

On Tuesday morning of this week Bessie Johnson phoned Attorney Porter and informed him that she had a telegram summoning her to her home in Selma, Ala., on account of the illness of some relative.

This notice from the woman came at a time just a few hours before the grand jury adjourned its present session.

"I have got to go to Alabama," she stated, 'cause my child is sick, and I want to know whether you can have my trial put off."

The woman knew at that very time that she had signed some kind of a statement that ended the prosecution.

She stated further that she was about to leave the home of her employer and would come right to the office. The time of this call was near eleven o'clock. Again several ministers, Revs. L. W. Veal, H. H. Hubbard, Bram, D. A. Jackson and S. A. Downer happened to be in the office of Attorney Porter and they were advised of the woman's plans and requested to await her arrival and hear her story.

While it had been generally reported throughout the community that the matter had been ended for a price, this fact was not **definately known to her attorney.**

In commenting on the situation, Attorney Porter stated:

"I realized full well that all kind of pressure was being brought to bear on the woman to withdraw the charges, but she was so assuring in her talks to me, that she would press them to the very last, I was really surprised that she did employ such a course."

The group of ministers waited for the promised arrival of the woman for more than two hours and as the train on which she said she was to leave came into the station, the suggestion was made that the group go down to discern whether she was really leaving. She did not take the afternoon train and nothing more has been heard of her.

Policeman Roach Talks.

While in city court Wednesday afternoon, Policeman Roach, of the city force, who with Patrolman Norton pulled Calloway out of the car as he sat with the Johnson woman on the night she charges she was attacked, stated to Attorney Porter:

"Mr. Norton and myself were the only ones to go before the grand jury in that case. We couldn't get her to go and she signed a paper and 'they' had it before the grand jury when we were there."

Thus it is that a case that attracted nation-wide attention and proved one of as much interest to decent and lawabiding citizens as any that has ever developed in recent years, ended by leaving those who wish to see justice prevail as concerns all men, "with the bag to hold."

Methodists Urge Group To Face

SOUTHERN METHODIST WHITE WOMAN URGES COLLEAGUES TO FACE EVILS

ST. LOUIS, Mo. (by Continental Press)—A ringing challenge was issued here Thursday morning by Mrs. W. A. Newell, prominent white church leader and Superintendent of the Bureau of Christian Social Relations, in an address before over 200 white women from all sections of the south who were here attending the 25th annual session of the Women's Missionary Council of the Southern Methodist Episcopal church, of which Mrs. J. W. Perry, Chattanooga, Tennessee is president.

Speaking to the delegation assembled at the Centenary Methodist Episcopal church, 1601 Pine Street, Mrs. Newell urged the white women of Southern Methodism to face the future with hope, despite the fact their efforts in the past have not always been productive of the immedi-

SPECIAL
Bed
$5

Lynchings-1935
Reportson.

Crusader News Service

5185

NEWS BUREAU REPORTS SIX LYNCHINGS FOR FIRST SIX MONTHS OF THE YEAR.

Nashville Tenn.
7-8-35
Nashville, Tenn.

Only One of Victims Charged With "Attack," All Were Colored and All Were in Southern States.

New York—(Special)—From records kept by the Crusader News Service it is disclosed that there were six lynchings for the first six months of 1935, all of them Negroes, and all of them taking place in the South. In only one of the lynchings was the crime of "attack" charged against the victim of the lynching. In not a single one of the lynchings have officers of the law made any effort whatever to apprehend and punish the mob members.

It is believed that the toll of lynchings would have been much greater had not the United States Congress been in session throughout the time, with the threat of a Federal law against lynching ever present.

Not only have local officers in places where lynchings took place failed to do anything about these crimes, but the National Government headed by President Franklin D. Roosevelt has been silent as the tomb in the matter, although it has found more time to undertake the regulation of the affairs of business and the lives of the people of every part of the United States than any administration that has ever been in charge of the Government. Although a much publicized "humanitarian," Negroes of America have become wholly disillusioned over the President's zeal for putting an end to mob violence in this country, notwithstanding the fact that he has had the best opportunity to do something about the lynching evil of any man who has ever served as President.

The following is the lynching record of America for the first six months of 1935, together with the "reasons" for the lynchings:

January 11—Jerome Wilson, Franklinton, La.

Wilson had been convicted of the slaying of Delos Wood, a deputy sheriff, after officers had invaded his house. The lynching took place after the State Supreme Court had ordered a new trial. Wilson was shot to death in his cell; his body was taken from the jail and dumped on the road three miles north of town. Sheriff J. L. Brock said: "There wasn't any lynching. There were just six or eight business men going about their business."

Lynchings-1935
Reports on, -

World Almanac

5187

INDIANAPOLIS, IND
NEWS

JAN 22 1935

Lynchings in 1933

To the Editor of The News:

According to the 1935 World Almanac twenty-eight persons were lynched in the United States in 1933 the latest year for which figures are available. Of this number four were white and twenty-four colored. The states in which lynchings occurred and the number in each state are as follows: Alabama, 3; California, 2; Georgia, 4; Louisiana, 4; Maryland, 1; Mississippi, 3; Missouri, 1; North Carolina, 1; South Carolina, 4; Tennessee, 3, and Texas, 2. It will be noted that all states are southern with the exception of one or perhaps two. Of all those lynched, only the eight murderers could possibly have deserved what they got. Yet society thought it worth while to take the law into its own hands and risk the name of being civilized! The proposed anti-lynching bill must pass congress to protect the United States, and the south in particular, from this great outrage to society. R. K. T.

Indianapolis

Lynchings - 1935
Reports on. Sent Press.

Jan. - June

5176

DES MOINES, IA.
REGISTER
JUL 14 1935

FOUR LYNCHINGS, AND IN THE SAME OLD AREA.

During the first six months of 1935 there were four lynchings in the United States.

Those who recall the news stories will recognize that each instance was a disgraceful and indefensible affair. Yet perhaps the fact that there were six during the same period of 1934 and eight during the first half of 1933 should provide a small ray of hope.

All four victims were, of course, Negroes. And if the reader were reminded that the four butcheries occurred in but two states, he ought to require no more than one guess as to which states.

Naturally, Mississippi and Louisiana. These are two of the commonwealths so able to handle the matter that the southern senators filibustered the federal anti-lynching bill to death.

LYNCHBURG, VA.
ADVANCE
JUL 11 1935

THE LYNCHING RECORD

The lynching record for the first six months of 1935 is ample evidence to refute the necessity of enacting federal legislation designed to control mob action. As a matter of fact, the lynching curse has over a period of years shown a tremendous decline. While in more recent years, one 12-month period may show a small increase over the previous year, yet for decades there has not been anything comparable to the peak reached in 1892 when there were 231 lynchings, 69 of the victims being white persons.

For the first half of 1935 there were only 4 lynchings, according to the figures compiled by the Tuskegee Institute. These were confined to two states—Mississippi and Louisiana. No other commonwealth's name was besmirched by mob violence from January 1 to June 30. Even in Mississippi there was improvement for last year six of the 15 lynchings occurred in that state so that if the present record is maintained for the last six months of the year, Mississippi will have a 33 1-3 per cent improvement.

The adoption of a federal anti-lynching law would not improve matters. In the first place, such proposed legislation is mostly political. It was sponsored purely as a vote-catching device. In the second place it would tend to create intense sectional feelings and might retard rather than help in the solution of the lynching evil. Discussing the methods of combatting mob violence, the Roanoke World-News says:

"In its very nature, lynching is a reversion to barbarism, turning loose the blood lust of an inflamed mob against an unarmed prisoner, acquiesced in, if not actually aided, by pusillanimous public officers. Like many other abuses, it can be absolutely controlled by public opinion. For where public opinion has demanded that members of lynching mobs be prosecuted for the murderers they are, violence of this sort has come to a sudden stop."

Public opinion against lynching has grown rapidly in recent years. Particularly is this true in the South. Virginia for instance, has been almost free of mob murders for many years and there are few citizens who do not favor the courts being permitted to handle all cases which incite the populace to violence. If there is no interference by the federal government, public opinion will continue to manifest a greater desire to punish those who take the law into their own hands.

LOWELL, MASS.
COURIER CITIZEN
JUL 13 1935

FAIR LYNCHING RECORD.

Buried somewhere too deeply to have much chance of disinterment during this session of Congress is the perennial anti-lynching bill. It is probable that if brought to a vote—at any rate, if a roll-call should be ordered—it would be passed. The southern senators, however, uniformly use such parliamentary tactics as seem to be necessary for avoiding a showdown. It is hardly to be doubted that not a few northern members of both houses are more than willing that these tactics should prevail, not approving of the measure, but not caring to go on record as opposing it. Possibly it is a good thing that a bill to this effect comes up at every session, and it may also be well that it is not passed. Probably the fear of federal legislation and the annual agitation of the question put the individual states on their mettle to deal with the matter locally.

On the whole the situation seems to be improving. The Tuskegee Institute report, which is the standard for statistics on this subject, gives the number lynched during the first half of the year as only four, the smallest number since 1932. At this rate the record for that year, the minimum since the Civil war, would be tied. For some reason, however, the second half of the year is likely to be worse than the first, so that there can be no assurance that this exceptional record will be equalled.

Louisiana and Mississippi share equally in the disgrace of this year's lynchings. The sentiment of lawyers and other leading citizens of the former state has been aroused against this evil; but, since Mississippi is the only southern state in which the Negro population exceeds the white, the lower classes of the white population quite naturally, although by no means excusably, feel more the necessity of taking this method to avert any possibility of "Negro domination." Louisiana has not so much of a pretext for Negro lynchings, these being perhaps merely one of the manifestations of a lawlessness that has been prevalent in that state for a good many years.

Bad as any record of lynching is, the statisics, decade by decade, show that the South is advancing toward the solution of its problem. In view of the ineffectiveness of federal intervention in matters wholly within the states, in almost every department of such effort and always when federal laws run contra to public sentiment, one may doubt that a law of Congress would accomplish much that is not already being accomplished by the states.

DEMOCRAT
Logan, W. Va.
JUL 11 1935

Lynchings Fewer In Current Year

In a report from the department of records and research of the Tuskegee Normal and Industrial Institute, at Tuskegee, Alabama, and which was founded by the late Booker T. Washington and has become one of the foremost schools in the country devoted to the training of colored young men and women, it is shown that during the first six months of 1935 there were four lynchings in the country as compared with six for the first six months of 1934, and eight for the first six months of 1933.

All of the persons lynched this year were negroes, the report states, and the offenses charged included one for rape; one for wounding, and two for murder.

Two of the lynchings occurred in Louisiana and two in Mississippi.

ASHEVILLE, N. C.
TIMES
JUL 17 19[illegible]

LYNCHING DECREASES

(Charleston News and Courier)

For the first six months of the year the lynchings, as Tuskegee Institute reports, were only four. There were none in South Carolina. There will be lynchings in future, there will be killings by mob that will not be called lynchings, but they are steadily decreasing in the South.

The passage of the Costigan-Wagner law, which was written by a negro and aimed at the South though introduced by Democrats and not opposed by the White House, would have kindled "race prejudice" and caused more lynchings.

The truth is that the complete abandonment of lynching in the South would probably not promote the aims of the Northern organizations noisily supporting the Costigan-Wagner bill. Occasional outrages against negroes in the South are needed by these people in their propagandic business.

Their plans include much larger purposes than the suppressing of lynchings. What they are opposing is the general assertion of race domination in politics and race separation by the Southern whites. Were no negroes lynched they would have nothing to "dramatize," nothing with which to arouse the interest of the reforming class. Were never a negro lynched in the South the uplifters might forget the existence of the negroes.

Lynchers should suffer the penalties provided for murderers. If not for murdering, they should be punished for making fools of themselves and playing into the hands of the Northern reformers who care little or nothing about a lynching but are working indefatigably and with great skill to destroy all racial barriers and differences in the United States.

Lynching-1935
Reports on, Sen & Press.

Jan.- June

5177

Savannah, Ga., Press
July 3, 1935

LYNCHINGS DECREASE.

F. D. Patterson, the new president of the Tuskegee Normal and Industrial Institute, the colored school founded by Booker T. Washington at Tuskegee, Ala., is adhering to the plan of his predecessors in keeping a record of the lynchings of negroes in different sections of the United States.

He has just issued a statement which shows there were only four lynchings in the United States for the first six months of 1935. Two of these were in Louisiana and two in Mississippi. For the first six months of 1934 the record of President Patterson shows there were six lynchings in the United States. The comparative number has been reduced for that part of 1935 which has passed. This is very gratifying. It is hoped the last half of the year will record even fewer lynchings than did the initial six months.

Lynchings and their cause make an old story in the United States. The trouble about lynching is that when mobs take the law into their own hands they may make innocent parties pay the extreme penalty for crimes that under the statutes are not punishable by death. This was the case in one of the four lynchings reported for this year. A victim of the mob had only wounded another in an altercation.

For one crime, no matter where committed, there will always be a very strong tendency to lynch. Of course it's the wrong theory, but aroused communities do not stop to consider theories when the crime unspeakable is to be avenged.

Montgomery, Ala., Advertiser
July 5, 1935

GRADUAL, BUT CONSISTENT

Only Mississippi and Louisiana had black marks on their lynching records for the first six months of 1935. In each of these States two Negroes were lynched, according to the regular semi-annual report of Tuskegee Institute.

The four outrages compare with six in the same period of 1934 and eight in 1933, and is in keeping with the gradual, but consistent decline for the last 50 years.

That the decline has continued supports the arguments of those who were opposed to the attempt to revive the Dyer anti-lynching bill made at this session of Congress. Lynching will some day cease altogether, but when it does it will not be the result of law. A practice which is so opposed to the entire theory of law cannot be eradicated by more law. Only a change in the standards of men can be effective.

Tifton, Ga., Gazette
July 3, 1935

4 LYNCHINGS IN SIX MONTHS

Tuskegee, Ala., July 3.—According to the records compiled at Tuskegee Institute, in the department of records and research, in the first six months of 1935, there were four lynchings. This is two less than the number, six, for the first six months of 1934; and four less than the number, eight, for the first first six months of 1933.

All the persons lynched were negroes. The offenses charged were: Wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2, and Mississippi, 2.

Eufaula, Ala. Tribune
July 3, 1935

Four Lynchings In First Half Of 1935

According to records kept by Tuskegee Institute, four persons, all negroes, were lynched in the first six months of 1935. The offenses charged were: Wounding man in altercation, one; rape, one; murder, two. Two of the lynchings were in Louisiana and the other two in Mississippi.

New York Herald-Tribune
JUL 4 1935

1935 Lynchings Show Drop

Four Negroes Mob Victims in First Six Months

TUSKEGEE, Ala., July 3 (AP).—Tuskegee Institute's semi-annual lynching report, released today, showed that four Negroes were lynched—two in Louisiana and two in Mississippi—during the first six months of 1935, as compared with six in the same period of 1934 and eight in 1933.

Two of those lynched this year were charged with murder, one with criminal assault and the fourth with wounding a man during an altercation. There were no reports of a white man having been lynched.

Augusta, Ga., Chronicle
July 4, 1935

FOUR LYNCHINGS ARE RECORDED THIS YEAR

Two lynchings in Louisiana and two in Mississipi are, according to information compiled by the Tuskegee Industrial and Normal Institute, the only ones occurring in the United States during the first six months of 1935, and are two less than for the first six months of 1934, and four less than for the same length of time in 1933.

All of the persons lynched were Negroes, according to the report. Charges were: wounding man in altercation, one; assault, one; and murder, two.

Selma, Ala. Times
July 3, 1935

Decrease Reported For Lynching Toll In Southern States

TUSKEGEE, Ala., July 3.—(AP)—Tuskegee Institute's semi-annual lynching report released today showed that four negroes were lynched—two in Louisiana and two in Mississippi—during the first six months of 1935 as compared with six in the same period of 1934 and eight in 1933.

Two of those lynched this year were charged with murder, one with criminal assault, and the fourth with wounding a man in an altercation.

There were no reports of a white man having been lynched.

The tabulation is kept by the department of records and research at the negro institution here.

Mobile, Ala., Press
July 4, 1935

LYNCHINGS DECREASE IN SOUTHERN STATES

TUSKEGEE, Ala., July 4.—(AP)—Tuskegee institute's semi-annual lynching report, issued yesterday, showed four negroes were lynched—two in Louisiana and two in Mississippi—during the first six months of 1935 as compared with six in the same period of 1934 and eight in 1933.

Two of those lynched this year were charged with murder, one with criminal assault, and the fourth, wounding a man in an altercation.

There were no reports of a white man having been lynched. Tabulation is kept by the department of records and research at the negro institution here.

Albany-Decatur, Ala. Daily
July 3, 1935

Lynching Total Less This Year

TUSKEGEE, Ala., July 3.—(AP)—Tuskegee Institute's semi-annual lynching report released today showed that four negroes were lynched—two in Louisiana and two in Mississippi—during the first six months of 1935 as compared with six in the same period of 1934 and eight in 1933.

Two of those lynched this year were charged with murder, one with criminal assault, and the fourth with wounding a man during an altercation.

There were no reports of a white man having been lynched.

The tabulation is kept by the department of records and research at the negro institution here.

Selma, Ala. Times
July 3, 1935

According to the Tuskegee records only four persons, all negroes, were lynched during the first half of 1935, two in Louisiana and two in Mississippi. It is an excellent showing compared with past records.

Tuskegee Finds Only 6 Lynchings for First 6 Months of 1935.

To the Editor of the AFRO:

I find, according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935, there were four lynchings. This is two less than the number six for the first six months of 1934, and four less than the number eight for the first six months of 1933.

The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2. The States in which lynchings occurred and the number in each state are as follows: Louisiana, 2, and Mississippi, 2.

F. D. PATTERSON,
President.

Tuskegee Institute, Ala.

Knoxville, Tenn., Journal
July 4, 1935

4 Negroes Victims Of Mobs This Year

Mob violence has taken a toll of four lives in the first six months of this year, according to the report of the Tuskegee institute, Tuskegee, Ala. This total is two less than in the first six months of last year, and four less than the total of eight for the same period in 1933.

All of the persons lynched were Negroes. The offenses charged were wounding man in altercation, one; rape, one, and murder, two. Two of the victims were slain in Louisiana and two in Mississippi.

Montgomery, Ala., Advertiser

4 Lynchings In South Reported By Tuskegee

TUSKEGEE, ALA., July 3.—(AP)—Tuskegee institute's semi-annual lynching report released today showed that four negroes were lynched—two in Louisiana and two in Mississippi—during the first six months of 1935 as compared with six in the same period of 1934 and eight in 1933.

Two of those lynched this year were charged with murder, one with criminal assault, and the fourth with wounding a man during an altercation.

There were no reports of a white man's having been lynched.

The tabulation is kept by the department of records and research at the negro institution here.

Atlanta, Ga. Journal
July 3, 1935

Tuskegee Issues Lynching Report

TUSKEGEE, Ala., July 3.—(AP)—Tuskegee Institute's semi-annual lynching report released Wednesday showed that four negroes were lynched—two in Louisiana and two in Mississippi—during the first six months of 1935 as compared with six in the same period of 1934 and eight in 1933.

Two of those lynched this year were charged with murder, one with criminal assault, and the fourth with wounding a man during an altercation.

There were no reports of a white man having been lynched.

The tabulation is kept by the Department of Records and Research at the negro institution here.

Glenville, Ga., Sentinel
July 25, 1935

Only Four Lynchings In First Half of 1935

F. D. Patterson, the new presider of th Tuckegee Normal and Indus trial Institute, the colored schoo founded by Booker T. Washington a Tuckegee, Alabama, is adhering t the plan of his predceessors in keep ing a record of lynchings in differ ent sections of th United States.

He has just issued a statemen which shows there were only fou lynchings in the United States fo the first six months of 1935. Tw of these were in Louisiana and tw in Mississippi. For the first si months of 1934 the record of Presi dent Patterson shows there were six lynchings in the United States

All the persons lynched in 193 were negroes. The offenses charg ed were: rape 1, wounding man i altercation 1. murder 2.

Cherokean
Rusk, Tex.

JUL 12 1935

LYNCHING RECORD

The TuskegeeNormal and Industrial institute of Alabama, founded by Booker T. Washington, devoted to the training of colored men and women, point out that there were only four lynchings for the first six months if 1935.

This is two less than the number six for the first six during 1934 and four less than the eight for the first six months in 1933.

All persons lynched were negroes. The offenses charged were: Wounding man in altercation, one; rape, one; murder, two. Two of these were in Louisiana and two in Mississippi.

One crime that America must rid herself of is lynching. It is the biggest blot on our national record, unless it be the number of deaths in automobile accidents, which exceed the World War toll.

DUBLIN, GA.
NEWS TRIBUNE
JUL 15 1935

LYNCHINGS ON THE DECREASE

ONLY four lynchings occurred in the South during the first six months of the present year, according to an announcement from the Tuskegee Institute, two of these being in Louisiana and two in Mississippi. During the same period last year there were six lynchings.

Oddly enough, only one of the lynchings was for the crime for which many Southerners claim lynching is justifiable; three were for other offenses, showing that the nature of the crime is not always the governing motive.

The fact that lynchings are on the decrease is most gratifying, since they represent one of the most brutal forms of outlawry and one in which mistakes are easy to make, but the fact should not be forgotten that one of the prime incentives for this form of lawlessness lies in the laxity of law enforcement in many quarters.

To remove the lynch evil, and many other evils connected with defiance of law, there must be created a condition under which the general public will feel reasonably certain that criminals will be adequately punished by legal means.

To create confidence of this nature will require greater efficiency on the part of arresting officers, far better results in the prosecution of the lawless, and a greater degree of certainty that penalties will be carried out once the criminal has been convicted.

In the development of a condition of this nature, the people as a whole bear a large measure of responsibility. They must stand squarely behind a program of this character if it is to be made effective.

ROCKY MOUNT, N. C.
TELEGRAM
JUL 16 1935

MISSISSIPPI JUSTICE

It is difficult to see why people in a state like Mississippi, in which the penalty for criminal assault—a Negro upon a white woman—ultimately would end in death for the offender just as fast as the machinery of the courts could be set in action, continue to take the law into their own hands in the barbaric business of taking prisoners from the officers and hanging them to trees. We would not for a moment condone the black person who leaps from behind a rock or a tree and, in brutal manner, commits an assault; and we would not preach abolition of the severity of the laws governing this act, but we would enter a plea for humans, at least on one side of the question to act civilized and not carry the whole thing back into the stages of barbarism. If a person bent upon committing such a crime cannot be terrified enough by visions of a judge, jury, and the ultimate electric chair, then the thought of bloodhounds and men with the noose can hardly be expected to provoke any additional fear. The crime of assault is deplorable; the method of punishment is the same.

BOWLING GREEN, KY.
TIMES JOURNAL
JUL 6 1935

Still Room For Improvement

According to the records compiled at Tuskegee Institute in the Department of Records and Research, in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and four less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offienses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2, and Mississippi, 2.

This record is a bit encouraging as it shows a decrease over preceding years, yet, there is still room for improvement.

MANKATO, MINN.
FREE PRESS
JUL 8 1935

Reassuring Sign

There are other reassuring signs besides those contained in business barometers.

Tuskegee Institute reports that for the first six months of 1935 there were but four lynchings. This compares with six during the same half-year period in 1934 and eight during this six-month in 1933. All of the persons lynched were Negroes—two in Louisiana and two in Mississippi. One was charged with wounding a man, one with rape, two with murder.

It is an encouraging sign when respect for law, balance and tolerance makes progress in a nation. What an achievement if we could go through the last six months of 1935 without a single lynching!

Robesonian
Lumberton, N.C.
JUL 8 1935

During the first six months of 1935 there were four lynchings, according to records compiled at Tuskeegee institute. This compares favorably with the 6 lynchings for the first six months of 1934 and 8 for the same period in 1933. All of the persons lynched were negroes. The offenses charged were wounding man in altercation, 1; rape 1, murder 2. Two of the lynchings were in Louisiana, two in Mississippi.

Lynchings-1935
Reports on, Sent Press.

JAN.-June

5178

5178

LYNCHINGS DECREASE

The Records and Research department of Tuskegee Institute, Ala., reports four lynchings during the first half of 1935—all of the victims Negroes, all occurring in the south. While this is less than in 1934 or 1933, the number is too many at any rate.

When the Costigan-Wagner anti-lynching bill was before congress last spring, senators from the section where these lynchings occurred were loudest to be heard in the appeal that this was a matter of local government and could best be dealt with by the individual states.

They had made this appeal before and made it work. They argued that anti-lynching legislation was unconstitutional and made it work, but lynchings go on just the same.

Undoubtedly continued agitation has had much to do with cutting down the number of lynchings. The fight must and will go on.

EUFAULA, ALA.
TRIBUNE
JUL 3 1935

Four Lynchings In First Half Of 1935

According to records kept by Tuskegee Institute, four persons, all negroes, were lynched in the first six months of 1935. The offenses charged were: Wounding man in altercation, one; rape, one; murder, two. Two of the lynchings were in Louisiana and the other two in Mississippi.

COLUMBUS, O.
OHIO STATE JOURNAL
JUL 8 1935

The Lynching Record

Editor Ohio State Journal:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the department of records and research that in the first six months of 1935 there were four lynchings. This is two less than the number six for the first six months of 1934 and four less than the number eight for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: Wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2, and Mississippi, 2.

F. D. PATTERSON.
President, Tuskegee Normal Institute.
Tuskegee Institute, Ala.

BRYAN, TEX.
EAGLE
JUL 4 1935

FOUR NEGROES LYNCHED FIRST HALF OF 1935

Four lynchings during the first six months of 1935 have been reported to Tuskegee Institute. This is two less than for a similar period in 1934 and four less than for the first half of 1933. All the lynched were negroes. Mississippi and Louisiana each reported two of the lynchings.

NEW HAVEN, CONN.
JOURNAL COURIER
JUL 10 1935

LYNCHING RECORD.

To the Editor:

Sir:—I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1924; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: Wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2, and Mississippi, 2.

F. D. PATTERSON,
President,
Tuskegee Institute, Ala.

Grand Rapids, Mich.
HERALD
JUL 8 1935

Lynchings Show Decrease Under Last Year

Editor of he Herald: I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee institute in the department of records and research that in the first six months of 1935 there were four lynchings. This is 2 less than the 6 for the first six months of 1934; and 4 less than the 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: Wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2; and Mississippi, 2.

F. D. PATTERSON,
President, Tuskegee Normal and Industrial institute.

DENISON, TEX.
HERALD
JUL 6 1935

FOUR LYNCHED IN FIRST HALF 1935

Four lynchings occurred during the first six months of 1935, according to the department of records and research of the Tuskegee Normal and Industrial Institute at Tuskegee, Ala. Six lynchings occurred during the corresponding period of 1934 and eight during the same period of 1933.

All the persons lynched were negroes. The offenses charged were: Wounding a man in an altercation, 1; criminal assault, 1, and murder, 2. Two of the lynchings occurred in Louisiana and two in Mississippi.

COLUMBUS, O.
CITIZEN
JUL 6 1935

Tuskegee's Record Of 1935 Lynchings

Editor of Citizen:

I SEND you the following information concerning lynchings for the first six months of this year. I find, according to the records compiled at Tuskegee Institute in the department of records and research, that in the first six months of 1935 there were four lynchings. This is two less than the number, six, for the first six months of 1934, and four less than the number, eight, for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: Wounding man in altercation one; rape, one; murder, two.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, two; Mississippi, two.—F. D. Patterson, President, Tuskegee Institute, Ala.

NEW ORLEANS, LA.
STATES
JUL 15 1935

Lynchings Decrease

TUSKEGEE INSTITUTE reports only four lynchings in the United States during the first six months of 1935. If the second six months are as favorable as the first, the year's record would be one of the best of all time, only once before since 1885 the total being only the same.

One of the regrettable facts is that for the half year, two of the four were furnished by Mississippi and two by Louisiana. Louisiana has had occasions when there were none and in some years the number has been very small. But Mississippi generally has made a bad showing, possibly because its population is so largely rural.

In 1934, there were 15 cases of mob law; in 1933, 28. For each year since 1931, the total has ranged from 10 to 33, the large majority negroes. In 1932, the heaviest record was made, 231 lynchings, of which 69 of the victims were white. On the whole, therefore, we have been making progress.

This year marked the Southern filibuster that resulted in the defeat of the WAGNER-COSTIGAN bill, both authors Democrats. In most other cases antilynching bills have been introduced by Republicans and chiefly supported by the Republican party. This year a goodly number of Democrats declared themselves in favor of having the federal government take jurisdiction of lynchings.

There is reason to believe that the fight over the COSTIGAN bill may have had some influence in curbing the mob outbreaks during the first half of 1935. If it did, that wasn't a bad thing. The fewer number of lynchings the less frequently will effort be made to take from the South its right alone to try murderers in its different states.

HOUSTON, TEX.
POST
JUL 5 1935

Lynching Declines

LYNCHING in the United States is steadily on the decline, as shown by the semi-annual report compiled by the department of records and research of Tuskegee Institute.

According to the report, the four lynchings that have taken place in the first six months of 1935 is well below the record of recent years, two less than in the corresponding period of 1934, and four less than in 1933.

All of the persons lynched were negroes. Two were charged with murder, one with rape and one with wounding a man in an altercation. Louisiana and Mississippi were the scenes of the crimes, two negroes being lynched in each State.

The better showing is due in part, no doubt, to greater vigilance on the part of officers in foiling mobs. Officers are showing a greater sense of responsibility in protecting prisoners and greater determination in holding off mobs. Greater discretion is being used in the handling of prisoners by avoiding exposing them to mob violence.

Also, as a result of organized protests by various bodies, anti-lynching sentiment has been aroused. Threat of a Federal anti-lynching law which would penalize counties where lynching occurs is another discouragement to mob violence.

The four lynchings in the first six months of 1935 were comparatively few, but just four too many. Considering all the forces that are working to abolish the lynching evil, there is room to hope that this form of crime will soon be a thing of the past. Continued education against lynching and greater vigilance on the part of officers, however, are necessary for the realization of that hope.

DULUTH, MINN.
NEWS TRIBUNE
JUL 9 1935

Mob Murder

Gruesome records compiled at Tuskegee Institute show that there were four lynchings by insensate mobs during the first six months of this year. All the persons lynched were Negroes, two of whom were killed in Louisiana and two in Mississippi.

This is two less than the number six, for the first six months of 1934. Though the record is better this year, it does not necessarily mean that the crime of lynching is dying out. It may be more for the last half of the year, and even more next year.

The South succeeded in defeating the Costigan anti-lynching bill which would have made states and counties responsible for lynchings. Nothing has been done to prevent mob murder in the future.

The Costigan bill might not have ended lynching entirely, but it was a step in the right direction. Lynching is a blot on American civilization, and no good citizen will condone it.

WINTER HAVEN, FLA.
CHIEF
Lynchings
JUL 11 1935

BETTERING OUR LYNCHING RECORD.

We are extremely pleased to note that lynchings in America have reached their lowest record in years, possibly in the history of this shameful method of supposedly settling differences between the white and negro races. There were four lynchings in the country during the first six months of 1935, and only two states were disgraced by such occurrences, Louisiana and Mississippi having two each. This was a reduction by two in the number of lynchings as compared with the first half of 1934 and by four for a similar period in 1933. The consciousness of the Christian citizenship in the South—and throughout the entire nation, for that matter—has been aroused in recent years over the brutality and bestiality of these occurrences and as a result there has been a marked decrease when compared with the records of 10, 20 and 30 years ago. The heartening thing about it all is that the southern states are most vigorous in denouncing this evil and southern newspaper editors most vehement in fighting it, in which respect they have shown a more courageous spirit than any other section of the country. For lynching has not been confined to Dixie by any means, a number of the northern and western states having also been guilty of killing whites as well as blacks for various causes, none of which were even excusable in a land where courts are numerous and where justice is supposed to be meted out under due process of law. The churches of the country have taken the lead in fighting this sinister evil which strikes at the roots of our civilization and the battle is being won even in states where lack of education, extreme race prejudice and the general backwardness of rural people are most prevalent and dominant. We are hoping that the second half of 1935 will show a further reduction—it cannot be a perfect record, for one lynching has occurred in a southern state since July 1—and that by 1936 we shall have the satisfaction of reporting that America has finally become a "Lynchless Nation."

WORCESTER, MASS.
GAZETTE
JUL 6 1935

Encouraging Figures on Lynching

It is encouraging to learn that the lynching record, over a period of years, is growing less disgraceful. During the first six months of this year, the Tuskegee Institute reports, there were only four of these mob murders. That figure, it appears, is two less than the record for the same period last year, and is four less than during the first half-year in 1933.

True, the eight lynchings during the first six months of 1933 were increased to twenty-eight, before the year ended. But 1933 was a "bad" year, the worst for this crime since 1926. And during the last eleven years, the average number of lynchings shows a very appreciable decline.

This offense still is too common by far. But the awakened sentiment of the nation, and particularly of the more intelligent portions of the South, is clearly making its influence felt. If the crime can be reduced, by focusing public attention upon it, presumably it can be wiped out in time.

But the movement has not yet reached a point where those who are interested in making this a slightly more civilized nation can afford to relax their effort. Lynching may be only one aspect of the complicated problem of racial hostility. But the difficulty of getting a sane adjustment of the race question will be reduced materially, if the time ever comes when lynching will be as unknown in Mississippi as it is in Massachusetts.

YOUNGSTOWN, O.
VINDICATOR
JUL 8 1935

The Lynching Record for the First Six Months of 1935

Tuskegee Institute, Alabama, July 3.
Editor of The Vindicator, Sir:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is two less than the number six for the first six months of 1934; and four less than the number eight for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, one; rape, one; murder, two.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, two, and Mississippi, two.

F. D. PATTERSON, President.

COLUMBUS, O.
DISPATCH
JUL 8 1935

Fewer Lynchings

AUTHORITIES of Tuskegee Institute, one of the foremost institutions of learning for the colored race in America, has for years devoted much effort toward curbing the evil of lynching.

The semi-annual report of happenings of this nature, just released by the institute, reveals that four Negroes met death by lynching during the first half of this year, as against six for the corresponding period last year.

Those reported were in the southern states where the majority of such crimes have always happened. The decrease in lynchings is encouraging. The constant drive on this form of atrocity is apparently bearing some fruit.

Lynchings-1935
Reports on, Sent Press

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UTICA, N. Y.
PRESS
JUL 9 1935

MAY BECOME MORE ACUTE

The Tuskegee Normal and Industrial Institute, Tuskegee, Ala., keeps a record of lynchings in this country. In a recent report it says that there were two less lynchings in the first half of 1935 than during the same period of 1934. For the first six months of 1934 there were six lynchings and for the first six months of 1935 four. All the persons lynched were Negroes. The offenses charged were: Wounding man in altercation, one; rape, one; murder, two.

It is unfortunate that the crime of lynching obtains at all in this country, but it is a satisfaction to note that it is decreasing. It will be observed that all the lynchings reported were of Negroes, which proves that lynching has its inspiration in embittered race feeling. It is seldom that a white man, no matter how henious his crime, is lynched. The law should be allowed to take its course in connection with the black as well as the white man.

But a decline in the lynching record is a sign of better human relationships. The Negro is a tragic figure in American history. Brought here against his will, for generations he was subject to slavery. Emancipation did not greatly improve his lot, due to the prejudice of the whites against him. Given a chance he has shown excellent capacity and he has made considerable advancement in recent years. During the depression he has probably been harder hit than any other class. What to do with the Negro is one of the unsolved problems of the country. Should he be colonized and segregated, or absorbed?

In this connection it is not untimely to mention the conclusion arrived at by George Bernard Shaw, who can always be depended upon to suggest the most bizarre remedy for any condition. Shaw has just returned from a visit to South Africa, where he studied the race problem. He maintains that the white man is not suited to Africa and that if he wants to survive, there should be intermarriage between the blacks and whites. The latter would be better off, he says, if they had a little more color. But Shaw is so bizarre himself that no one can tell whether he is indulging in satire or expressing his own convictions.

The problem that derives from differences in color is one that is liable to become more acute as time advances. A phase of it is represented by the war which Italy threatens against Ethiopia.

[redacted]
SUN
JUL 6 1935

The Lynching Record.

The country's record on lynchings for the first six months of the year shows an improvement. The Tuskegee Institute's figures disclose that there were four lynchings in the period. All the victims were Negroes. One victim was accused of wounding a man in an altercation, one was accused of rape and two were accused of murder.

Only two states were involved in the record. There was an equal division of the lynchings between Mississippi and Louisiana.

The improvement comes in the fact that for six months of last year the lynchings numbered six, or one for every month. In the same period of 1933 the number was eight.

Probably having nothing to do with the record but interesting in connection with it, anti-lynching legislation was a subject of bitter debate in Congress in the first half of the year.

Charleston, S. C. News & Courier
July 7, 1935

Lynching Decreases

For the first six months of the year the lynchings, so Tuskegee Institute reports, were only four. There was none in South Carolina. There will be lynchings in future, there will be killings by mob that will not be called lynchings, but they are steadily decreasing in the South.

The passage of the Costigan-Wagner law, which was written by a negro and aimed at the South, though introduced by Democrats and not opposed by the White House, would have kindled "race prejudice" and caused more lynchings.

The truth is that the complete abandonment of lynching in the South would probably not promote the aims of the Northern organizations noisily supporting the Costigan-Wagner bill. Occasional outrages against negroes in the South are needed by these people in their propagandic business.

Their plans include much larger purposes than the suppressing of lynchings. What they are opposing is the general assertion of race domination in politics and race separation by the Southern whites. Were no negroes lynched they would have nothing to "dramatize," nothing with which to arouse the interest of the reforming class. Were never a negro lynched in the South the uplifters might forget the existence of the negroes.

Lynchers should suffer the penalties provided for murderers. If not for murdering, they should be punished for making fools of themselves and playing into the hands of the Northern reformers who care little or nothing about a lynching but are working indefatigably and with great skill to destroy all racial barriers and differences in the United States.

Roanoke, Ala., Leader
July 10, 1935

Lynching Record For First Half Of Year

The following information concerning lynchings for the first six months of this year is given out by the Tuskegee Institute's Department of Records and Research, showing that in the first six months of 1935 there were four lynchings in this country. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2, and Mississippi, 2.

Orangeburg, S. C., Democrat
July 6, 1935

Lynchings Fewer First Half Year

There were fewer lynchings recorded in this country during the first six months of the present year than in the same period last year and also the year prior to that.

The record as compiled at Tuskeegee Institute reveals there were only 4 lynchings during the first half of 1935. There were 6 during the same period last year and 8 during the first half of 1933..

All of the persons lynched were Negroes, and of the four only one was charged with criminal assault on a white woman.

All of the lynchings occurred in the southern states. Two took place in Louisiana and 2 in Mississippi.

Jasper, Fla., News
July 5, 1935

LYNCHINGS

For the first six months of 1935 there were four lynchings in the South, 1 for an altercation, 1 for rape, and 2 for murder. Louisiana accounted for 2 and Mississippi 2. This is two less than for the same period last year.

ROCHESTER, N. Y.
DEMOCRAT & CHRONICLE
JUL 9 1935

Tuskegee Head Gives Facts on Lynchings

Editor Democrat and Chronicle:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is two less than the number six for the first six months of 1934; and four less than the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: Wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2, and Mississippi, 2.

F. D. PATTERSON,
President.

Tuskegee Institute, Ala.

Oneida, Tenn. News
July 5, 1935

HALF YEAR LYNCHING RECORD IS REPORTED

All Lynchings Were Negroes in Two Southern States.

According to the records compiled at Tuskegee Institute in the Department of Records and Research for the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2, and Mississippi, 2.

SPRINGFIELD, MASS.
REPUBLICAN

JUL 6 1935

THE LYNCHING RECORD

To the Editor of The Republican:—I find according to the records compiled at Tuskegee Institute in the department of records and research that in the first six months of 1935 there were four lynchings. This is two less than the number six for the first six months of 1934; and four less than the number eight for the first six months of 1933. All of the persons lynched were Negroes. The offenses charged were: Wounding man in altercation, one; rape, one; murder, two. The states in which lynchings occurred and the number in each state are as follows: Louisiana, two and Mississippi, two. F. D. PATTERSON.

Tuskegee Institute, Ala., July 3, 1935.

Brooklyn, N. Y. Citizen

JUL 12 1935

Fewer Lynchings

To Editor of "Brooklyn Citizen":

Sir: I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is two less than the number six for the first six months of 1934; and four less than the number eight for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: Wounding man in altercation, one; rape, one; murder, two.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, two, and Mississippi, two.

Yours very truly,
F. D. PATTERSON,
President, Tuskegee Institute.

PHILADELPHIA, PA.
DAILY SIFTINGS HERALD
JUL 17 1935

Good Lynching Record in U. S.

Only our Crimes of This Kind Past Six Months

During the six months period, from January to the end of June, there were only four lynchings in the United States, according to figures given out by the Tuskegee Norma land Industrial Institute, in Alabama. President F. D. Patterson says:

"I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 193g there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder 2.

The states in which lynchings occurred and the number in each State are as follows: Louisiana, 2, and Mississippi 2.

EDITORIALS

Lynching Increases at a Rapid Rate

ON JUNE 30th Tuskegee Institute's department of Records and Research reported that four lynchings had taken place in the United States during the first six months of the year. The International Labor Defense, an organization that also keeps check upon mob murders, reported six.

Since June 30th six lynchings have occurred. Three in Mississippi, one in Florida, one in North Carolina and one in California. According to the more conservative check of the Tuskegee statisticians the total is now 10. The record according to states is:

Mississippi	5
Louisiana	2
Florida	1
North Carolina	1
California	1
Total	10

The fact that more lynchings have occurred during the past 40 days than were reported for the first six months of the year would lend weight to the suggestion that the incidence of a pending Federal anti-lynching law had a restraining effect. There may be no connection, but as soon as the COSTIGAN-WAGNER bill was filibustered to death mob killings made a fresh start toward a new high record for recent years.

It is coincident that one of the most recent lynchings took place in the State of Senator BAILEY, one of those most responsible for the filibuster.

We may never have a Federal law to prevent and punish lynchers, because of the tenacity with which Southern members of Congress hold to their opposition, but the record of the past 40 days is an impressive argument in behalf of such a measure.

So is the outcome of the investigation thus far of the North Carolina lynching. The recent episode in Franklin county is turning out very much like the Pender county [N. C.] lynching and investigation of 1933.

Neither the sheriff nor any of his deputies recognized anybody in either mob, according to their testimony, and the Franklin county affair took place in broad daylight with none of the mob members wearing disguises of any sort. According to the sworn testimony of the officers both the Pender and Franklin county mobs "must have come from another county."

That has been the testimony of officers concerning most mobs during recent years. They were "strangers" to the peace officers, who naturally could not identifiy any of the mob members.

That raises another question that should concern the higher authorities. Either peace officers have resorted to an unbeatable trick, or the higher authorities are up against an invisible government, an extra-judicial system, tightly organized and operating with better facility than the State militia.

When a mob from an adjoining county can be gotten on the scene of a crime as quickly as was true of the last North Carolina lynching—if the mob came from an adjoining county—and can intercept with such unerring precision officers speeding to a safe jail with their prisoner, the State authorities may as well begin to look for organized mobbery having a swift liaison and a working understanding with somebody connected with the law If that is not the situation, then the peace officers who have figured in recent investigations of lynchings are totally unacquainted with people in their jurisdictions, or, they become suddenly blind in the presence of a mob, if their testimony is to be believed.

Nothing but a law that puts the responsibility for a lynching squarely up to a county can cure a situation like that. If a county is liable to be penalized its peace officers are going to protect their prisoners from mobs, or lose their political standing.

It has been demonstrated that any sheriff that really wants to prevent a lynching can do so. More lynchings were prevented by peace officers in 1934 than occurred in that year. That is a record that speaks for itself. And not one of the sheriffs or other officers that prevented a lynching had to shoot this determination into the mob.

BIRMINGHAM, ALA.
NEWS

JUL 6 1935

Only Four Lynchings In The First Half Of 1935

Slowly, so slowly, does man see civilization advance. But once in a while there is brought to his attention something that makes him take grip once more and renew his faith in mankind's ability to move forward.

From Tuskegee Institute comes a report that is most gratifying. During the first six months of 1935 there were only four lynchings in the United States as compared to six in 1934 and eight in 1933 for the same period. So far this year there have been two Negroes lynched in Mississippi and two in Louisiana.

Surely some day lynchings will cease altogether. But it will not be the result of law. For, says *The Montgomery Advertiser*, "a practice which is so opposed to the entire theory of law cannot be eradicated by more law. Only a change in the standards of men can be effective."

The decline in the number of lynchings has been constant during the past half century. And when that day comes when lynching is entirely a thing of the past man may well feel pride in having taken a long step forward.

WILLIAMSON, W. VA.
NEWS

JUL 18 1935

Fewer Lynchings

THE REGISTER is furnished with the usual semi-annual report concerning lynchings by the Tuskegee Normal and Industrial Institution for colored people. There were four lynchings in the first six months of 1935 which is two less than for the like period of 1934 and four less than for the like period of 1933.

All of the persons lynched were Negroes. The offenses charged were: Wounding man in altercation, one; rape, one; murder, two. Two of the lynchings occurred in Louisiana and two in Mississippi. The improvement in the record is pleasing but it will not be satisfactory until lynchings are a thing completely of the past.

Lynchings—1935
Reports on. Sent Press.

Jan.- June

5180

Welumpka, Ala., Herald
July 4, 1935

LYNCHING RECORD FOR FIRST SIX MONTHS 1935

Dear Sir:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months in 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. Th offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2, and Mississippi, 2.

Yours very truly,
F. D. PATTERSON,
President.

HARTFORD, CONN.
COURANT

JUL 6 1935

LYNCHING RECORD

Four Reported During First Six Months of This Year

To the Editor of the Courant:—

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is two less than the number six for the first six months of 1934; and four less than the number eight for the first six months of 1933. All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2, and Mississippi, 2.

F. D. PATTERSON,
President, Tuskegee Institute.
Tuskegee, Ala. July 2, 1935.

Bristol, Va.. News-Bulletin
July 3, 1935

LYNCHING DECREASES

TUSKEGEE, Ala., July 3. (AP)—Tuskegee Institute's semi-annual lynching report released today showed that four Negroes were lynched—two in Louisiana and two in Mississippi—during the first six months of 193[illegible] compared with six in the same period of 1934 and eight in 1933.

Two of those lynched this year were accused of murder, one of criminal assault, and the fourth of wounding a man during an altercation.

PROVIDENCE, R. I.
BULLETIN

JUL 8 1935

LYNCHING RECORD FOR FIRST HALF, 1935

To the Editor, Evening Bulletin:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is two less than the number six for the first six months of 1934; and four less than the number eight for the first six months of 1933.

All of the persons lynched were Negroes. The offences charged were: wounding man in altercation, one; rape, one; murder, two.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, two, and Mississippi, two.

F. D. PATTERSON,
President, Tuskegee Normal and Industrial Institute.

Evergreen, Ala., Courant
July 4, 1935

FOUR LYNCHINGS DURING FIRST HALF OF YEAR

According to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2, Mississippi, 2.

Thomasville, Ga.. Times-Enterprise
July 4, 1935

DECREASED LYNCINGS

The first six months of the year 1935 show fewer lynchings than in many half year periods, according to reports from the Tuskegee Institute. The record gives four lynchings in 1935 ,two of which took place in Mississippi and two in Louisiana. Murder was charged to two of the victims, rape to one and wounding a man in an altercation was the fourth reason. There were six for the same period in 1934 and eight in 1933.

The Tuskegee Institute carefully surveys the country and prepares these statements with the idea of keeping the people of the country informed as to the volume of illegal executions that occur in all sections of the country. The greater number of lynchings are in the south, in fact practically all of them and in most cases they are negroes.

It is well to keep these figures in mind. In years past it mounted to unbelievable proportions but it is nothing compared with the slayings that occur in strike clashes, in gang killings and things of that type that are peculiarly characteristic of the eastern and middle west sections of the country. It is a southern custom apparently but it is waning for which we all feel grateful and thankful.

Valdosta, Ga., Times
July 6, 1935

LYNCHINGS DECREASE

From the office of the president of the Tuskegee Normal and Industrial Institute comes the information that for the first six months of 1935 there were four lynchings in the United States. For the same period of 1934 the number was six and for the first six months of 1933 the number was eight.

All of the persons lynched were negroes. Offenses with which they were charged were: Rape, one; murder, two, and wounding a man in an altercation, one.

The states in which the lynchings occurred were Louisiana and Mississippi. Each state had two.

These figures are significant. A few years ago the number put to death by lynching was several times as great.

The most common offense for which lynchings occur is rape. It is interesting to note that this charge was made in only one of the four recorded cases.

There are probably several explanations for this marked decrease in lynchings. One is that the offenses for which men have often beeen lynched in the past are not now so numerous. Another is the fact that more and more people are inclined to give the law an opportunity to punish the offender.

Regardless of what the cause for the decrease to one who wants to see law and order prevail in the place of mob violence the smaller number of such occurrences is encouraging.

WILMINGTON, N. C.
STAR

JUL 8 1935

LYNCHING DECREASES

(Charleston News & Courier)

For the first six months of the year the lynchings, so Tuskegee Institute reports, were only four. There was none in South Carolina. There will be lynchings in future, there will be killings by mob that will not be called lynchings, but they are steadily decreasing in the South.

The passage of the Costigan-Wagner law, which was written by a negro and aimed at the South, though introduced by democrats and not opposed by the White House, would have kindled "race prejudice" and caused more lynchings.

The truth is that the complete abandonment of lynching in the South would probably not promote the aims of the Northern organizations noisily supporting the Costigan-Wagner bill. Occasional outrages against negroes in the South are needed by these people in their propagandic busuiness.

Their plans include much larger purposes than the suppressing of lynchings. What they are opposing is the general assertion of race domination in politics and race separation by the Southern whites. Were no negroes lynched they would have nothing to "dramatize," nothing with which to arousue the interest of the reforming class. Were never a negro lynched in the South the uplifters might forget the existence of the negroes.

Lynchers should suffer the penalties provided for murderers. If not for murdering, they should be punished for making fools of themselves and playing into the hands of the Northern reformers who care little or nothing about a lynching but are working indefatigably and with great skill to destroy all racial harriers and differences in the United States.

CLEARWATER, FLA.
SUN

JUL 7 1935

To COLONEL CLEARWATER

I SEND you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is two less than the number six for the first six months of 1934; and four less than the number eight for the first six months of 1933.

All of the persons lynched were negroes. The offenses charged were: Wounding man in altercation, one; rape, one; murder, two.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, two, and Mississippi, two.

F. D. PATTERSON, President,
Tuskegee Normal and Industrial Institute

WICHITA FALLS, TEX.
TIMES

JUL 9 1935

Contemporary Comment

LYNCHING'S MINIMUM

If anything of an encouraging nature can be derived from statistics of lynching, the record for the first half of the current year may be said to be encouraging in two respects. Only two of the 48 states were shamed by the perpetration of mob murder, and the total number of such killings was the lowest on record, we believe, for any half-year reported.

Mississippi and Louisiana are the only two states that proved unable to give accused citizens the orderly trial that is guaranteed by the constitution, and each of the derelict pair of commonwealths has two mob murders charged against it. We believe that no half-year since the Tuskegee Institute began the work of compiling lynching statistics has reported so few guilty states. For six months at least the lynching evil has been compressed into a narrow territory at the mouth of the Mississippi river.

The first six months of 1933 produced eight lynchings and the first six months of 1934 produced six. Thus in two years' time the total number of lynchings has been reduced by half. A similar decrease in number for the next two years would terminate this vicious evil entirely. While the hope for such an eventuality is a fairly faint one, there is at least the possibility that lynching may be ended presently throughout the United States.

From this abbreviated number of lynchings in the last six months comes a rather formidable support for the assertion that it was the presence of the anti-lynching law in congress that reduced the number of lynchings. It has been asserted freely that the fear that the punitive bill might become a law kept more than one mob from outraging statutory law. Whatever the reason the number of lynchings reached its minimum. Hence the supporters of the anti-lynching measure have warrant for feeling that if the mere possibility of the bill's passage can reduce the number of mass murders to within sight of the vanishing point, the actual passage of the bill would terminate lynching completely.

Even if congressional action is never taken, lynching is doomed in the United States. Enlightened public opinion and nation-wide detestation of this cowardly manifestation will ultimately bring it to an end. Determined public opinion will force constituted authority to protect every defendant and give him the orderly trial to which he is entitled.—Oklahoma City Oklahoman.

NEW ORLEANS, LA.
ITEM

JUL 8 1935

We Show Badly

FOUR lynchings are scored against this Country for the first half of this year. This is two less than the first six months of 1934 showed, and four less than 1933. That is good so far as it goes as perhaps a sign of some progress in civilization.

Two of the four lynchings this year are charged against Lousiana and the other two against Mississippi. That is decidedly bad—for our territory. We deplore it and are properly ashamed of it. A monopoly on this form of surviving savagery is injurious advertising.

State, county, and parish, police authorities of Louisiana and Mississippi should take note of it. The prime reflection of it falls on them.

Oklahoma City, Okla.
OKLAHOMAN

JUL 8 1935

Lynching's Minimum

IF anything of an encouraging nature can be derived from statistics of lynching, the record for the first half of the current year may be said to be encouraging in two respects. Only two of the 48 states were shamed by the perpetration of mob murder, and the total number of such killings was the lowest on record, we believe, for any half-year reported.

Mississippi and Louisiana are the only two states that proved unable to give accused citizens the orderly trial that is guaranteed by the constitution, and each of the derelict pair of commonwealths has two mob murders charged against it. We believe that no half-year since the Tuskegee Institute began the work of compiling lynching statistics has reported so few guilty states. For six months at least the lynching evil has been compressed into a narrow territory at the mouth of the Mississippi river.

The first six months of 1933 produced eight lynchings and the first six months of 1934 produced six. Thus in two years' time the total number of lynchings has been reduced by half. A similar decrease in number for the next two years would terminate this vicious evil entirely. While the hope for such an eventuality is a fairly faint one, there is at least the possibility that lynching may be ended presently throughout the United States.

From this abbreviated number of lynchings in the last six months comes a rather formidable support for the assertion that it was the presence of the anti-lynching law in congress that reduced the number of lynchings. It has been asserted freely that the fear that the punitive bill might become a law kept more than one mob from outraging statutory law. Whatever the reason the number of lynchings reached its minimum. Hence the supporters of the anti-lynching measure have warrant for feeling that if the mere possibility of the bill's passage can reduce the number of mass murders to within sight of the vanishing point, the actual passage of the bill would terminate lynching completely.

Even if congressional action is never taken, lynching is doomed in the United States. Enlightened public opinion and nationwide detestation of this cowardly manifestation will ultimately bring it to an end. Determined public opinion will force constituted authority to protect every defendant and give him the orderly trial to which he is entitled.

Sparta, Ga., Ishmaelite
July 18, 1935

NUMBER LYNCHINGS SHOWN TO BE LESS

The lynching record for the first six months of 1935, made public by the research department of the Tuskeegee Industrial Institute, shows that there were four lynchings. This is 2 less than the number for the first six months of 1934, and 4 less than the number for the first six months of 1934. All of the persons lynched were negroes. The offenses charged were: Wounding man in altercation, 1; rape 1, and murder 1. The states in which lynchings occurred and the number in each state are as follows: Louisiana 2, Mississippi 2.

Fitzgerald, Ga., Herald
July 19, 1935

Only Four Lynchings In First Half of 1935

F. D. Patterson, the new president of the Tuskegee Normal and Industria Institute, the colored school founded by Booker T. Washington at Tuskegee, Ala. is adhering to the plan of his predecessors in keeping a record of lynchings in different sections of the United States.

He has just issued a statement which shows there were only four lynchings in the United States for the first six months of 1935. Two of these were in Louisiana and two in Mississippi. For the first six months of 1934 the record of President Patterson shows there were six lynchings in the United States

Lynchings – 1935
Reports on. Sent Press.

Jan. – June

5181

Waycross, Ga., Georgian
July 9, 1935

Four Lynchings 1st 6 Months 1935

129

F. D. Patterson, president of Tuskegee Norman and Industrial Institute, announces that there were 4 lynchings during the first six mos. of 1935, which is two less than the number for the first six months of 1934, and 4 less than the number for the same perod of 1933.

All the persons lynched were negroes. The offenses charged were wounding man in altercation,1; rape, 1; and murder, 2, according to the president of Tuskegee.

Abbeville, Ala., Herald
July 11, 1935

THE LYNCHING RECORD FOR FIRST SIX MONTHS, 1935

I send you the folowing information concerning lynchings for the first six months of this year. I find according to the records in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana,2, and Mississippi, 2.

F. D. Patterson,
President, Tuskegee Inetitute

Dawson, Ga., News
July 18, 1935

ONLY FOUR LYNCHINGS IN FIRST HALF OF 1935

MISSISSIPPI AND LOUISIANA ONLY STATES IN WHICH VIOLENCE OCCURRED.

F. D. Patterson, the new president of the Tuskegee Normal and Industrial Institute, the colored school founded by Booker T. Washington at Tuskegee, Alabama, is adhering to the plan of his predecessors in keeping a record of lynchings in different sections of the United States.

He has just issued a statement which shows there were only four lynchings in the United States for the first six months of 1935. Two of these were in Louisiana and two in Mississippi. For the first six months of 1934 the record of President Patterson shows there were six lynchings in the United States.

All the persons lynched in 1935 were negroes. The offenses charged were: wounding man in altercation 1, rape 1, murder 2.

Jellico, Tenn., Advance-Sentinel
July 12, 1935

THE LYNCHING RECORD FOR THE FIRST SIX MONTHS 1935

Dear Sir:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskogee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2; and Mississippi, 2.

Yours very truly,
F. D. PATTERSON,
President.

MOB LAW SHOWS DECLINE IN 1935

Washington Tribune

Mississippi and Louisiana Only States in Which Lynchings Occur

Washington D. C.

There were only four lynchings in the first six months of 1935, according to the records in the Department of Records and Research, Tuskegee Institute, and released this week by F. D. Patterson, president.

This is two less than the number six for the first six months of 1934 and four less than the number eight for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2. and Mississippi, 2.

St. Matthews, S. C., Times
July 11, 1935

THE LYNCHING RECORD FOR THE FIRST SIX MONTHS 1935

According to the records compiled at Tuskegee Institute in the Department of Records and Research in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first 6 months of 1934; and 4 less than the number 3 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occured and the number in each State are as follows: Louisiana, 2; and Mississippi, 2.

La Follette, Tenn., Press
July 9, 1935

THE LYNCHING RECORD FOR THE FIRST SIX MONTHS OF THIS YEAR

The following information concerning lynchings for the first six months of this year. According to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each States are as follows: Louisiana, 2; and Mississippi, 2.

Harriman, Tenn. Record
July 11, 1935

LYNCHING RECORD FOR SIX MONTHS OF 1935

According to the records compiled at Tuskegee Institute in the department of records and research there were four lynchings in the first six months of 1935.

This is two less than the number six for the first six months of 1934; and four less than the number eight for the first six months of 1933.

All the persons lynched were negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2; and Mississippi, 2.

Crossville, Tenn. Chronicle
July 11, 1935

Lynching Record for First Six Months 1935

Information concerning lynchings for the first six months of this year is as follows according to the records compiled at Tuskegee Institute in the department of Records and Research: The first six months of 1935 there were four lynchings. This is 2 less than the number of 6 for the first six months of 1934; and 4 less than the number of 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2, and Mississippi, 2.

West Point, Ga. News
July 4, 1935

Lynching Record For the First 6 Months of 1935

According to the records compiled at Tuskegee Institute in the Department of Records and Research, that in the first six months of 1935 there were four lynchings. This is two less than the number 6 for the first six month of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynching occurred and the number in each State are as follows: Louisiana, 2, and Mississippi, 2.

Clanton, Ala., News
July 11, 1935

LYNCHING RECORD FOR THE FIRST SIX MONTHS OF 1935

According to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6, for the first six months of 1934; and 4 less than the number 8, for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2, and Mississippi, 2.

Augusta, Ga. Herald
July 14, 1935

TUSKEGEE'S PRESIDENT RELEASES LYNCHING RECORD

TUSKEGEE INSTITUTE. — President F. D. Patterson, of Tuskegee Institute, has released the figures of the Department of Records and Research on the subject of lynchings during the first six months of 1933.

The release states that there were four lynchings during the first six months of this year as against 6 for a similar period in 1934 and 8 in 1933. All of the persons lynched were negroes, with Louisiana and Mississippi being the offending states with two lynchings each.

The offenses charged were the wounding of man in altercation, 1; rape, 1; murder, 2.

Six lynchings are definitely recorded for the first six months of 1935 in a report just issued by the International Labor Defense. Four took place in Mississippi and two in Louisiana and a seventh negro has "disappeared" from Birmingham, Ala.

One of the men was accused of attempted rape; two died as results of efforts to organize workers; a fourth because he drew a knife in self-defense; another because he had been charged with shooting the local attorney, and the sixth because a white man wanted his property.

WILMINGTON, N. C.
STAR

JUL 5 1935

THE LYNCHING RECORD

Lynchings for the six months of the current year as compiled by the department of research of Tuskeegee Institute, Alabama, total four, divided equally between Louisiana and Mississippi.

This is two less than for the first six months of 1934 and four less than for the first six months of 1933.

Offenses for which victims paid the penalty were murder 2; wounding man in altercation 1; and assault on woman 1.

Eventually, we believe, lynching will be relegated to the limbo of forgotten things. There will be always, we suspect, times when infuriated citizens occasionally take the law into their own hands, but there has been notable progress in the opposite direction during the last few years.

Rome, Ga. News-Tribune
July 15, 1935

LYNCHINGS ON THE DECREASE

ONLY four lynchings occurred in the South during the first six months of the present year, according to an announcement from the Tuskegee Institute, two of these being in Louisiana and two in Mississippi. During the same period last year there were six lynchings.

Oddly enough, only one of the lynchings was for the crime for which many Southerners claim lynching is justifiable; three were for other offenses, showing that the nature of the crime is not always the governing motive.

The fact that lynchings are on the decrease is most gratifying, since they represent one of the most brutal forms of outlawry and one in which mistakes are easy to make, but the fact should not be forgotten that one of the prime incentives for this form of lawlessness lies in the laxity of law enforcement in many quarters.

To remove the lynch evil, and many other evils connected with defiance of law, there must be created a condition under which the general public will feel reasonably certain that criminals will be adequately punished by legal means.

To create confidence of this nature will require greater efficiency on the part of arresting officers, far better results in the prosecution of the lawless, and a greater degree of certainty that penalties will be carried out once the criminal has been convicted.

In the development of a condition of this nature, the people as a whole bear a large measure of responsibility. They must stand squarely behind a program of this character if it is to be made effective.

Birmingham, Ala. News
July 6, 1935

Only Four Lynchings In The First Half Of 1935

Slowly, so slowly, does man see civilization advance. But once in a while there is brought to his attention something that makes him take grip once more and renew his faith in mankind's ability to move forward.

From Tuskegee Institute comes a report that is most gratifying. During the first six months of 1935 there were only four lynchings in the United States as compared to six in 1934 and eight in 1933 for the same period. So far this year there have been two Negroes lynched in Mississippi and two in Louisiana.

Surely some day lynchings will cease altogether. But it will not be the result of law. For, says *The Montgomery Advertiser*, "a practice which is so opposed to the entire theory of law cannot be eradicated by more law. Only a change in the standards of men can be effective."

The decline in the number of lynchings has been constant during the past half century. And when that day comes when lynching is entirely a thing of the past man may well feel pride in having taken a long step forward.

WILMINGTON, N. C.
NEWS
JUL 8 1935

Editorial Comment From Other Angles

LYNCHING DECREASES

(Charleston News & Courier)

For the first six months of the year the lynchings, so Tuskegee Institute reports, were only four. There was none in South Carolina. There will be lynchings in future, there will be killings by mob that will not be called lynchings, but they are steadily decreasing in the South.

The passage of the Costigan-Wagner law, which was written by a negro and aimed at the South, though introduced by democrats and not opposed by the White House, would have kindled "race prejudice" and caused more lynchings.

The truth is that the complete abandonment of lynching in the South would probably not promote the aims of the Northern organizations noisily supporting the Costigan-Wagner bill. Occasional outrages against negroes in the South are needed by these people in their propagandic busuiness.

Their plans include much larger purposes than the suppressing of lynchings. What they are opposing is the general assertion of race domination in politics and race separation by the Southern whites. Were no negroes lynched they would have nothing to "dramatize," nothing with which to arousue the interest of the reforming class. Were never a negro lynched in the South the uplifters might forget the existence of the negroes.

Lynchers should suffer the penalties provided for murderers. If not for murdering, they should be punished for making fools of themselves and playing into the hands of the Northern reformers who care little or nothing about a lynching but are working indefatigably and with great skill to destroy all racial barriers and differences in the United States.

RICHMOND, VA.
TIMES DISPATCH
JUL 7 1935

A Decrease in Lynchings

ONLY four lynchings occurred in the United States during the first six months of 1935, which indicates that this year should be one of the best, if not the best, from this standpoint, the country has ever experienced. The smallest total for any year since 1885, the period for which totals have been kept, was that for 1932, when eight persons succumbed to mob murder. If the second half of 1935 produces no more lynchings than the first half, the best record in the past half a century will have been tied.

Last year there were 15 lynchings, the year before there were 28, and for each year from 1923 to 1931, inclusive, the total ranged from 10 to 33, with almost all the victims Negroes, of course. Prior to 1923 the figures were much higher, 1892 carrying off the all-time record with 231 lynchings, 69 of the victims having been whites.

It is possible that the second half of this year will produce a large number of mob murders, and that the good record achieved during the first six months will be wiped out. It may be that the recent threat of the COSTIGAN-WAGNER antilynching bill served as a deterrent to would-be lynchers, and that this element will feel free to obey its savage impulses, now that the measure has been killed, at least until the next session of Congress.

But at any rate, the record to date, as compiled by Tuskegee Institute, is gratifying. The institute's compilation shows that two of the 1935 lynchings took place in Mississippi and the other two in Louisiana. The Mississippi record is particularly bad in this respect, for in 1934, six of the 15 mob murders which took place in the country occurred in Mississippi. Now that the same State has contributed half the lynchings for 1935, it seems to be on its way to achieving the title of the "Lynch State."

MONTGOMERY, ALA.
ADVERTISER
JUL 5 1935

GRADUAL, BUT CONSISTENT

Only Mississippi and Louisiana had black marks on their lynching records for the first six months of 1935. In each of these States two Negroes were lynched, according to the regular semi-annual report of Tuskegee Institute.

The four outrages compare with six in the same period of 1934 and eight in 1933, and is in keeping with the gradual, but consistent decline for the last 50 years.

That the decline has continued supports the arguments of those who were opposed to the attempt to revive the Dyer anti-lynching bill made at this session of Congress. Lynching will some day cease altogether, but when it does it will not be the result of law. A practice which is so opposed to the entire theory of law cannot be eradicated by more law. Only a change in the standards of men can be effective.

Ocilla, Ga., Star
July 4, 1935

DECREASE IN LYNCHING

F. D. Patterson, president of the Tuskeegee Institute makes public the following facts concerning lynchings during the first six months of the year.

"I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first 6 months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

Lynchings - 1935
Reports on, Sent Press

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DeLand, Fla., Sun News
July 5, 1935

LYNCHING RECORD IMPROVES

The lynching record for the first six months of 1935 shows an improvement over the first six months of either 1933 or 1934, according to a report from the research department of the Tuskeegee institute.

For the first six months of this year there were but four lynchings as against six for the first six months of 1934 or as against eight for the first six months of 1933.

The four lynched thus far this year were Negroes —two for murder; one for rape, and one for fighting with a white man.

Two of the lynchings occurred in Louisiana and two in Mississippi. Florida, Georgia, Alabama and others of the southern states escaped the stigma, this year.

Richmond, Va. News-Leader
July 2, 1935

"Ole Miss" Leads With 6 Lynchings

There were sixteen lynchings in 1934, according to the annual report of the National Association for the Advancement of Colored People.

Six were reported from Mississippi, two each from Alabama, Florida and Louisiana and one each from Kentucky, Georgia, Tennessee and Texas.

Records in ten instances say that mobs figured in the outrages. In other instances the killings were reported to have been done by small groups. One lynching was alleged to have been committed by a group of Negroes upon another Negro.

Sanford, Fla. Herald
July 5, 1935

That no federal lynching law is necessary or desirable is indicated by figures just released by the Tuskegee Normal and Industrial Institute for the lynching record of the first six months of 1935. During this period there were only four lynchings. This is two less than during the first six months of last year, and four less than during the first six months of 1933.

Pelham, Ga., Journal
July 4, 1935

ONLY FOUR LYNCHED IN PAST SIX MONTHS

According to records compiled during the past six months and released by F. D. Patterson, President of the Tuskegee Institute lynchings over the country show a considerable decrease. The report follows:

"I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that ni the first six month sof 1935 there were four. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

"All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation 1; rape 1; murder 2.

"The states in which lynchings occurred and the number in each state are as follows: Louisiana 2; and Mississippi 2.

Sheffield, Ala., Daily
July 5, 1935

Gradual Abatement Of The Lynching Monstrosity

Each six months Southern newspapers receive a report from Tuskegee Normal and Industrial Institute, of Alabama, giving a record of the lynchings occurring during those periods together with comparisons with former periods.

The lynching record, just received, for the first six months of 1935 is decidedly encouraging, as the following data from the letter of F. D. Patterson, president of the institution, reveals:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2, and Mississippi, 2.

Persons worthy of the name of citizen are unquestionably unanimously opposed to taking men out of the hands of the law and out of the realm of the courts and subjecting them to such cruel death without an opportunity to be heard by a trial jury.

This has led to many movements in the history of this country, especially in recent years, looking toward punitive measures against those who commit lynchings. But passing a law providing such punishment and meting it out to an enraged mob of several hundred men is a different matter.

The recent defeat by filibuster of the Wagner-Costigan anti-lynching bill in the United States senate gives some idea of the intensity of feeling on this subject. As time goes on it is being well demonstrated, however, that the way we must overcome the problem of mob vilence is the same as we must use to eradicate many other social sores—through the medium of broad social and patriotic education.

This year's report, therefore, is distinctly encouraging because it denotes the arrival of many more citizens and communities at the point where they will not put injustice in their own hands to defeat justice. And although no good citizen approves of mob violence the problem has persisted with us so long simply because we have not pressed those educational steps which are required to overcome it.

Chattanooga, Tenn. Times
July 4, 1935

SLUMP IN LYNCHINGS.

According to statistics compiled by Tuskegee Institute, there were in the United States only four lynchings in the first six months of the current year. This figure is two less than the number for the corresponding period in 1934 and four less than the number for the first six months of 1933. In other words there has been a decrease of 33 1-3 per cent. in lynchings as between the first halves of 1935 and 1934 and a decrease of 50 per cent. as between the first halves of 1935 and 1933.

All four of this year's lynchings occurred in the South. All occurred in two States, and Louisiana and Mississippi shared fifty-fifty in the disgrace. All those lynched were Negroes, and the charges were as follows: Wounding man in altercation, 1; rape, 1; murder, 2. Thus it is once again demonstrated that race prejudice plays a large part in mob violence and that the attempt to justify lynching as an institution maintained as a protection for Southern womanhood has very little basis. Insofar as it applies to the first half of the current year, the argument is at least three-fourths wrong.

Perhaps the most significant thing about the 1935 record, however, is the fact that it is far below the records of the two preceding years, and is low, indeed, in comparison with the high record of 231, in 1892, and the total of sixty-two as recently as 1921. The decrease in mob executions is not only highly gratifying, it is remarkable, all things considered. It ought to be a sufficient argument against enactment of a Federal anti-lynching law and in favor of giving public opinion and local law enforcement a chance to eradicate the brutal practice.

ROCHESTER, N. Y.
TIMES UNION
JUL 9 1935

LYNCHING RECORD

Editor, The Times-Union:

I SEND you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934, and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: Wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2, and Mississippi, 2.

F. D. PATTERSON,
President Tuskegee Institute.
Tuskegee, Ala.

GREENSBORO, N. C.
NEWS
JUL 7 1935

LYNCHING RECORD.

Editor of The Daily News:

I send you the following information concerning lynchings for the first six months of this year. I find according to records compiled at Tuskegee Institute in the department of records and research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2, and Mississippi, 2.

F. D. PATTERSON, President.
Tuskegee Institute, Ala.

Centreville, Ala., Press
July 11, 1935

LYNCHING RECORD FOR THE FIRST SIX MONTHS OF 1935

Dear Sir:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 here were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occured and the number in each State are as follows: Louisiana, 2, and Mississippi 2.

F. D. Patterson, President
Tuskegee Normal and Industrial Institute, Tuskegee, Ala.

Kingstree, S. C., Record
July 11, 1935

Lynching Record for Six Months.

According to the records compiled at Tuskegee Institute in the Department of Records and Research for the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2, and Mississippi, 2.

Picayune, Miss. Item
July 11, 1935

Low Lynching Record

According to information received from the Tuskegee Institute four persons were lynched during the first six months in 1935. All four were negroes; the lynching took place in Louisiana, 2; Mississippi 2. The offenses charged were: wounding man in fight, 1; rape, 1; murder, 2.

This record is 2 lynchings less than the first six months in 1934, 4 less than the first six months in 1933.

Seneca, S. C., Journal
July 11, 1935

Four Negroes Lynched First Six Months 1935

According to records compiled at Tuskegee Institute, school for Negroes at Tuskegee, Ala., and just released, there were four lynchings in the United States during the first six months of 1935. This is two less than the number six for the first six months of 1934; and four less than the number eight for the same period of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are: Louisiana, 2, and Mississippi, 2

Springfield, Tenn. Herald
July 11, 1935

First Six Months 1935 Show Fewer Lynchings

Four lynchings in the United States during the first six months of 1935 were two less than the 1934 mark for the same period and four less than during the same time in 1933, according to figures compiled by the department of records and research at Tuskegee Normal and Industrial Institute.

F. D. Patterson, Tuskegee president, states that of the lynchings two each occurred in Louisiana and Mississippi. Charges against the victims—all Negroes—were: wounding man in altercation, 1; rape, 1; murder, 2.

Birmingham, Ala., Age-Herald
July 11, 1935

Slump In Lynchings

According to statistics compiled by Tuskegee Institute, there were in the United States only four lynchings in the first six months of the current year. This figure is two less than the number for the corresponding period in 1934 and four less than the number for the first six months of 1933. In other words, there has been a decrease of 33 1-3 per cent in lynchings as between the first halves of 1935 and 1934, and a decrease of 50 per cent as between the first halves of 1935 and 1933.

All four of this year's lynchings occurred in the South. All occurred in two states, and Louisiana and Mississippi shared 50-50 in the disgrace. All those lynched were Negroes, and the charges were as follows: Wounding man in altercation, one; rape, one; murder, two. Thus it is once again demonstrated that race prejudice plays a large part in mob violence and that the attempt to justify lynching as an institution maintained as a protection for Southern womanhood has very little basis. Insofar as it applies to the first half of the current year, the argument is at least three-fourths wrong.

Perhaps the most significant thing about the 1935 record, however, is the fact that it is far below the records of the two preceding years, and is low, indeed, in comparison with the high record of 231, in 1892, and the total of 62 as recently as 1921. The decrease in mob executions is not only highly gratifying, it is remarkable, all things considered. It ought to be a sufficient argument against enactment of a federal anti-lynching law and in favor of giving public opinion and local law enforcement a chance to eradicate the brutal practice.—Chattanooga Times.

Camden, S. C., Messenger
July 10, 1935

Lynching Record For First Six Months 1935

The following record of lynchings is furnished by the Tuskegee Normal and Industrial Institute.

"I send you the following information concerning lynchings for the first six months of the year. I find according to the records compiled at Tuskegee Institute in the depatment of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were negroes. The offenses were: wounding man in altercation 1; rape1; murder2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana 2; and Mississippi 2.

F. D. Patterson.

WATERTOWN, N. Y.
TIMES
JUL 6 1935

Letters From the People.

The 1935 Lynching Record.

To The Times:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the department of records and research that in the first six months of 1935 there were four lynchings. This is two less than the number six for the first six months of 1934; and four less than the number eight for the first six months of 1933.

All of the persons lynched were negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2. The states in which lynchings occurred and the number in each state are as follows: Louisiana, two, and Mississippi, two.

F. D. Patterson,
President, Tuskegee Normal and Industrial Institute, Tuskegee, Alabama, July 3, 1935.

Blakeley, Ga. News
July 4, 1935

LYNCHINGS SHOW DECREASE FOR FIRST SIX MONTHS OF 1935

According to records compiled by F. D. Patterson, President of Tuskegee Industrial and Normal Institute, there were four lynchings in the United States during the first six months of 1935. This is two less than the number six for the first six months of 1934, and four less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2; and Mississippi, 2.

PHILADELPHIA, PA.
RECORD
JUL 8 1935

Lynching Record

Editor of The Record:

Sir:—I send you the following information concerning lynchings for the first six months of this year. I find, according to the records compiled at Tuskegee Institute in the department of records and research, that in the first six months of 1935 there were four lynchings. This is two less than the number six for the first six months of 1934, and four less than the number eight for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: Wounding man in altercation, one; rape, one; murder, two.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, two, and Mississippi, two.

F. D. PATTERSON,
President, Tuskegee Normal and Industrial Institute.

Hendersonville, N. C. Times
July 3, 1935

Records Showing Fewer Lynchings

Are Less By 2 In Relative Period Of 1934

TUSKEGEE, Ala., July 3.—F. D. Patterson, president of Tuskegee Institute said today that, according to the records compiled at the institute in the department of records and research, in the first six months of 1935 there were four lynchings. This is two less than the number six for the first six months of 1934, and four less than the number eight for the first six months of 1933.

All of the persons lynched were negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana 2, and Mississippi 2.

Lumpkin, Ga., Journal
July 5, 1935

Only Four Lynchings During First 6 Months

According to information from records compiled at Tuskegee Institute there were only four lynchings in the United States during the first six months of 1935. This is 2 less than the number 6 for the first six months of 1934, and 4 less than the number 8 for the first six months of 1933.

All the persons lynched were Negroes. The offenses charged were wounding man in altercation, 1; rape, 1; murder, 2.

The states in which lynching occurred and the number in each state are as follows; Louisiana, 2, and Mississippi, 2.

Lynchings – 1935 Jan. – June

Reports on, Sent Press.

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SAN ANTONIO, TEX.
EXPRESS
JUL 6 1935

FROM THE LYNCHING RECORD FOR A HALF-YEAR

After a period in which the evil flared up anew, Tuskegee Normal and Industrial Institute again reports lynching on the decline. During the first half of 1935, that authority announces, four persons were put to death by mobs.

All those atrocities were perpetrated in Judge Lynch's traditional stronghold—two in Louisiana and two in Mississippi. Among the four victims, only one was charged with the "usual crime." Two others had been accused of murder and the fourth had wounded a white man in a quarrel.

The record shows decided improvement over that for recent years: six persons lynched during the first half of 1934 and eight in the like period of 1933. The mob murder toll for all 1934 was 15, and for the previous year 28. Six of the lynchings in 1934 were in Mississippi. The comparative figures show where intensive educational and other preventive work is needed most.

Unquestionably, economic and social conditions have something to do with lynching; any preventive measures—to be useful—must take those factors into account. Mob crimes are more numerous and widespread during hard times than in prosperity. However, economic recovery alone will not eradicate the evil.

A significant fact is that lynchings are most frequent in States which have relatively the largest negro population and therefore more occasions for friction. That situation is not easily remedied, either.

Some credit for the improvement may be due the agitation in Congress over the Costigan-Wagner anti-lynching bill. That measure—to penalize the county where the mob outrage occurred—never had a chance of enactment. At any rate its constitutionality would have been doubtful and it would not have been highly effective if upheld by the courts.

A more sensible and salutary policy [illegible] and publicly honor and reward official courage in the face of mob threats. The problem remains primarily one of education. When the people shall be fully aroused to the enormity of such outrages upon government, justice and ordered society, they will take effective steps to eradicate it.

Therefore, better results can be expected from the work which the Association of Southern Women for the Prevention of Lynching and the Southern Commission on the Study of Lynching are doing, than from new punitive laws, either State or Federal.

HOBOKEN, N. J.
OBSERVER
JUL 5 1935

FOUR LYNCHINGS IN PAST SIX MONTHS

In the first six months of 1935 there were four lynchings. This is two less than for the first six months of 1934; and four less than for the first six months of 1933, says a bulletin from Tuskegee Institute.

All of the persons lynched were Negroes. The offenses charged were: Wounding man in altercation 1; rape, 1; murder, 2.

The States in which lynchings occurred are Louisiana, 2, and Mississippi, 2.

Statesboro, Ga., Times and News
July 11, 1935

Number Lynchings Shown to be Less

The lynching record for the first six months of 1935, made public by the research department of the Tuskeegee Industrial Institute, shows that there were four lynchings. This is 2 less than the number for the first six months of 1934, and 4 less than the number for the first six months of 1934. All of the persons lynched were negroes. The offenses charged were: Wounding man in altercation, 1; rape 1, and murder 1. The states in which lynchings occurred and the number in each state are as follows: Louisiana 2, Mississippi 2.

ABILENE, TEX.
REPORTER
JUL 4 1935

Louisiana Negro Reported Lynched

VILLE PLATTE, La., July 4.—(AP) Rumors that Adam Avie, negro accused of attempting to attack a white woman, had been mutilated and lynched were circulated here today following his removal from jail by a mob.

The sheriff, chief of police, deputies and other officials were unavailable for comment and inquirers were told that they could not be located.

While some citizens said they had heard the negro, taken from the jail Tuesday night, was lynched, others said they believed he was being held a captive in a cabin near Ville Platt.

The clothing of the negro was reported found near the outskirts of the town yesterday.

Tuskegee, Ala., News
July 11, 1935

Lynching Record For First Six Months, 1935

Dear Sir:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each state are as follows: Louisiana, 2, and Mississippi, 2.

Yours very truly,
F. D. PATTERSON, President.

Wilmington, N. C. News
July 5, 1935

THE LYNCHING RECORD

Lynchings for the six months of the current year as compiled by the department of research of Tuskeegee Institute, Alabama, total four, divided equally between Louisiana and Mississippi.

This is two less than for the first six months of 1934 and four less than for the first six months of 1933.

Offenses for which victims paid the penalty were murder 2; wounding man in altercation 1; and assault on woman 1.

Eventually, we believe, lynching will be relegated to the limbo of forgotten things. There will be always, we suspect, times when infuriated citizens occasionally take the law into their own hands, but there has been notable progress in the opposite direction during the last few years.

Anniston, Ala. Star
July 9, 1935

Record Improved

The Department of Records and Research at Tuskegee Institute has issued its semi-annual report on lynchings revealing that four persons, all negroes, were killed by mobs in the South during the first half of the year. This, however, compares favorably with the record last year, when six were lynched in the first six months, and represents a drop of 50 per cent below the total of eight reported in 1933.

The states that have blotted their records with lynchings this year are Mississippi and Louisiana, with two each. Two of the victims were charged with murder, one with wounding a man during an altercation and the other with criminal assault.

With all states except two presenting a clear record and the total reduced to four, it does not seem to be too much to look for the time when there will be no lynchings.

ATHENS, GA.
BANNER HERALD
JUL 10 1935

RAPE AND LYNCHINGS DECREASE

The announcement made by the statistics department of the Tuskegee Normal and Industrial College that only four lynchings occurred during the first six months of 1935 is an indication of improved conditions among the criminal element and the growth of a desire on the part for the enforcement of the law.

Of the four lynchings occurring this year, only one was for rape. Two for murder and one for wounding a man in an altercation. For the first six months in 1934, there were six lynchings and in 1933 there were eight lynchings. The lynchings this year occurred in Louisiana and Mississippi, two in each state.

In former years, lynchings were common occurrences. The occasions which brought on these lynchings were charged, committed, the number of lynchings in the nation has shown a material decrease. ble to rape. Now that this crime is seldom

SELMA, ALA.
TIMES-JOURNAL

JUL 3 1935

Decrease Reported For Lynching Toll In Southern States

TUSKEGEE, Ala., July 3—(AP)—Tuskegee Institute's semi-annual lynching report released today showed that four negroes were lynched—two in Louisiana and two in Mississippi—during the first six months of 1935 as compared with six in the same period of 1934 and eight in 1933.

Two of those lynched this year were charged with murder, one with criminal assault, and the fourth with wounding a man durin an altercation.

There were no reports of a white man having been lynched.

The tabulation is kept by the department of records and research at the negro institution here.

Asheville, N. C., Citizen
July 7, 1935

LYNCHING RECORD FOR THE FIRST SIX MONTHS OF 1935

Editor of The Citizen-Times:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is two less than the number six for the first six months of 1934; and four less than the number eight for the first six months of 1933:

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2; and Mississippi, 2.

Yours very truly,
F. D. PATTERSON,
President.

Tuskegee Institute, Alabama.

Marianna, Fla., Times Courier
July 6, 1935

Four Lynched In U. S. During Past 6 Months

According to the records compiled at Tuskegee Institute in the department of records and research, during the first six months of 1935 there were four lynchings. This is two less than the six for the same period during 1934, and four less than the eight for the first six months of 1933.

All of the persons lynched were negroes. Offenses charged were wouding a man in an altercation, rape and two murder charges.

Two of the lynchings occurred in [illegible]iana and two in Mississippi.

Aiken, S. C. Journal & Review
Jul[illegible] 1935

LYNCHING RECORD FIRST SIX MONTHS 1935

According to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935, there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2; and Mississippi 2.

Anderson, S. C. Record
July 4, 1935

THE LYNCHING RECORD.

The report of the Tuskegee Institute to the effect that lynching is on the decline in the country is gratifying. During the first six months of the year but four persons were lynched, as compared with half a dozen during the corresponding period of last year.

But even though there has been a decline in the number of lynchings, there are still too many cases of this kind in the nation. One would be too many.

It is, however, encouraging to note the decrease in manifestations of mob violence. The day will, however, probably never come when there will be no further manifestations of this nature. The spirit of the mob has been with us always and probably will continue to be evidenced from time to time. It is unfortunate that the law seems unable to cope with those who take the law into their own hands, but to date there does not appear, as far as we know, a case of where participants in a mob have been made to pay a penalty for their acts.

Athens, Ga., Banner-Herald
July 10, 1935

RAPE AND LYNCHINGS DECREASE

The announcement made by the statistics department of the Tuskegee Normal and Industrial College that only four lynchings occurred during the first six months of 1935 is an indication of improved conditions among the criminal element and the growth of a desire on the part for the enforcement of the law.

Of the four lynchings occurring this year, only one was for rape. Two for murder and one for wounding a man in an altercation. For the first six months in 1934, there were six lynchings and in 1933 there were eight lynchings. The lynchings this year occurred in Louisiana and Mississippi, two in each state.

In former years, lynchings were common occurrences. The occasions which brought on these lynchings were chargeable to rape. Now that this crime is seldom committed, the number of lynchings in the nation has shown a material decrease.

Tuscaloosa, Ala., News
July 8, 1935

LYNCHING ON THE DECREASE

ONLY four lynchings occurred in the South during the first six months of the present year, according to an announcement from the Tuskegee Institute, two of these being in Louisiana and two in Mississippi. During the same period last year there were six lynchings.

Oddly enough, only one of the lynchings was for the crime for which many Southerners claim lynching is justifiable; three were for other offenses, showing that the nature of the crime is not always the governing motive.

The fact that lynchings are on the decrease is most gratifying, since they represent one of the most brutal forms of outlawry and one in which mistakes are easy to make, but the fact should not be forgotten that one of the prime incentives for this form of lawlessness lies in the laxity of law enforcement in many quarters.

To remove the lynch evil, and many evils connected with defiance of law, there must be created a condition under which the general public will feel reasonably certain that criminals will be adequately punished by legal means.

To create confidence of this nature will require greater efficiency on the part of arresting officers, far better results in the prosecution of the lawless and a greater degree of certainty that penalties will be carried out once the criminal has been convicted.

In the development of a condition of this nature, the people as a whole bear a large measure of responsibility. They must stand squarely behind a program of this character if it is to be made effective.

DALLAS, TEX.
TIMES HERALD

JUL 7 1935

ENCOURAGING FIGURES ON LYNCHING

A GRATIFYING DECLINE in the number of lynchings is indicated by figures compiled by President F. D. Paterson of Tuskegee Normal and Industrial Institute.

Only four lynchings have taken place during the first six months of this year, whereas, six were reported for the first half of last year and eight for the first six months of 1933.

At a time when the public is more than usually perturbed over prevalence of crime, the tendency of thoughtless citizens to take the law in their own hands might be expected to grow stronger, but lynching has little connection with law enforcement. It is perpetrated by passion-inflamed mobs and is a crime in itself. Lynching will eventually disappear. Enactment of drastic laws by congress would have little effect on mobs, no matter how much hardship it might work on theoretically responsible county officials.

Shelbyville, Tenn. Times
July 11, 1935

THE LYNCHING RECORD FOR FIRST SIX MONTHS OF 1935

According to the records compiled at Tuskegee Institute in the Department of Records and Research, in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2, and Mississippi, 2.

Atlanta, Ga. Constitution
July 7, 1935

Tuskegee Institute's semi-annu[illegible] lynching report released shows th[illegible] four negroes were lynched—two [illegible] Louisiana and two in Mississippi—during the first six months of 193[illegible] as compared with six in the same p[illegible]riod of 1934 and eight in 1933. [illegible] elected president of the Georgia Association of Letter Carriers in its annual convention at Valdosta.

Lynchings - 1935
Reports on, Sent Press.

Jan. - June

5184

Lynching Record For First Six Months, 1935

Tuskegee News

Dear Sir:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each state are as follows: Louisiana, 2, and Mississippi, 2.

Yours very truly,
F. D. PATTERSON, President.

SIX LYNCHINGS TO DATE IN 1935

Gadsden Times
7-3-35
Boston Mass

ONLY ONE ACCUSED OF ATTEMPTED RAPE.

Six lynchings, all of colored persons, are definitely recorded for the first six months of 1935 in a report just issued by the International Labor Defense. Four took place in Mississippi and two in Louisiana and a seventh victim has "disappeared" from Birmingham, Ala.

One of the men was accused of attempted "rape,' two died as a result of efforts to organize workers, a fourth because he drew a knife in self-defense, another because he had been charged with shooting the local attorney, and the sixth, because a white man wanted his property.

TUSKEGEE SAYS 4 LYNCHINGS

According to the records compiled at Tuskegee Institute in the Department of Records and Research in the first six months of 1935 there were four lynchings. This is two less than the number six for the first six months of 1934; and four less than the number eight for the first six months of 1933. All of the persons lynched were colored. The offenses charged were: wounding man in altercation, 1; rape, 1; murder, 2. The states in which lynchings occured and the number in each state are as follows: Louisiana, 2; and Mississippi, 2.

LYNCHING RECORD!

Tuskegee Institute July 3, 935.

Editor Dabney:

I send you the following information concerning lynchings for the first six months of this year. I find according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the fist six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2; and Mississippi, 2.

Yours very truly,
F. D. PATTERSON,
President.

GREENVILLE, S. C.
NEWS
JUL 4 1935

THE DECLINE IN LYNCHING

Further evidence of the declining trend in lynchings in this country is contained in Tuskegee Institute's records showing that for the first six months of the year, only four persons were lynched, two in Louisiana and two in Mississippi. All were negroes.

Lynchings were thus two less than during the first six months of last year and four less than during the similar period of 1933.

Lynching records over the last few decades show that these crimes of violence are steadily becoming fewer. A reasonable conclusion is that public sentiment toward such mob actions is gradually changing for the better and that in a far greater number of instances in which a crime has aroused great public indignation the citizenship prefers to see the orderly processes of justice carried out.

The trend, it is unnecessary to point out, is one highly gratifying to citizens who deplore and oppose mob action to punish crime. And it suggests that there is less reason than ever for the adoption of federal anti-lynching laws.

GREENSBORO, N. C
RECORD
JUL 6 1935

Fewer Lynchings.

In the first half of this year only four lynchings occurred in the United States—two negroes were lynched in Louisiana and two in Mississippi—according to the semi-annual report of Tuskegee (Ala.) institute. These four outrages compare with half a dozen in the corresponding period in 1934, and with eight in 1933.

The decline in mob crimes continues, gradually and consistently, just as it has for the last several decades. Strenuous thought futile efforts were made to have Congress pass the so-called Dyer anti-lynching bill. Lynching is anarchy in its worst form. There are, of course, laws against it already. Why pass additional laws to eradicate lynching? Present laws, if enforced, seem sufficient. What is most needed is an uplifting change in the moral and intellectual standards of our people, both white and black.

BUFFALO, N. Y.
NEWS
JUL 6 1935

Fewer Lynchings Reported During First Half of Year

I find, according to the records compiled at Tuskegee institute in the department of records and research that in the first six months of 1935 there were four lynchings in the United States. This is two less than the number six for the first six months of 1934; and four less than the number eight for the first six months of 1933. All of the persons lynched were Negroes.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2; Mississippi, 2.

F. D. PATTERSON,
President.
Tuskegee Institute, Ala.

Only Four Lynchings In The First Half Of 1935

Birmingham News
7-6-35

Slowly, so slowly, does man see civilization advance. But once in a while there is brought to his attention something that makes him take grip once more and renew his faith in mankind's ability to move forward.

From Tuskegee Institute comes a report that is more gratifying. During the first six months of 1935 there were only four lynchings in the United States as compared to six in 1934 and eight in 1933 for the same period. So far this year there have been two Negroes lynched in Mississippi and two in Louisiana.

Surely some day lynchings will cease altogether. But it will not be the result of law. For, says *The Montgomery Advertiser*, "a practice which is so opposed to the entire theory of law cannot be eradicated by more law. Only a change in the standards of men can be effective."

The decline in the number of lynchings has been constant during the past half century. And when that day comes when lynching is entirely a thing of the past man may well feel pride in having taken a long step forward.

THE LYNCHING RECORD FOR THE FIRST SIX MONTHS 1935

Patmette Leader
7-3-35

According to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were; wounding man in altercation, one; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana; 2; and Mississippi, 2.

LYNCHING DROP SHOWN

Two Negroes in Mississippi, Two in Louisiana Victims

TUSKEGEE, Ala., July 3.—(AP) Tuskegee Institute's semi-annual lynching report, released today, showed that four negroes were lynched—two in Louisiana and two in Mississippi—during the first six months of 1935, as compared with six in the same period of 1934 and eight in 1933.

Two of those lynched this year were charged with murder, one with criminal assault, and the fourth with wounding a man during an altercation.

There were no reports of a white man having been lynched.

The tabulation is kept by the Department of Records and Research at the negro institution here.

MACON, GA.
NEWS
JUL 3 1935

Four Are Lynched During Six Months

F. D. Patterson, president of the Tuskegee Normal and Industrial Institute, has sent The Evening News the record of lynchings in the United States for the first half of this year.

There were only four lynchings, he reports, or two less than for the first six months of last year, and four less than during the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: Wounding man in altercation and rape, one each; murder, two.

The states in which lynchings occurred, the record shows, were: Louisiana two and Mississippi two.

4 Lynchings In South Reported By Tuskegee

Montgomery Advertiser
7-4-35

TUSKEGEE, ALA., July 3.—(AP)—Tuskegee Institute's semi-annual lynching report released today showed that four negroes were lynched—two in Louisiana and two in Mississippi—during the first six months of 1935 as compared with six in the same period of 1934 and eight in 1933.

Two of those lynched this year were charged with murder, one with criminal assault, and the fourth with wounding a man during an altercation.

There were no reports of a white man's having been lynched.

The tabulation is kept by the department of records and research at the negro institution here.

GRADUAL, BUT CONSISTENT

Only Mississippi and Louisiana had black marks on their lynching records for the first six months of 1935. In each of these States two Negroes were lynched, according to the regular semi-annual report of Tuskegee Institute.

The four outrages compare with six in the same period of 1934 and eight in 1933, and is in keeping with the gradual, but consistent decline for the last 50 years.

That the decline has continued supports the arguments of those who were opposed to the attempt to revive the Dyer anti-lynching bill made at this session of Congress. Lynching will some day cease altogether, but when it does it will not be the result of law. A practice which is so opposed to the entire theory of law cannot be eradicated by more law. Only a change in the standards of men can be effective.

WILMINGTON, N. C.
NEWS
JUL 5 1935

THE LYNCHING RECORD

Lynchings for the six months of the current year as compiled by the department of research of Tuskeegee Institute, Alabama, total four, divided equally between Louisiana and Mississippi.

This is two less than for the first six months of 1934 and four less than for the first six months of 1933.

Offenses for which victims paid the penalty were murder 2; wounding man in altercation 1; and assault on woman 1.

Eventually, we believe, lynching will be relegated to the limbo of forgotten things. There will be always, we suspect, times when infuriated citizens occasionally take the law into their own hands, but there has been notable progress in the opposite direction during the last few years.

LOUISVILLE, KY.
HERALD POST
JUL 5 1935

PROGRESS.

IN PLAIN matter-of-fact words, Tuskegee Institute notes progress.

Records for the first six months of the year show four lynchings. In 1934 the number was six and in 1933 it wa eight, a reduction by one-half in two years. All lynched were Negroes. The states of Mississippi and Louisiana divide the ignominy equally.

Not until the Tuskegee Department of Records and Research reports a clean bill need gratification be shown.

SAVANNAH, GA.
PRESS
JUL 3 1935

LYNCHINGS DECREASE.

F. D. Patterson, the new president of the Tuskegee Normal and Industrial Institute, the colored school founded by Booker T. Washington at Tuskegee, Ala., is adhering to the plan of his predecessors in keeping a record of the lynchings of negroes in different sections of the United States.

He has just issued a statement which shows there were only four lynchings in the United States for the first six months of 1935. Two of these were in Louisiana and two in Mississippi. For the first six months of 1934 the record of President Patterson shows there were six lynchings in the United States. The comparative number has been reduced for that part of 1935 which has passed. This is very gratifying. It is hoped the last half of the year will record even fewer lynchings than did the initial six months.

Lynchings and their cause make an old story in the United States. The trouble about lynching is that when mobs take the law into their own hands they may make innocent parties pay the extreme penalty for crimes that under the statutes are not punishable by death. This was the case in one of the four lynchings reported for this year. A victim of the mob had only wounded another in an altercation.

For one crime, no matter where committed, there will always be a very strong tendency to lynch. Of course it's the wrong theory, but aroused communities do not stop to consider theories when the crime unspeakable is to be avenged.

LYNCHING RECORD.

To the Editor:

Sir:—I send you the following information concerning lynchings for the first six months of this year. I find, according to the records compiled at Tuskegee Institute in the Department of Records and Research that in the first six months of 1935 there were four lynchings. This is 2 less than the number 6 for the first six months of 1934; and 4 less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: Wounding man in altercation, 1; rape, 1; murder, 2.

The States in which lynchings occurred and the number in each State are as follows: Louisiana, 2, and Mississippi, 2.

F. D. PATTERSON,
President,
Tuskegee Institute, Ala.

Chattanooga, Tenn.
TIMES
JUL 4 1935

SLUMP IN LYNCHINGS.

According to statistics compiled by Tuskegee Institute, there were in the United States only four lynchings in the first six months of the current year. This figure is two less than the number for the corresponding period in 1934 and four less than the number for the first six months of 1933. In other words, there has been a decrease of 33 1-3 per cent. in lynchings as between the first halves of 1935 and 1934, and a decrease of 50 per cent. as between the first halves of 1935 and 1933.

All four of this year's lynchings occurred in the South. All occurred in two States, and Louisiana and Mississippi shared fifty-fifty in the disgrace. All those lynched were Negroes, and the charges were as follows: Wounding man in altercation, 1; rape, 1; murder, 2. Thus it is once again demonstrated that race prejudice plays a large part in mob violence and that the attempt to justify lynching as an institution maintained as a protection for Southern womanhood has very little basis. Insofar as it applies to the first half of the current year, the argument is at least three-fourths wrong.

Perhaps the most significant thing about the 1935 record, however, is the fact that it is far below the records of the two preceding years, and is low, indeed, in comparison with the high record of 231, in 1892, and the total of sixty-two as recently as 1921. The decrease in mob executions is not only highly gratifying, it is remarkable, all things considered. It ought to be a sufficient argument against enactment of a Federal anti-lynching law and in favor of giving public opinion and local law enforcement a chance to eradicate the brutal practice.

The Lynching Record For First Six Months of 1935

Tuskegee Institute, Ala. July 2—The records compiled by the Tuskegee department of records and research show that for the first six months of 1935, there were four lynchings.

This is two less than the number 6 for the first six months of 1934; and four less than the number 8 for the first six months of 1933.

All of the persons lynched were Negroes. The offenses charged were: wounding man in altercation, 1; rape, 1; murder 2.

The states in which lynchings occurred and the number in each state are as follows: Louisiana, 2, and Mississippi, 2.

Lynchings-1935
6
Reports on, Sent Press.

Jan.-Dec.

5207

20 Lynchings In U. S. Are Reported

TUSKEGEE, ALA., Dec. 28.—(AP)—Dr. F. D. Patterson, president of Tuskegee Institute, announced today that records of his institution showed that 20 persons were lynched in the United States during 1935, a gain of five over 1934.

He said that 84 persons—17 white and 67 negro—were saved by officers of the law from death at the hands of mobs.

Mississippi, with seven lynchings, led the nation, according to Dr. Patterson's announcement, while Louisiana reported 4, Florida 2, Georgia 2, Texas 2, and California, North Carolina, and Tennessee 1 each.

The persons lynched, the Tuskegee president said, included two white men and 18 negroes, while the charges against them included murder, attack, activity in share-cropper organizing, communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

20 PERSONS LYNCHED IN U.S., REPORT SHOWS

1935 Has 5 More Than in 1934; Mississippi Takes Lead With Seven.

12-29-35

TUSKEGEE, Ala., Dec. 28.—(AP)—Dr. F. D. Patterson, president of Tuskegee Institute, announced today that records of his institution showed that 20 persons were lynched in the United States during 1935, a gain of five over 1934.

He said that 84 persons—17 white and 67 negroes—were saved by officers of the law from death at the hands of mobs.

Mississippi, with seven lynchings led the nation, according to Dr. Patterson's announcement, while Louisiana reported four, Florida two, Georgia two, Texas two, and California, North Carolina and Tennessee one each.

The persons lynched, the Tuskegee president said, included two white men and 18 negroes, while the charges against them included murder, attack, activity in share cropper organizing, communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

Baton Rouge, La., Times
December 28, 1935

Lynch Mobs Took Lives of Twenty During This Year

Tuskegee, Ala., Dec. 28 (AP)—Dr. F. D. Patterson, president of Tuskegee Institute, announced today that records of his institution showed that 20 persons were lynched in the United States during 1935, a gain of five over 1934.

He said that 84 persons—17 white and 67 negro—were saved by officers of the law from death at the hands of mobs.

Mississippi, with seven lynchings, led the nation, according to Dr. Patterson's announcement, while Louisiana reported 2, Florida 2, Georgia 2, Texas 2 and California, North Carolina and Tennessee 1 each.

20 LYNCHINGS 1935 RECORD

TUSKEGEE COMPILES LIST OF AMERICA'S BARBARITIES—TWO OF PERSONS LYNCHED WERE WHITE

Grasdan

TUSKEGEE, Ala., Dec. 27 — According to the records compiled by Tuskegee Institute, there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

1-4-36

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Colored, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and eighteen were Colored. The offenses charged were: murder 7, attempted rape 3, rape 3, altercation with man 1, activity in share cropper organizing 1, attacking person 1, taking a prisoner from officer of the law 1, killed by mob in search of another person 1, slapping a woman 1, communistic activity 1.

The States in which lynchings occurred and the number in each State are as follows: California 1, Florida 2, Georgia 2, Louisiana 4, Mississippi 7, North Carolina 1, Tennessee 1, Texas 2.

20 LYNCHINGS ARE RECORDED DURING 1935

Tuskegee Institute Report Shows Increase of Five Over 1934

Call

TUSKEGEE INSTITUTE. Twenty lynchings were recorded during the year 1935 by the department of records and research of Tuskegee institute, a release signed by President Fredrick D. Patterson said this week.

1-3-36

This is five more than the number 15 for 1934, 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers.

A total of 84 persons, 17 white and 67 Negroes were thus saved from death at the hands of mobs

Of the 20 persons lynched, two were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Dr. Patterson Gives Figures On Lynchings

Tuskegee Institute, Ala.
December 21, 1935

Editor News:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons. 17 white and 67 Negro were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynching occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Yours very truly,
F. D. PATTERSON.
President

LYNCHINGS TOTAL 20 IN 1935

Records Show Five More Than in 1935; Mississippi Lead with Seven

12-31-35

A total of 20 perons were lynched in 1935, according to the records compiled in the Department of Research at Tuskegee Institute.

This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

53 Prevented

There were 53 instances in which officers of the law prevented lynching. Nine of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken.

In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Two White

Of the 20 persons lynched, 2 were white and 18 were Negroes. The offenses charged were: murder, 7; attempted rape, 3; rape 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman,1; communistic activity, 1.

Mississippi Leads

The state in which lynching occurred and the number in each

state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Lynch Law 1935

THERE were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail, Tuskegee Institute reports.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee. 1: Texas. 2.

KNOXVILLE, TENN.
JOURNAL
DEC 21 1935

For Tuskegee

The President has endorsed, with an expression of great good will, the plan for an Agricultural Hall as a gift of the white people of the South to Tuskegee Institute, leading Negro college of the nation and pride and hope of all, of either race, who realize the Negro's worth to the country.

"Agriculture," he said, "is and probably will continue to be the chief source of income for the South. The success of Southern agriculture is dependent in great part upon the industry, intelligence and thrift of the Negro farmers. It seems especially wise therefore that the white people of the South should provide for the erection of an agricultural building on the campus at Tuskegee institute, as an indorsement of the splendid work being done there in the teaching of scientific agriculture.

"The success of the program now being launched by the federal government for the rehabilitation of agriculture depends upon the program of education which must go hand in hand with any new development.

"As an adopted citizen of the South I have great faith in Tuskegee."

Tuskegee has behind it the traditions of Booker T. Washington, who believed in the wisdom of educating his people for the opportunities life offered them, and of Robert Moton, who was a liberal and sure guide so as Dr. Patterson's is now.

The success of this Alabama institution is an integral part of the progress and welfare of the South as a whole, and as such should be given all help possible.

NEW YORK TIMES
DEC 27 1935

20 LYNCHED DURING 1935.

Fuskegee Institute Reports Year's Total Exceeded 1934 by Five.

TUSKEGEE, Ala., Dec. 26.—Twenty persons died victims of lynchings in the United States during 1935, the Department of Records and Research of the Tuskegee Institute reported today. This is five more than were listed last year but eight less than in 1933. Of the 1935 total, the report said that thirteen of the victims were in the hands of the law at the time, five being taken from jails, six from officers and that the remaining two were shot to death in a jail.

The report added that there were fifty-three instances in which officers of the law prevented lynchings, nine being in Northern and Western States and forty-four in Southern States. In eleven instances armed force was used to repel the would-be lynchers. Of the twenty persons lynched, two were white and eighteen were Negroes.

The States in which lynchings occurred and the number in each State were listed as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

Rock Hill, S. C. Herald
December 28, 1935

LYNCHINGS IN 1935 INCREASE

Officers Saved 84 Persons from Death At Hands Of Mobs

Tuskegee Institute, Ala., Dec. 28.—According to the records compiled in the department of records and research of the Tuskegee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932.

Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails; 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee. 1: Texas. 2

New York Herald-Tribune
DEC 27 1935

20 Lynchings in 1935 Exceed Last Year by 5

Tuskegee Institute Reports 53 Attempts Failed

Special to the Herald Tribune

TUSKEGEE, Ala., Dec. 26.—Records compiled in the Department of Records and Research of the Tuskegee Institute show that there were twenty persons lynched in 1935. This is five more than the number for 1934; eight less than the number for 1933, and twelve more than the number for 1932. Thirteen of the persons lynched were in the hands of the law, five were taken from jails, six from officers of the law outside of jails, and two were shot to death in a jail.

There were fifty-three instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western states and forty-four in Southern states. In forty-two of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances armed force was used to repel the would-be lynchers. A total of eighty-four persons, seventeen white and sixty-seven Negroes, was thus saved from death at the hands of mobs.

Of the twenty persons lynched two were white and eighteen were Negro. The offenses charged were: Murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share-cropper organizing, one; attacking person, one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

NEW YORK SUN
DEC 27 1935

Lynching Record.

To the EDITOR OF THE SUN—Sir: I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were twenty persons lynched in 1935. This is five more than the number fifteen for 1934; eight less than the number twenty-eight for 1933, and twelve more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law, five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were fifty-three instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and forty-four in Southern States. In forty-two of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances, armed force was used to repel the would-be lynchers. A total of eighty-four persons, seventeen white and sixty-seven Negroes, were thus saved from death at the hands of mobs.

Of the twenty persons lynched two were white and eighteen were Negro. The offenses charged were: murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; attacking person one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The States in which lynchings occurred and the number in each State are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

F. D. PATTERSON.
President of Tuskegee Normal and Industrial Institute.
Tuskegee Institute, December 26.

1935 LYNCHINGS INCREASE FIVE OVER LAST YEAR

Cordele, Ga Dispatch
December 29, 1935

President of Tuskeegee Institute Releases Figures

TUSKEGEE, Ala. Dec. 28 (AP)—Dr. F. D. Patterson, president of Tuskeegee Institute, announced today that records of his institution showed that 20 persons were lynched in the United States during 1935, a gain of 5 over 1934.

He said 84 persons—17 white and 67 negroes—were saved by officers of the law from death at the hands of mobs.

Mississippi with 7 lynchings led the nation, according to Dr. Patterson's announcement, while Louisiana reported 4, Florida 2, Georgia, 2 Texas 2, and California, North Carolina and Tennessee one each.

The persons lynched, the Tuskeegee President said, included two white men and 18 negroes, while the charges against them included murder, attack, activity in sharecropper organizing, Communistic activities, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those linched, he said, were at one time in the hands of the law

Lynchings-1935
& Reports on, Sent Press.

Jan.-Dec.

5210

ROANOKE, VA.
WORLD-NEWS
DEC 31 1935

THE LYNCHING RECORD.

Of twenty lynchings in 1935 nineteen occurred in the South—one in California, where the statement of a former governor gave encouragement to that form of lawlessness. The total is five more than in 1934—an argument handed by the States of the deep South to advocates of a pending bill placing prosecution of lynchers in Federal courts. In the past twenty-five years more than 5,000 persons have been lynched in the United States, and there have been convictions of those taking part in these mob murders in less than one-half of one per cent of the cases.

Old fashioned orators in the half century following the War Between the States used to defend lynching as necessary "to protect Southern womanhood." Yet the record shows that in 1935 the offenses charged against those lynched were: Murder, 7; attempted criminal assault, 3; criminal assault, 3; altercation with man, 1; activity in share crop organizing, 1; attacking person, 1; taking a prisoner from an officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1. Thirteen of the twenty persons killed by lynching mobs were already under arrest when taken from the hands of officers for summary execution.

A more hopeful part of the report shows that in fifty-three instances mob killings were attempted but were frustrated. Nine of these attempts occurred in Northern and Western States, and 44 in the South. Where officers showed a determination to do their duty, to protect the prisoners entrusted to their keeping, there was little evidence of mob disorder. In eleven cases mobs were turned back by armed resistance, in 42 cases by removal of prisoners or increase in the number of guards.

How far are the law's delays an incitement to mob violence? In many circles the fact that Hauptmann was convicted nearly a year ago, and that the trial evidence was exhaustively reviewed by the Supreme Court of New Jersey six months ago, and that the agitation for commutation of his sentence still goes on, has caused many a man to decide that if another baby is taken from its nursery and murdered, the man found with the ransom money secreted will be disposed of without benefit of courts. The long drawn out Scottsboro case, in the courts for years, has caused many an Alabama citizen to conclude that a rump jury on the ground could have settled the matter with more equity and less quibbling in one afternoon. So long as trials are made into sporting contests between shrewd lawyers so long as the courts offer opportunities for years of delay, so long will there be an invitation to an outraged citizenry to make summary settlements from which there can be no appeal.

Of the 1935 lynchings, perhaps the most surprising is that of Govan Ward, put to death in broad daylight on the streets of Louisburg, N. C. For some years North Carolina had enjoyed an enviable reputation. It dealt sternly with the mob that stormed the Asheville jail, and sent to prison those who took part in the Needleman affair. And for years afterwards there was no lynching in North Carolina. In the Ward case a white North Carolinian obtained the names of nine of the lynchers and furnished them to the authorities but no action was taken. Some of the predecessors of Governor Ehringhaus were made of sterner stuff.

In the case of two Negro boys killed by a Texas mob, the county prosecutor announced that the lynchings conformed "to the will of the people," and that neither he nor any other local official had any intention of doing anything about it. His oath of office meant nothing to him so long as he considered that he was on the popular side. But to admit that he was on the popular side is to admit that the people of his county had broken through the thin veneer that separates civilization from savagery.

The pending Federal anti-lynching statute may be unconstitutional, and has been steadily opposed by defenders of rights of the States. But if the States will not protect human life, they can hardly be surprised if there is a general turning to the Federal authority. In our own section, a gigantic whiskey conspiracy was uncovered by the Federal courts, after the State had for years failed to enforce its own laws.

Hickory, N. C. Record
December 28, 1935

COMPILES LIST OF LYNCHINGS

Five More In 1935 Than In Previous Year

F. D. Patterson, president of Tuskegee Normal and Industrial Institute, Tuskegee, Alabama, has compiled the record of the twenty lynchings of 1935 as follows:

The total is five more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in th hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Seneca, S. C., Journa.
January 2, 1936

Records Reveal 20 Persons Lynched In '35

According to records compiled in the Department of Records and Research of the Tuskegee Institute at Tuskegee, Ala., there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Harriman, Tenn. Record
January 2, 1936

Twenty Are Lynched During Year Of 1935

According to the records compiled in the department of records and research of the Tuskegee Institute there were 20 persons lynched during the year 1935. This is five more than the number 15 for 1934; eight less than 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails; six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western states and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the other 11 instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white, and 67 negroes, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negroes. The offenses charged were: Murder 7; attempted rape 3; rape 3; altercation with men, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynching occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1, and Texas, 2.

SAVANNAH, GA.
NEWS
DEC 29 1935

Lynchings Gained in 1935

The only encouraging feature of the report from Tuskegee, Ala., that there were twenty persons lynched in 1935 — five more than the number for 1934, eight less than the number for 1933, and twelve more than the number for 1932 — is the statement that there were fifty-three instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western states and forty-four in Southern states. In forty-two of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances armed force was used to repel the would-be lynchers. Eighty-four persons, seventeen white and sixty-seven colored, were thus saved from death at the hands of mobs.

The inference to be drawn is that lynchings can, in most cases, be averted if officers of the law exercise prompt judgment and courage and take proper precautions to protect prisoners. The need of electing sheriffs and other officers, who are both fearless and quick-thinking, is apparent. No weakling in the garb of an officer of the law can frustrate an infuriated mob after the person believed guilty of committing a serious crime has been caught. Above all, the courts must be spurred on to meting out quicker justice to those charged with heinous offenses, by avoiding all unnecessary delays in ruling upon flimsy technicalities raised by astute lawyers.

The records compiled in the department of records and research of the Tuskegee Institute show that thirteen of the twenty persons lynched in 1935 were in the hands of the law, five were taken from jails, six from officers of the law outside of jails, and two were shot to death in a jail. Of the persons lynched two were white and eighteen were negroes. The offenses charged were: Murder, seven; attempted assault, three; assault, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of the law one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The states in which lynchings occurred and the number in each state follow: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one, and Texas, one.

BURLINGTON, IA.
GAZETTE
DEC 28

THE WAR ON LYNCHINGS.

ANNUALLY Tuskegee Institute, the famous training school for colored youth founded in Alabama by Booker T. Washington, reports on lynchings in the United States. Although the number of lynchings rose from 15 in 1934 to 20 in this year, the report is encouraging from the fact that there were 53 instances in which officers of the law prevented lynchings.

Time was when, in a great majority of cases, the legally constituted officers made but feeble gestures to prevent mob violence in this country. This was especially true in the South. Yet in the year now closing in 44 cases southern officials either repelled the mobs or removed their prisoners to safety. The other nine cases were in northern and western states. Even casual readers of such topics in newspapers must realize there has been an awakening both north and south of public indignation against mob violence and a greater desire to let the law take its course. There is also a growing demand that the course of the law should not be so frequently impeded and that court action should be speeded up, that technicalities cease to play so important a part in efforts to see that justice is done.

The next step in the war on lynching should be greater efforts to apprehend and punish mob leaders. While there has been a great improvement in the protection given prisoners, it is still entirely too customary to let the guilty escape after a mob has done its work.

WILKES BARRE, PA.
RECORD
DEC 28 1935

A Disgraceful Record

EIGHT States share in the ignominy which attaches to the lynching record of the United States for the year 1935. There is a certain satisfaction in knowing that Pennsylvania is not among those States. All but one of the 20 lynchings took place in Southern States. The lone exception is laid to California.

Discouragement is found in the fact that, during the year just ending, there have been five more lynchings than there were in 1934 and 12 more than in 1932, although eight fewer than in 1933. While 13 of the persons lynched, two of whom were white and 18 negroes, were in the hands of the law, two of them even being shot to death in jail, there were 53 instances in which officers of the law prevented lynchings.

Nine of these were in Northern and Western

States and, be it said to their credit, 44 in Southern States. According to the records of the Tuskegee Institute, a total of 84 persons, 17 white and 67 negro, were saved from death at the hands of mobs.

Offenses variously charged against the 20 persons lynched were: Murders, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

Aiken S.C. Review
Jan-3-1936

20 PERSONS ARE LYNCHED IN 1935

Many Would-Be Lynchings Were Prevented by Law Officers.

Twenty persons, two of whom were white and 18 negroes, were lynched in 1935, according to information compiled by the department of records and research of the Tuskegee institute, it has been announced by F. D. Patterson, president of the negro institution.

Mississippi led the list of States in which lynchings occurred during the year with seven. Louisiana had four; Flordia, Georgia and Texas, two each, and North Carolina, Tennessee and California, one each.

The 20 recorded for the year are five more than the number for 1934, eight fewer than the total for 1933, and 12 more than the number listed for 1932, which had a total of only eight. Thirteen of the 20 persons lynched were taken from the hands of the law. Five of these were taken from jails, six from the custody of officers, outside of jails, and two were shot to death inside jails.

During the year there were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western States according to the institute's figures. In 42 of the instances the prisoners were removed or "the guards augmented or other precautions taken. In the 11 other instances armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

The report lists the offenses with which the 20 lynched were charged as—murder, seven; attempted criminal assualt, three; criminal assault, three altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of law, one; killed by mob in search of another person, one; slapping a woman, one; and communistic activity, one.

West Point, Ga. News
January 2, 1936

Lynchings Show Increase Over 193[illegible]

According to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law: 5 were taken from jails, 6 from officers of the law outside of jails, and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 12 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negroes. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynching occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Lynchings - 1935

Jan. - Dec.

5211

Reports on, Sent Press.

LYNCHING—1935

The United States of America is the only country in the civilized world where it has been found necessary to keep count of a vile form of murder, the commission of which the government makes no attempt to curb by punishing the perpetrators. For 1935, the count stands 20; 18 colored men and 2 white men. Luckily no women were in the number, but more boys were. The excuses given for the lynching in some instances are so foolish and flinsy that the wonder is any mind above that of a moron would give them any attention. Lynching is an American pastime. It is an index of the civilization and Christianity of these sections which tolerate it, and certainly is no compliment to a government which allows it.

For years, an effort, lead by the National Association for the Advancement of Colored People, has been made to have a Federal law enacted to stamp out, or at least make honest efforts to punish the lynchers. So far, however, no such law has been enacted, and the Federal Government continues to show itself derelict in its duty to make good the guarantee of the "due process" clause of its constitution. No attention need be given to anything said by states where lynching is popular. They little sense and less logic in saying that there is no use in enact't wipe out lynching. There is acting a Federal Anti-lynching law as it would not stop it. There are laws against murders in general but still there are killings. Would those who oppose an anti-lynching law be in favor of abolishing laws against killings because those laws have not prevented all murders?

Let it be hoped that Congress will pass a law against lynching and that 1936 will be free of this blast.

Sumter, S. C., Item
December 28, 1935

Lynchings During Year

Tuskegee Institute, Ala., Dec. 28—According to the records compiled in the department of records and research of the Tuskegee Institute there were 20 persons lynched in 1935. This is five more than the number 15 for 1934, eight less than the number 28 for 1933, and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law, five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana 4; Mississippi, 7; North Carolina 1; Tennessee, 1; Texas, 2.

Moultrie, Ga., Observer
December 28, 1935

20 Persons Put To Death By Mobs In Year Nearing End

TUSKEGEE, Ala., Dec. 20.—(AP)—Dr F. D. Patterson, president of Tuskegee Institute, announced today that records of his institution showed that 20 persons were lynched in the United States during 1935, a gain of 5 over 1934.

He said 84 persons—17 white and 67 negro—were saved by officers of the law from death at the hands of mobs.

Mississippi with seven lynchings led the nation, according to Dr. Patterson's announcement, while Louisiana reported 4, Florida 2, Georgia 2, Texas 2 and California, North Carolina and Tennessee 1 each.

The persons lynched, the Tuskegee president said, included two white men and 18 negroes, while the charges against them included murder, attack, activity in share cropper organizing, communistic activity, slapping a woman and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails and two were shot to death in jail.

Fayetteville, N. C., Observer
December 28, 1935

TWENTY LYNCHINGS IN U. S. THIS YEAR

Report Says 84 Persons Were Saved From Harm at Hands of Mob

TUSKEGEE, Ala., Dec. 28 (AP)—Dr. F. D. Patterson, president of Tuskegee Institute, announced today that records of hir institution showed 20 persons were lynched in the United States during 1935, an increase of 5 over 1934.

He said that 84 persons—17 white and 67 negro—were saved by officers from harm at the hands of mobs.

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The persons lynched, the Tuskegee president said, included two white men and 18 negroes, and charges against them included murder, attack, activity in share cropper organizing, communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

Tuskegee Reports 20 Lynched During 1935

OFFICERS SAVED FIFTY-THREE FROM MOB VIOLENCE

Tuskegee Institute, Ala., Jan. 3—According to the records compiled in the department of records and research of the Tuskegee Institute that there were twenty persons lynched in 1935. This is five more than the number 15 for 1934; eight less than the number 28 for 1933, and twelve more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were fifty-three instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and forty-four in southern states. In forty-two of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances, armed force was used to repel the would-be lynchers. A total of eighty-four persons, seventeen white and sixty-seven Negro, were thus saved from death at the hands of mobs.

Of the twenty persons lynched, two were white and eighteen were Negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2. This report is released twice yearly by F. D. Patterson, president of the school.

Macon, Ga., Telegraph
December 29, 1935

Lynching Record Still Bad

In the longer view, the number of lynchings has been falling off, but the figures still remain a blot on the country. The Department of Records and Research of Tuskegee Normal and Industrial Institute shows that thus far 20 persons were lynched in 1935. This is five more than last year, eight less than the number of 1933 and 12 more than in 1932.

Thirteen of the persons lynched were in the hands of the law, the report says. Five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

Officers of the law, in 53 instances, prevented lynchings. Nine of these cases were in Northern and Western states and 44 in Southern states. In other cases different precautions were taken. A total of 84 persons, 67 of whom were Negroes, were thus saved from mob violence.

Of the 20 persons actually lynched this year two were white and 18 were Negroes.

Mississippi led the list in the number of lynchings, the record standing at seven; there were four in Louisiana, two each in Georgia, Florida and Texas, and one each in California, North Carolina, and Tennessee.

It is a dark record and one of which the states involved may well be ashamed.

Bartow, Fla., Record
December 28, 1935

20 Lynched In Past Year

Tuskegee, Ala. (AP)—R. F. Patterson, president of Tuskegee Institute, announced today that records of the institution showed 20 persons were lynched in the U. S. during 1935, a gain of 5 over 1934. He said 84 persons—17 white and 67 negro—were saved from death at the hands of mobs. Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were atken from offices outside of jails, and two were shot to death in jail.

Lynch Demon's Grim Toll Reached Twenty In 1935, Tuskegee Reports

Mississippi Leads States In Reign of Mob Rule and Lawlessness With 7 Lynchings—Louisiana Next With 4.

TUSKEGEE INSTITUTE, Ala., Jan. 2—According to the records compiled in the Department of Records and Research of Tuskegee Institute, there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933, and 12 more than the number 8 for 1932.

Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances armed force was used to repel the would-be lynchers. A total of 84 persons—17 white and 67 Negro—were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share-cropper organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

MOB VIOLENCE IN '35 COSTS LIVES OF 20

Report on Deaths Is Issued by Negro College

Mob violence took a score of lives in 1935 in the United States, 18 negroes and two white men being put to death by lynchings in violation of their constitutional rights to trial by jury, the Tuskegee Institute, negro college at Tuskegee, Ala., reported yesterday through its research department.

The report showed that Tennessee bore the stigma of one lynching; Mississippi, 7; Louisiana, 4; North Carolina, 7; Texas, 2; Georgia, 2; Florida, 2, and California, 1. This compares with 15 lynchings over the country in 1934; 28 in 1933 and only eight in 1932.

The report also shows that in 53 instances officers outwitted mobs either by spiriting their prisoners away or by calling in reinforcements to guard the jail. In 11 other instances, the National Guard repelled mobsters, the institute declared.

Mobile, Ala., Press
December 28, 1935

LYNCHINGS SHOW GAIN DURING YEAR

20 Cases of Mob Violence Reported; Alabama Has Clean Record

TUSKEGEE, Ala., Dec. 28.—(U.P.)—There have been 20 lynchings in the nation this year compared with 15 last year, according to the annual report of Tuskegee Institute, famed negro college.

All but one of the lynchings occurred in the South. That one occurred in California. Mississippi had seven lunchings, more than any other state. Louisiana had four. In Georgia there were two lynchings; Florida and Texas had two each. One lynching took place in North Carolina and one in Tennessee.

"Two of the persons lynched were white and 18 negro," F. D. Patterson, head of the school, said. "Thirteen of these persons were in the hands of the law. Five were taken from jails; six were taken from officers outside of jails and two were shot to death in a jail.

"The alleged offenses were: murder seven; attempted rape, three; rape, three; altercation with man, one; activity in share-cropper organization, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one; attacking person, one; taking a prisoner from an officer of the law, one.

"A total of 84 persons, 17 white and 67 negro, were saved from death at the hands of mobs. There were 53 instances where officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states.

"In 42 instances prisoners were removed, the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers."

There were 28 lynchings in 1933 and eight in 1932.

Florence, S. C., News
December 29, 1935

35 Lynchings In 1935; None in S. C.

According to the records compiled in the Department of Records and Research of the Tuskegee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933, and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 3 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 55 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precaution staken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offences charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity. 1.

The States in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas 2.

Atlanta, Ga. Journal
December 29, 1935

20 Persons Lynched During 1935, Reports Tuskegee President

TUSKEGEEE, Ala., Dec. 28.—(AP)—Dr. F. D. Patterson, president of Tuskegee Institute, announced Saturday that records of his institution showed that twenty persons were lynched in the United States during 1935, a gain of five over 1934.

He said that eighty-seven persons—seventeen white and sixty-seven negroes—were saved by officers of the law from death at the hands of mobs.

Mississippi, with seven lynchings, led the nation, according to Dr. Patterson's announcement, while Louisiana reported four, Florida, two; Georgia, two; Texas, two, and California, North Carolina and Tennessee, one each.

The persons lynched, the Tuskegee president said, included two white men and eighteen negroes, while the charges against them included murder, attack, activity in share cropper organizing, Communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

Tifton, Ga., Gazette
December 28, 1935

20 PERSONS LYNCHED IN 1935

Tuskegee Institute, Ala., December 28—The records complied in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the numbor 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932.

Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: Murder, 7; attempted rapo, 3; rape, 3; altercation with man, 1; activity in share cropper organization, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Bristol, Va., Herald-Courier
December 29, 1935

20 NEGROES LYNCHED IN YEAR NOW CLOSING

TUSKEGEE, Ala., Dec. 28. (AP)—Dr. F. D. Petterson, president of Tuskegee Institute, announced today that records of his institution showed that 20 persons were lynched in the United States during 1935, a gain of 5 over 1934.

He said that 84 persons—17 white and 67 negro—were saved by officers from death at the hands of mobs. Mississippi with seven lynchings led the nation, according to Dr. Patterson's announcement, while Louisiana reported 4, Florida 2, Georgia 2, Texas 2, and California, North Carolina and Tennessee 1 each.

The persons lynched, the Tuskegee president said, included two white men and 18 negroes, while the charges against them included murder, attack, activity in share cropper organizing, communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

Lynchings-1935

Jan. — Dec.

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Reports on, Sent Press.

20 LYNCHED DURING 1935.

New York Times

Tuskegee Institute Reports Year's Total Exceeded 1934 by Five.

N. Y. T. 12-27-35

TUSKEGEE, Ala., Dec. 26.—Twenty persons died victims of lynchings in the United States during 1935, the Department of Records and Research of the Tuskegee Institute reported today. This is five more than were listed last year but eight less than in 1933. Of the 1935 total, the report said that thirteen of the victims were in the hands of the law at the time, five being taken from jails, six from officers and that the remaining two were shot to death in a jail.

The report added that there were fifty-three instances in which officers of the law prevented lynchings, nine being in Northern and Western States and forty-four in Southern States. In eleven instances armed force was used to repel the would-be lynchers. Of the twenty persons lynched, two were white and eighteen were Negroes.

The States in which lynchings occurred and the number in each State were listed as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

CRIME AND DISASTER

By F. D. PATTERSON,
President of Tuskegee Institute.

I SEND you the following information concerning lynchings for the year 1935: I find, according to the records compiled in the Department of Records and Research of the Tuskegee Institute, that there were twenty persons lynched in 1935. This is five more than the number fifteen for 1934; eight less than the number twenty-eight for 1933, and twelve more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails, and two were shot to death in a jail.

There were fifty-three instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and forty-four in Southern States. In forty-two of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances armed force was used to repel the would-be lynchers. A total of eighty-four persons, seventeen white and sixty-seven Negro, were thus saved from death at the hands of mobs.

Of the twenty persons lynched, two were white and eighteen were Negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share-cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

Tuskegee Lists Twenty Anti-American Lynchings in 1935

TUSKEGEE, Ala. — Records compiled at Tuskegee Institute reveal that twenty persons were lynched in 1935, a net addition of five over the previous year, President F. D. Patterson announced, this week.

Of the persons lynched, thirteen were in the custody of the law, five were taken from jails, six from officers outside of jails, and two shot to death in jails. On fifty-three occasions, officers of the law prevented mob violence.

Two of the person lynched, the report shows, were white. The States in which the lynchings occurred and the number of each were: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1, and Texas, 2.

20 Lynched in 1935 Skegee

—Dr. Frederick Douglass Patterson, president of Tuskegee institute, announced here Tuesday that according to the report of the Records and Research Department under the directorship of Monroe N. Work, 20 people were lynched in the United States during 1935, representing four more than the number of victims of 1934 and eight less than those of 1933.

The record also revealed that in 53 instances officers of the law prevented lynching with nine of such instances occurring in Northern and western states and 44 in southern states where in such cases military forces were used to protect the prisoner.

States in which lynchings occurred and the number of victims were listed as: California one; Florida two; Georgia two; Louisiana four; Mississippi seven; North Carolina one; Tennessee one and Texas two.

Tuskegee Issues Lynching Record

TUSKEGEE INST., Ala., Jan. 2. — According to the records compiled in the Department of Records and Research of the Tuskegee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western states and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Richmond, Va. News-Leader
December 30, 1935

Lynching 5 Up Over '34 Total

Virginia Record Clear as 20 Are Reported for Closing Year.

Twenty persons were lynched in 1935, F. D. Patterson, president of Tuskegee Normal and Industrial Institute, reported today in a circular letter received here. There were none in Virginia.

Dr. Patterson said that the records show that there were fifty-three instances in which officers of the law prevented mob violence, and eighty-four persons in all were saved.

The letter follows:

"I send you the following information concerning lynchings for the year 1935. I find, according to the records compiled in the department of records and research of the Tuskegee Institute, that there were twenty persons lynched in 1935. This is five more than the number fifteen for 1934; eight less than the number twenty-eight for 1933 and twelve more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

"There were fifty-three instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western states and forty-four in Southern states. In forty-two of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances, armed force was used to repel the would-be lynchers. A total of eighty-four persons, seventeen white and sixty-seven Negro, were thus saved from death at the hands of mobs.

"Of the twenty persons lynched, two were white and eighteen were Negro. The offenses charged were murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

"The states in which lynchings occurred and the number in each state are as follows: California, one; Florida, two; Georgia, two; Louisiana, four Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two."

Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Greenwood, S. C. Index-Journal
December 28, 1935

LYNCHINGS THIS YEAR INCREASE

Five More Than 1934, According To Records Of Tuskegee Institute

To the Index-Journal:—

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 les than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Yours very truly,
F. D. Patterson
President
Tuskegee Institute,
December 27, 1935

Savannah, Ga./ News
December 29, 1935

Lynchings Gained in 1935

The only encouraging feature of the report from Tuskegee, Ala., that there were twenty persons lynched in 1935 — five more than the number for 1934, eight less than the number for 1933, and twelve more than the number for 1932 — is the statement that there were fifty-three instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western states and forty-four in Southern states. In forty-two of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances armed force was used to repel the would-be lynchers. Eighty-four persons, seventeen white and sixty-seven colored, were thus saved from death at the hands of mobs.

The inference to be drawn is that lynchings can, in most cases, be averted if officers of the law exercise prompt judgment and courage and take proper precautions to protect prisoners. The need of electing sheriffs and other officers, who are both fearless and quick-thinking, is apparent. No weakling in the gaze of an officer of the law can frustrate an infuriated mob after the person believed guilty of committing a serious crime has been caught. Above all, the courts must be spurred on to meting out quicker justice to those charged with heinous offenses, by avoiding all unnecessary delays in ruling upon flimsy technicalities raised by astute lawyers.

The records compiled in the department of records and research of the Tuskegee Institute show that thirteen of the twenty persons lynched in 1935 were in the hands of the law, five were taken from jails, six from officers of the law outside of jails, and two were shot to death in a jail. Of the persons lynched two were white and eighteen were negroes. The offenses charged were: Murder, seven; attempted assault, three; assault, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The states in which lynchings occurred and the number in each state follow: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one, and Texas, one.

Lynching Record Still Bad

In the longer view, the number of lynchings has been falling off, but the figures still remain a blot on the country. The Department of Records and Research of Tuskegee Normal and Industrial Institute shows that thus far 20 persons were lynched in 1935. This is five more than last year, eight less than the number of 1933, and 12 more than in 1932.

Thirteen of the persons lynched were in the hands of the law, the report says. Five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

Officers of the law, in 53 instances, prevented lynchings. Nine of these cases were in Northern and Western states and 44 in Southern states. In other cases different precautions were taken. A total of 84 persons, 67 of whom were Negroes, were thus saved from mob violence.

Of the 20 persons actually lynched this year two were white and 18 were Negroes.

Mississippi led the list in the number of lynchings, the record standing at seven; there were four in Louisiana, two each in Georgia, Florida and Texas, and one each in California, North Carolina, and Tennessee.

It is a dark record and one of which the states involved may well be ashamed.

Birmingham, Ala. News
December 31, 1935

The Lynching Record For The Year 1935

The number of lynchings in 1935 was greater than in the preceding year, and in most other recent years. Records compiled at Tuskegee Institute show 20 lynchings in the year now ending, five more than in 1934. Only two or three times in the last 12 years has the number of lynchings exceeded 20. In one year, 1932, lynchings declined to the record low number of eight. In some other recent years the record was almost as good. In 1929 there were 10, in 1928 there were 11, and in 1931 there were 13.

There has been a marked downward trend in lynchings ever since annual records have been compiled. In some years there has been a setback, as there was in 1935, but in the main there has been gratifying progress in stamping out this hideous evil. From 1885, the first year for which records are available, until the turn of the century, there was but one year in which the number of lynchings was less than 100, and then it was 96. In one year during that period there were more than 200 lynchings, and in several years there were nearly 200. The last year in which lynchings reached as high as a hundred was 1901, when there were 105. From then on lynchings gradually declined, and 1922 was the last year in which there were more than 50, the number in that year being 57. From 1901 to 1922 there were only two years in which the number dropped below 50. Since 1922 it has not been above 50, and in most years since then there have been less than 20 lynchings.

Thus we see that there has been steady progress in putting down this barbarous practice. The 1935 record is disappointing both because it shows an increase over the year before and because this year started out so hopefully. In the first six months of 1935 there were only four lynchings, and we were encouraged to believe that the low mark of eight in 1932 would at least be equalled. But the last half of the year brought 16 more lynchings, four times as many as there had been in the first six months.

Of the 20 victims of mobs this year, two were white persons and 18 were Negroes. All but one of the lynchings took place in the South, California being the only state outside this section to have one. For many years lynching has been very largely confined to the South. Only rarely is there such an act of mob violence in any other section.

Mississippi is at the top of the list for 1935 with seven lynchings. Mississippi has the worst record of any state in this respect almost every year. The other lynchings in 1935 were distributed as follows: Louisiana, four; Florida, two; Georgia, two; Texas, two, and California, North Carolina and Tennessee, one each.

The gradual decline in number of lynchings has not been the only encouraging fact. There has also been a gradual lessening of the area in which lynchings take place year after year. Slowly enlightened public opinion and growing respect for law have pushed the boundaries of the lynching region back. The area over which lynch law has prevailed year after year has grown steadily smaller. There was a time, for example, when Virginia and North Carolina frequently had lynchings. Mob violence is now a rarity in those states. In the same way, lynchings have become more and more rare in South Carolina, Georgia, Alabama, Tennessee, Florida and one or two other Southern states. Alabama has been free of lynchings in most years during the last 12 or 15. There was no lynching in this state in 1935. Lynch law is now largely confined to Mississippi, Louisiana and Texas—and gradually it is being put down in those states.

There is no question that public opinion, in the South as elsewhere, is now strongly set against lynching, that the great majority of people have no sympathy with it. This fact is having its influence in more ways than one. For one thing, it is curbing the spirit of mob violence. For another, it is strengthening the arm of the law in dealing with mobs. It is encouraging officers of the law to stand up against mobs which try to take prisoners from them.

Unfortunately, however, officers do not always stand up as they should against attempts at mob violence, or take the proper precautions to protect prisoners. Of the 20 persons lynched this year, 13 were at one time in the hands of the law. Five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail. On the other hand, the records show that 84 attempts at mob violence were frustrated by officers of the law during the year.

Officers can do more than any others to put down lynching by taking due precautions against attempts at mob violence, and by opposing with all their strength and courage any mob that attempts to take a prisoner in their custody.

DETROIT, MICH.
NEWS
DEC 28 1935

1935's Lynching Record

The Tuskegee Institute sends us its annual compilation of the year's lynchings. Twenty in 1935.

This is neither very high nor very low. There is no definite trend in this type of crime, which, more than banditry, hoodlumism or kidnapings, pitilessly mirrors a flaw in our civilization. There were 15 lynchings in 1934; 28 in 1933; eight in 1932.

Nothing we can say in denunciation of these murders will add to what already has been said, many times over. There is one aspect of this year's record, however, which deserves emphasizing. All but one of the 20 lynchings occurred in the South or Southwest, where the excuse sometimes is made that such summary "executions" serve to protect womanhood.

Only six of the 20 lynchings of 1935 involved victims accused of a sex offense or attempt. In the remaining cases the charge ranged from murder, on the one hand, to "altercation" with another man, on the other. One victim was put to death, in this land of the free, "because he was a 'Communist.'"

Lynchings-1935
Reports on, Sent Press,

Jan.-Dec.

5213

Lumberton, N. C. Robersonian
January 2, 1936

1935 LYNCHING RECORD

According to records compiled at Tuskegee institute, 20 persons—2 whites, 18 negroes—were lynched in the United States during 1935, an increase of 5 over the 15 lynched in 1934. In 1933 there were 28 mob murders, but only 8 in 1932.

The number of lynchings does not seem to mean anything in particular except that a certain number of persons have fallen victims of mob vengeance, and defiance of law. That is, the number goes up and down with such irregularity as to defy analysis.

Thirteen of the persons lynched this year were in the hands of the law—5 were taken from jails, 6 were taken from officers of the law outside of jails, and two were shot to death in a jail. In that respect the 1935 record seems to be unusual.

The utterly depressing effect of the record is relieved to some extent by the fact that in 53 instances officers prevented lynchings, 84 persons, 67 of whom were negroes, being thus saved from death at the hands of mobs. A lynching rarely, if ever, occurs in the face of brave and determined officers of the law.

Quoting further from the report from which the figures given above are taken:

Of the 53 instances in which officers of the lew prevented lynchings, 9 were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons—17 white and 67 negro—were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Oneida, Tenn. News
January 3, 1936

LYNCHING RECORD IN YEAR JUST CLOSING

Mississippi Leads List With 7, Tennessee Has 1

According to records of the Tuskegee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precations taken. In the 11 other instances, armed force was used to repeal the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lunched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California 1; Florida 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Sanford, N. C. Herald
December 30, 1935

20 LYNCHINGS REPORTED FOR 1935 IN U. S.

Tuskegee Institute In Alabama Makes Report On Illegal Executions

ONE IN THIS STATE

According to a report special to the Sanford Herald from the department of records and research of Tuskegee Institute in Alabama, there were 20 persons lynched in United States during 1935, North Carolina contributing one of them and Mississippi leading the list with seven.

This number is five more than were recorded in 1934 and eight less than for 1933 and 12 more than 1932. Thirteen of the number were in the hands of the law; five were taken from jails, six from officers of the law outside jails and two were shot to death in jail.

Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were murder, seven; atempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The states in which lynchings occurred and the number in each state are as follow: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; and Texas, 2.

ROME, N. Y.
SENTINEL
DEC 28 1935

Lynchings Gain Again

Of the twenty persons lynched in 1935 up to December 21, only six were accused of rape or attempted rape—that being the crime which for so long was made the excuse for extralegal executions in states of heavy Negro populations. Where as we had been congratulating ourselves that lynching was on the wane, this year's aggregate exceeds by five the number in 1934. It is, however, eight less than the number 28 for 1933 but 12 more than the number 8 for 1932. Of the twenty, thirteen already were in the hands of the law when seized and executed by the mob—five being taken from jails, six from officers of the law outside of jails and two shot to death within a jail. Two of the victims were white, the others Negroes.

The foregoing statistics have been compiled by Tuskegee Institute, which presents as the other side of the picture that there were 53 instances in which officers of the law prevented lynchings, armed force being employed in eleven cases.

Kingston, N. Y., Free Press
December 28, 1935

MORE LYNCHINGS IN NATION THIS YEAR

Tuskegee, Ala., Dec. 28.—(U.P.)—There have been 20 lynchings in the nation this year compared with 15 last year, according to the annual report of the Tuskegee Institute, famed Negro college.

All but one of the lynchings occurred in the South. That one occurred in California. Mississipp had seven lynchings, more than any other state. Louisiana had four. In Georgia there were two lynchings; Florida and Texas had two each. One lynching took place in North Carolina and one in Tennessee.

"Two of the persons lynched were white and 18 Negrfo," F. D. Patterson, head of the school, said. "Thirteen of these persons were in the hands of the law. Five were taken from jails; six were taken from officers outside of jails and two were shot to death in a jail."

Augusta, Ga. Herald
January 5, 1936

TUSKEGEE RELEASES LYNCHING RECORD OF PREVIOUS YEAR

According to a dispatch from Tuskegee Institute, Dr. Frederick D. Patterson, president, has just released the record compiled by the Department of Records and Research of the institute on the number of lynchings occurring during the year.

The release says twenty persons were lynched during the year; five more than the number of 15 for 1934; eight less than the number of 28 for 1933; and 12 more than the number of nine for 1932. Thirteen of the persons lynched, according to the institute, were in the hands of the law; five were taken from jails; six from officers of the law outside of jails and two were shot to death in a jail. There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern States.

In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

The report says, of the 20 persons lynched, two were white and 18 were negro. The offenses charged were: murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share-cropping organizing, one; attacking person, one; taking a prisoner from officer of the law, one; killed by mob in search of another person; one; slapping a woman, one; communistic activity, one.

The states in which lynching occurred and the number in each state are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Texas, two.

ILD Says 24 Lynchings

According to figures just released by the International Labor Defense set the total reported lynchings in the United States at 24 for the year 1935. Of the 24, 23 were negroes. The one white lynching reported was that of C. L. Johnson, which occurred at Yreka, Cal., August 3. In the I. L. D. compilation, Mississippi led in the number of lynchings with eight recorded. Louisiana followed with five, Alabama was third with three. Two each were reported in Texas, Georgia, Florida, North Carolina, California, Tennessee and Virginia scored one each. This list, however, declares the I. L. D., could not be claimed as complete inasmuch as many lynchings occur which are not recorded in the press and which only come to light months after, if ever. In compiling the statistics, a lynching was defined as any killing by a group of three or more, unauthorized by law, and premeditated, in a case in which commission of an offense was charged, and given as the excuse for the slaying, according to the report of the I. L. D.

WILMINGTON, N. C.
NEWS
DEC 29 1935

LYNCHINGS IN 1935

THE annual report of lynchings during 1935, as compiled by the department of research at Tuskegee Institute, in Alabama, shows an increase of five over the fifteen of 1934, but a decrease of eight from the 28 of 1933.

Of those lynched, eighteen were Negro and two white, and the apportionment by states shows Mississippi 7; Louisiana 4; Florida 2; Georgia 2; Texas 2; California 1; North Carolina 1; Tennessee 1.

Of particular significance is the record that on 44 occasions, southern officers prevented lynchings and saved prospective victims, an indication that lynching can be stamped out by alert agents of the law.

While the Tuskegee reports are accurate and complete insofar as they go, we hold one criticism against them. All lynchings are not included in the records. Tuskegee depends on instances where men accused or suspected of a crime are dealt with summarily, or who are removed from jail and killed.

There is no difference, insofar as the term lynching is concerned between a mob of white men who drag a negro from a cell and hang him, and the northern gangster who puts his enemy on the spot and riddles him with slugs from a machine gun, or as was the case in three gang outrages in New York this year, slowly cuts him to pieces with pocket knives.

These latter crimes are to all intents and purposes lynchings. The fact that the law does play the party of the third makes no difference; the further fact that offenses for which these men pay are as a rule not recognized by law makes less.

The *Star-News* would like to peruse a record of all killings in the United States for 1935 where a mob of two or more men took part: We believe in that case the apportionment between states would be a revelation, particularly to some of the more ardent advocates of the proposed federal anti-lynching law.

WINSTON SALEM, N. C.
SENTINEL
DEC 29 1935

The Year's Lynching Record

President Patterson, of Tuskegee, follows up the custom of former President Moton of that institution, by furnishing the press an annual report on lynchings in this country. His report shows that 20 persons have been lynched in 1935. This is five more than in 1934, eight less than in 1933, and twelve more than in 1932.

Thirteen of the victims of mobs this year were in the hands of the law. Five were taken from jails, six from officers of the law outside of jails, and two were shot to death in prison.

It is encouraging to note, however, that there were 53 instances in which officers prevented lynchings in the face of angry mobs. Nine of these were in Northern and Western states and 44 in Southern States. A total of 84 persons, 17 white and 67 Negroes, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were Negroes. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attack person, 1; taking prisoner from officer, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

While it is a matter for deep regret that North Carolina is included in the list of eight states that had lynchings this year, it is gratifying that there was only one victim of mob law in this Commonwealth.

Forty states got along without the aid of Judge Lynch in 1935. The hope of every good citizen in North Carolina ought to be that this State will be free of mob violence and lynchings in 1935. Civilization has advanced too far in North Carolina to tolerate lynch law.

NORFOLK, VA.
LEDGER DISPATCH
DEC 31 1935

Lynchings and Law Officers

From President F. D. Patterson comes Tuskegee's annual report and brief analysis of American lynchings. There were 20 mob murders in the country during 1935: 5 more than in 1934; 8 less than in 1933; but 12 more than in 1932. This peculiarly American shame was distributed among the following states in the following numbers: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2. Of the victims, 2 were white and 18 were Negro. The so-called usual crime or attempt at the usual crime was responsible for 6 of the lynchings. The other charges involved: murder, 7; altercation with another man, 1; activity in share cropper organizing, 1; attacking another person, 1; taking prisoner from officer, 1; killed by mob in searching for another, 1; slapping a woman, 1; communistic activity, 1.

Another item of Tuskegee's analysis shows a side which is both bright and dark. This item is the finding that in 53 cases officers of the law prevented lynchings—9 in Northern and Western states and 44 in Southern states. As a result of activities on the part of officers, Tuskegee reports, 84 persons, 17 white and 67 Negro, were thus saved from lynching at the hands of mobs. That is the bright side.

The dark side is that of the 20 persons lynched in 1935, 13 were in the hands of the law: 5 were taken from jails; 6 from officers of the law outside of jails; and 2 were shot to death in a jail. It is both dark and shameful that these 13 were not saved from mobs by the officers in charge of them. All of us know that a mob is not only a fool but a coward. In almost every instance a mob will back down or back away from armed officers who make it clear that they are determined to protect their prisoners—even from their friends and neighbors.

Unless an officer whose duty it is to hold in custody an accused person is killed, disabled by wounds, or actually overcome by physically greater force actually applied to his person, he shares the shame of a lynching with the mob that commits it. He violates his oath and he violates one of the first principles of manhood.

Dalton, Ga., N. Ga. Citizen
January 2, 1936

Record Still Bad

We have received from President Patterson, of the Tuskegee Normal and Industrial Institute, the report for lynchings during the year 1935.

It shows an improvement over years that have passed, but it is by no means creditable. In a government where law is supposed to control, and where there is machinery for the control of crime and criminals, as well as laws for the service of the people in the conduct of their civil affairs there should be no such monstrous thing as mob law. And least of all should we have an exampel of lawlessness set in high places as regards civil affairs.

The following is the official lynching record for 1935:

I find according to the records compiled in the department of records and research of the Tuskegee Institute that there were twenty persons lynched in 1935. This is five more than the number fifteen for 1934; eight less than the number twenty-eight for 1933; and twelve more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were fifty-three instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and forty-four in southern states. In forty-two of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances, armed force was used to repel the would-be lynchers. A total of eighty-four persons, seventeen white and sixty-seven negro, were thus saved from death at the hands of mobs.

Of the twenty persons lynched, two were white and eighteen were Negro. The offenses charged were: murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The states in which lynchings occurred and the number in each state are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

F. D. PATTERSON,
President.

Patterson, S. C., Record
December 30, 1935

ANOTHER BLOT.

The Tuskeegee Insitute of Alabama, announces that a total of 20 persons were lynched in the year 1935. The total is five greater than during the year 1934, but eight less than in 1933.

The report is a blot upon the states in which these manifestations of mob violence occurred and impresses forcibly upon the minds of law-abiding citizens that the spirit of the mobster is still at large.

In connection with the score of lynchings during the year, one wonders how many persons who participated in these illegal killings have been punished by the courts.

Lynchings-1935
Reports on, Sent Press.

Jan.-Dec.

5214

5214

Greer, S. C. Citizen
January 2, 1936

Lynchings for 1935 Are Tabulated By Tuskegee Institute

The Citizen is in receipt of the following letter from F. D. Patterson, president of Tuskegee Normal and Industrial Institute, of Tuskegee, Ala. This college is recognized as the largest and most influential colored institution in the world and is on a par with many of the white universities of this country. For this reason, the following statement may be taken as entirely authentic.

"Dear Sir: I send you the following information concerning lynchings f the year 1935. I find according to t records compiled in the Departme of Records and Research of the Tu kegee Institute that there were persons lynched in 1935. This is 5 mo than the number 15 for 1934; 8 le than the number 28 for 1933; and more than the number 8 for 1932. of the persons lynched were in t hands of the law; 5 were taken fro jails, 6 from officers of the law outsi of jails and 2 were shot to death in jail.

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Of the 20 persons lynched, 2 were white and 18 were Negro. The offens es charged were: murder, 7; attempted rape, 3; rape, 3; adtercation with man 1; activity in share cropper organiz ing, 1; attacking person, 1; takin prisoner from officer of the law, 1 killed by mob in search of anothe person, 1; slapping a woman, 1; com munistic activity, 1.

The States in which lynchings oc curred and the number in each Stat are as follows: California, 1; Florid 2; Georgia, 2; Louisiana, 4; Mississip pi, 7; North Carolina, 1; Tennessee, 1 Texas, 2.

Yours very truly,
F. D. Patterson, Pres.

Columbus, Miss. Dispatch
December 29, 1935

SETS 1935 LYNCH TOLL AT TWENTY

Negro Educator Compiles Totals; Mississippi Leads List With Seven

TUSKEGEE, Ala., Dec. 28—(AP)—Dr. F. D Patterson, president of Tuskegee Institute, announced today that records of his institution showed that 20 persons were lynched in the United States during 1935, a gain of 5 over 1934.

He said that 84 persons—17 white and 67 negroes—were saved by officers of the law from death at the hands of mobs.

Mississippi with seven lynchings led the nation, according to Dr. Patterson's announcement, while Louisiana reported 4, Florida 2, Georgia 2, Texas 2, and California, North Carolina nd Tennessee1 each.

The persons lynched, the Tuskegee president said, included two white men and 18 negroes, while the charges against them including murder, attack, activity in share cropper organizing, communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

Clipper
January 2 1936

LYNCHING RECORD FOR 1935

According to the records compiled in the Department of Records and Research of the Tuskegee Institute, there were 20 persons lynched in 1935. This information was released December 27th. This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were: murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organization, one; attacking person, one; taking prisoner from officer of law, one; killed by mob in search of another person, one; slapping a woman, one; Communistic activity, one.

The States in which lynchings occurred and the number in each State are as follows: California one; Florida, two; Georgia, two Louisiana, four; Mississippi, seven North Crolina, one; Tennessee one: Texas. two.

Fayetteville, N. C., Observer
December 30, 1935

The Public Pulse

1935 LYNCHINGS
Tuskegee Institute, Alabama.
December 21, 1935.

Editor,
Fayetteville Observer.
Dear Sir:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the department of records and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negroes, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Yours very truly,
F. D. PATTERSON,
President.

Lanett, Ala. Times
January 1, 1936

Lynchings Show Increase Over 1934

According to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 12 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negroes. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynching occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Lumpkin, Ga., Journal
January 3, 1936

20 PEOPLE LYNCHED IN 1935 GEORGIA IS CHARGED WITH 2 MISSISSIPPI LEADS WITH 7

According to records compiled in the Department of Records and Research of the Tuskee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western states and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offences charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killing by mob in search of another person, 1; slapping a woman,1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7. North Carolina, 1; Tennessee, 1; Texas, 2.

Forsyth, Ga., Advertiser
January 2, 1936

Twenty Reported Lynched in 1935

TUSKEGEE, Ala., Dec. 28.—(AP)—Dr. F. D. Patterson, president of Tuskegee Institute, announced Saturday that records of his institution showed that twenty persons were lynched in the United States during 1935, a gain of five over 1934.

He said that eighty-seven persons—seventeen white and sixty-seven negroes—were saved by officers of the law from death at the hands of mobs.

Mississippi, with seven lynchings, led the nation, according to Dr. Patterson's announcement, while Louisiana reported four; Florida, two; Georgia, two; Texas, two, and California, North Carolin a and Tennessee, on each.

The persons lynched, the Tuskegee president said, included two white men and eighteen negroes while the charges against them included murder, attack, activity in share cropper organizing, Communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 13 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Blakeley, Ga. News
January 2, 1936

20 LYNCHINGS IN UNITED STATES IN YEAR 1935

IS INCREASE OF FIVE OVER YEAR 1934, STATISTICS REVEAL

According to records compiled by F. D. Patterson, President of Tuskee Institute, and given to The News, there were 20 lynchings in the U. S. in 1935.

Charlotte, N. C. Observer
December 31, 1935

LYNCHING RECORD SIGNIFICANT

Several significant facts are conspicuous in Tuskegee institute's annual compilation of the Nation's lynching record for 1935, showing 20 persons lynched during the year.

It must be noted at once that 19 of the 20 lynchings occurred in the Southern States and that 18 of the victims were negroes.

Another outstanding fact in the record at once and as usual gives the lie to the contentions of those apologists who would like for the world to believe that most of the lynchings in the South are in defense of Southern womanhood. Of the 18 negroes lynched this year, only six were charged with either criminal assault or attempted criminal assault. Seven were charged with murder and one with attacking a person, another with slapping a white woman.

It may be significant—certainly it is not encouraging — that the number of lychings this year exceeded last year's record by one third and also exceeded the average annual record for the three preceding years, 1932-1934. The average for the three years was 17. The highest record for any of the four years was 28 in 1933.

The most encouraging phase of the annual compilation is the number of lynchings that were prevented. In 53 instances of threatened lynchings a total of 84 persons, 17 white and 67 negro, were saved from death at the hands of mobs, according to the Tuskegee record, 44 of these instances being in the South. The batting average in favor of the officers of the law, therefore, was a little better than two to one in the Southern States; that is, more than two lynchings were prevented for each one committed.

However, no excuse or apology or argument can wipe away the ugly fact that in the year 19 lynchings were perpetrated in seven Southern States and none in any other State except California, and that in as many instances mobs succeeded in defiance of the Federal and State constitutions, the statute laws, the courts and the officers of the law, and committed an act of anarchy in each instance.

Soon Congress will be in session and will have before it for consideration a Federal anti-lynching bill. Southern Senators and Representatives will be expected to fight it to the finish on the ground that such a law would be in contravention of States' rights. Also they will argue that the States of the South are amply able to deal with the matter of lynchings and that no Federal law to deal with the crime is necessary.

The Southern States ought to prove that they can deal with lynching and put it down. As long as they fail—either because they will not or cannot do it—they are inviting Congress to enact a Federal anti-lynching law, no matter what their Senators and Representatives say about it.

And, unless the record be considerably improved, it need not surprise any one if Congress before many years does pass an anti-lynching bill. The Nation is getting tired of lynchings.

Times Courier
December 31, 1935

20 Lynched During 1935

Compilation of Figures From All Sections of U. S.; Florida Has Two Lynchings

According to records compiled in the department of records and research of the Tuskegee Institute there were 20 persons lynched in 1935. This is five more than the 15 for 1934; eight less than the 28 for 1933, and 12 more than the eight for 1932. Thirten of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails, and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented, or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negroes, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were negroes. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows; California, 1; Florida 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

OMAHA, NEB.
WORLD HERALD
DEC 29 1935

A Lynching Record.

Tuskegee Institute, Ala., Dec. 21.—To the Editor of The World-Herald: I send you the following information concerning lynchings for the year 1935. I find, according to the records compiled in the department of records and research of the Tuskegee institute, that there were 20 persons lynched in 1935. This is five more than the number (15) for 1934; eight less than the number (28) for 1933, and 12 more than the number (8) for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were Negroes. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man 1; activity in share-cropper organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

F. D. PATTERSON,
President.

Lynchings—1935
Reports on, Sent Press.

Jan. - Dec.

5215

Columbus Ga Enquirer-Sun
January 4, 1936

LYNCHING GAINS

Twenty persons were lynched last year, according to the record by the Tuskegee Institute. This was five more than in 1934, eight less than the number in 1933 and twelve more than the number in 1932. Two were white and the others negroes. Georgia had one lynching.

An encouraging feature of the report is the statement that there were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in Southern states. In 42 of the instances, prisoners were removed, or guards augmented or other precautions taken. In eleven other cases, armed force was used to repel would be lynchers. Eighty-four persons, 17 white and 67 colored, were thus saved from probable deaths at the hands of mobs.

This would seem to prove the belief that lynchings can, in most cases, be averted, if officers of the law exercise prompt judgment and courage and take proper precautions to protect prisoners. The need of electing sheriffs and other officers, who are both fearless and quick-thinking, is apparent.

It requires a strong man wearing the badge of law to face a mob, but intelligence and quick thinking when a serious offender has been arrested, may make the forming of a mob useless in the minds of those who might join it.

It has often been said that the slow process of justice in cases which excite public indignation is, to an extent, responsible for mobs.

Either the courts should be speeded up or some kind of assurance given that all offenders whom mobs are liable to want will be tried within the shortest time possible. Tactics used by some lawyers to delay trial should be overruled.

Although the number of lynchings remains too high, we feel that the tendency to form lynch mobs is decreasing. Most of the lynchings now are done by small determined groups of mad men instead of the former large crowds. Perhaps the offenders may soon learn to let the law take its course—and thus preserve the good name of their state.

Salisbury, N. C., Watchman
January 3, 1936

20 Persons Are Lynched In 1935

Twenty persons, two of whom were white and 18 negroes, have been lynched so far in 1935, according to information compiled by the department of records and research of the Tuskegee institute, it has been annonuced by F. D. Patterson, president of the negro institution.

Mississippi led the list of States in which lynchings occurred during the year with seven. Louisiana had four ; Florida, Georgia and Texas, two each, and North Carolina, Tennessee, and California, one each.

The 20 recorded for the year are five more than the number for 1934, eight fewer than the total for 1933, and 12 more than the number listed for 1932, which had a total of only eight. Thirteen of the 20 persons lynched were taken from the hands of the law. Five of these were taken from jails, six from the custody of officers, outside of jails, and two were shot to death inside jail.

During the year there were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western States according to the institute's figures. In 42 of the instances the prisoners were removed or "the guards augumented or other precautions taken. In the 11 other instances armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs."

The report lists the offenses with which the 20 lynched were charged as—murder, seven; attempted criminal assault, three; criminal assault, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of law, one; killed by mob in search of another person, one; slaping a woman, one; and communistic activity, one.

Ludowici, Ga., News
January 2, 1936

5 More Are Lynched In '35 Than In '34

According to the records compiled in the Department of Records and Research of the Tuskegee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933, and twelve more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Statesboro, Ga., Times and News
January 2, 1936

Lynchings for Year Show An Increase

Records compiled in the department of records and research of the Tuskegee Institute show that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933, and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings; 9 of them were in Northern and Western state and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 per negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking of prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Winston-Salem, N. C., Sentinal
December 29, 1935

The Year's Lynching Record

President Patterson, of Tuskegee, follows up the custom of former President Moton of that institution, by furnishing the press an annual report on lynchings in this country. His report shows that 20 persons have been lynched in 1935. This is five more than in 1934, eight less than in 1933, and twelve more than in 1932.

Thirteen of the victims of mobs this year were in the hands of the law. Five were taken from jails, six from officers of the law outside of jails, and two were shot to death in prison.

It is encouraging to note, however, that there were 53 instances in which officers prevented lynchings in the face of angry mobs. Nine of these were in Northern and Western states and 44 in Southern States. A total of 84 persons, 17 white and 67 Negroes, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were Negroes. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

While it is a matter for deep regret that North Carolina is included in the list of eight states that had lynchings this year, it is gratifying that there was only one victim of mob law in this Commonwealth.

Forty states got along without the aid of Judge Lynch in 1935. The hope of every good citizen in North Carolina ought to be that this State will be free of mob violence and lynchings in 1935. Civilization has advanced too far in North Carolina to tolerate lynch law.

Ayden, N. C., Dispatch
January 2, 1936

20 Persons Are Lynched In '35

Tuskegee Institute, Ala.
December 21, 1935.

(By F. D. Patterson)

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Department of Records of Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented of other precautions taken. In the 11 other instances armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; takin prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas,

[illegible] C. Chronicle
January 2, 1936

Lynchings Are Higher In 1935

Lynchings for the year of 1935 are higher than any previous year according a commmunication received from the president of the Tuskegee Institute of Alabama since the year 1933 when the number of lynching of that year was 8 over the year of 1935.

While this state was not responsible for any of these lynchings.

The communication received by The Chronicle reads as follows:

"I find according to the records compiled in the Departmentf o Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number of 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number of 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the lap prevented lynchings. 9 of these were in Northern and Western States and 44 removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; killed by mob in search of another person, 1; slapping a poman, 1; communistic activity 1.

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The States in which lynchings occured and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North 1; Tennessee, 1; Texas, 2.

Pelham, Ga., Journal
January 2, 1936

20 Persons Lynched In U. S. During 1935

According to records compiled in the Department of Records and Research of the Tuskegee Institute there were 20 persons lynched in 1935. This is 5 more than the number of 15 for 1934; 8 less than the number of 28 for 1933; and 12 more than the number of 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails; 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negroes, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 3 were white and 18 were negroes. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in seach of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

High Point [illegible] Enterprise
December 30, 1935

LYNCHING A FRIGHTFUL COMMENTARY ON LAW

Editor of The Enterprise:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the department of records and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1922. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Yours very truly,
F. D. PATTERSON,
President Tuskegee Normal and Industrial Institute.

[illegible] Post
December 28, 1935

20 LYNCHINGS IN U. S. DURING YEAR OF 1935

One Occurred North Carolina Report States

Twenty lynchings occurred in the United States during 1935, according to records from Tuskegee Normal and Industrial Institute, at Tuskegee, Ala., which annually compiles a report.

One lynching occurred in North Carolina, it is reported by F. D. Patterson, president. The full report follows:

"I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the department of records and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law, five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

"There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to rtpel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

"Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3, altercation with man, 7; activity in share cropper organization, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

"The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2."

[illegible] Tenn. News
January 2, 1936

20 Persons Lynched During Past Year

According to records compiled by the Tuskegee Negro Institute, sent The News this past week there were 20 persons lynched in the United States in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 in 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in the Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

Lynchings-1935
Reports on, Sent Press.

Jan. -Dec.

5216

Cookeville, Tenn. Herald
January 2, 1936

TWENTY PERSONS WERE LYNCHED IN PAST YEAR

"I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute," states F. D. Patterson, president of Tuskegee Normal and Indutrial Institute, "that there were 20 persons lynched in 1935. This is 5 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail."

Mr. Patterson further states that "there were 53 instances in which officers of the law prevented lynchings. 9 of these were in Nothern and Western states, and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs."

"Of the 20 persons lynched, 2 were white and 18 were negro. The offenses choarged were: murder, 7 attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoners from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1."

"The states in which lynchings occurred," he said, "and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; and Texas, 2."

High Point N. C. Enterprise
December 30, 1935

WEAK-KNEED LAW YIELDS 13 TO LYNCHERS

THIRTEEN of the 20 persons lynched during 1935, according to records of the Tuskegee Normal and Industrial Institute were taken from the hands of the law. That is a condition more alarming, if possible, than the fact that an increase of five over the preceding year's total of lynchings, and a commentary upon the inadequacy or the unwillingness of law to function against that most dangerous foe of liberty and justice, mob rule.

Geographically speaking, the lynchings and prevented lynchings—of which there were 53 — show a spread over Northern and Western territory instead of the normal restriction to the South, although the Southern area, led by Mississippi with seven lynchings, continues to lead a sorry situation in that respect. It is a blot which the South has endeavored to erase, has succeeded in a measure, but to which it must continue to give unrelenting attention if law and order are to be served as a self-respecting people must demand.

Seventeen whites and 67 Negroes were saved from mobs when law prevented would-be lynchers from accomplishing their disgraceful purpose; in that may be found some solace, but in the breakdown that allowed 13 to be taken from officers and a total of 15 to be lynched nothing is ameliorating. It is a blackness not to be washed off the hands of an altogether pitiful and too weak enforcement of law. No one is safe when law is that weak-kneed.

Lincolnton N. C. Times
January 2, 1936

20 People Lynched In U. S. This Year

Tuskegee, Ala., Dec. 31.—Dr. F. D. Patterson, president of Tuskegee institute, announced today that records of his institution showed 20 persons were lynched in the United States during 1935, an increase of five over 1934.

He said that 84 persons—17 white and 67 negro—were saved by officers from harm at the hands of mobs.

Mississippi with seven lynchings led the nation, according to Dr. Patterson's announcement, Louisiana reported four, Florida, two, Georgia two, Texas two, and California, North Carolina and Tennessee, one each.

The persons lynched, the Tuskegee president said, included two white men and 18 negroes, and charges against them included murder, attack, activity in sharecropper organizing, communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

C., Messenger
January 1, 1936

RECORD OF LYNCHINGS

According to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 8 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 colored were thus saved from death in the hands of mobs.

Of the twenty persons lynched 2 were white and 18 were Negro. The offenses charged were: murder, 7; attemped rape, 3; rape, 3; altercation with man, 1; activity in share cropper organization, 1; attacking person, 1; taking prisoner from officer of the law 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which which lynchings occurred and the number in each state are as follows: California 1; Florida, 2; Georgia, 2; Louisiana 4; Mississippi, 7; North Carolina 1 Tennessee, 1; and Texas, 2.

LYNCHBURG, VA.
NEWS
DEC 31 1935

People's Forum

THE LYNCHING RECORD

To the Editor of The News:

Sir: I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the department of records and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is five more than the number fifteen for 1934; eight less than the number 28 for 1933; and twelve more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances, armed force was used to repel the would be lynchers. A total of 84 persons, seventeen white and 67 Negro, were thus saved from death at the hands of mobs.

Of the twenty persons lynched, two were white and eighteen were Negro. The offenses charged were: murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The states in which lynchings occurred and the number in each state are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

F. D. PATTERSON.

Tuskegee, Alabama, December 21, 1935.

HARTFORD, CONN.
TIMES
DEC 27 1935

Lynchings for 1935

To the Editor of The Times:

I send you the following information concerning lynchings for the year 1935. I find, according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law, five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings; nine of these were in northern and western states and 44 in southern staaes. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were Negro. The offences charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

F. D. PATTERSON,

Tuskegee, Ala., Dec. 26.

Norfolk, Va. Pilot
January 3, 1936

Roll of Horror

The 1935 Roll of Horror is 20 lynchings, 19 of them in Southern States, and 18 of the victims Negroes. The number is 33 per cent larger than last year's 15, but smaller by eight than the 28 in 1933. It is the largest number of lynchings in the past dozen years save in 1933, in 1931, and 1926. During these dozen years the range has been from 8 to 28; the average between 16 and 17.

Compared with earlier years around the turn of the century, when a hundred lynchings a year were not unusual, this is progress of a sort. Compared even with 20 years ago, when 50 lynchings were not infrequent, it is progress. But compared with more recent years it is regression.

It is all the more humiliating because most of the 20 victims of last year were not even charged with attacking white women—the old pretext for lynching—and 13 of them were taken from the hands of officers of the law. Three of the victims were charged with rape, and three others with attempted rape. But the majority were murdered by mobs for such alleged offenses as murder (seven), altercations, activities in organizing share croppers, slapping a woman, and communistic activity; and one merely because a mob was searching another man and found him.

Discouraging as the record is in some respects, it will not dampen the efforts of Southerners who are determined to replace the savagery of the jungle with a decent respect for law. The pressure will continue, and in the long run it will win. It will be directed toward Governors and sheriffs and policemen, and toward officers of all types. It will be directed especially toward jailers who allow mobs to taken prisoners from their very hands. It will be directed toward public opinion and toward the courts themselves.

Meantime, a special effort should be made in Mississippi. That State produced seven of the man-killing mobs of 1935 and six of the fifteen the year before. It has been for years the worst of the lynching States, as it is the most backward by nearly any other test by which civilization can be measured. But it is by no means hopeless. One Mississippi Governor who honestly sought to punish lynchers could work wonders. One Mississippi sheriff who defended a prisoner with his pistol could become a celebrity. One Mississippi jailer who defied a mob could set an example that might turn the tide. One day some such man will arise.

Rochester, N. Y.
Democrat-Chronicle
JAN 2 1936

Again the Lynching Evil

The always depressing figures on lynching have just been published for 1935, by the Tuskegee Institute in Alabama. They show a total of 20 for the year, five more than the year before, but eight fewer than in 1933. Thirteen of the victims were in the hands of the law at the time; five were taken from jails, six from officers and two were shot to death in a jail.

Mississippi headed the list with seven; Louisiana had four; Florida, Georgia and Texas two each, and California, North Carolina and Tennessee one each. Eighteen of the twenty victims were Negroes.

The number of victims who are done to death by this form of mob frenzy is only a part of the story. Fifty-three other cases were recorded this year where mobs bent on lynching were beaten off by officers of the law. Had resistance been a little less determined, all of these would doubtless have been added to the horrible list. Nine of these frustrated attempts at mob law occurred in northern states.

It is difficult to find in these figures much to encourage the belief that the lynching mania is dying out. About all that can be said is that law enforcement agencies are becoming more efficient in protecting prisoners from lynchers. Here lies the main hope of ending this form of barbarism. If mobs can once be made to understand that the law can and will be enforced by orderly means, they will gradually become civilized.

Meanwhile the country has another opportunity to reflect on the problem of lawlessness in a country which raises up national heroes, then is unable to assure them safety and peace of mind.

Greensboro, N. C., Record
January 2, 1936

Remember Govan Ward!

Of the 20 lynchings which occurred in the United States in 1935 none constituted a more flagrant insult to law and decency, and none was quite so much of a spit in the face of justice as the one near Louisburg, Franklin county, North Carolina, in which a crazed negro, Govan Ward, was taken from officers, well armed, on a public highway in broad daylight, by a mob of unmasked men and put to death. The crime took place within a short distance of the state capital!

The Govan Ward case also shines in the 1935 lynching record because the official "investigation" of it stands out as superlative in weakness and farce. Despite the fact that a score or more of mobsters participated in the crime, and despite the fact that hundreds of persons, men, women and children, were on the scene shortly after the insane man was killed, no one has been punished—in fact no arrests have been made, though the lynching took place months ago.

Characterizing the Ward lynching as the "most surprising" of last year, an esteemed contemporary, the Roanoke (Va.) World-News, comments: "For some years North Carolina had enjoyed an enviable reputation. It dealt sternly with the mob that stormed the Asheville jail, and sent to prison those who took part in the Needleman affair. And for years afterwards there was no lynching in North Carolina. In the Ward case a white North Carolinian obtained the names of nine of the lynchers and furnished them to the authorities, but no action was taken. Some of the predecessors of Governor Ehringhaus were made of sterner stuff."

The World-News is right. Circumstances being what they are in the Ward case, the Record cannot believe the state of North Carolina is so impotent, so helpless, so lacking in courage and resourcefulness, so dumb, that it can obtain no evidence at all tending to reveal the identities of the white-livered cowards who by their infamous crime have placed the name of the state high on the roster of states shamed and disgraced in 1935 because of lynchings.

When mob-murderers are permitted to go unpunished, that, in effect, cordially invites and warmly welcomes more mob murders. Lynching is anarchy in its more dangerous and despicable form. Even at this late date, a clearing up of the Ward case, or even a sincere and determined move to get at the bottom of it, might serve to save the state from the ignominy of a lynching in 1936.

Hendersonville, N. C. Times
December 28, 1935

20 LYNCHINGS 1935 RECORD

Report Shows 53 Such Cases Of Violence Prevented, 44 In South

TUSKEGEE, Ala., Dec. 28.—According to the records compiled in the Department of Records and Research of the Tuskegee Institute, there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933 and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of them were in northern and western states and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances armed forces was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape 3; rape 3; altercation with man 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1 Tennessee, 1; Texas, 2.

Biloxi, Miss., Herald
December 30, 1935

Mississippi Leads In Number Lynched

Tuskegee Ala. Dec. 20—(AP)—Dr. F D. Patterson president of Tuskegee Institute announced today that records of his institution showed that 2[0] persons were lynched in the United States during 1935 a gain of 5 over 1934.

He said that 84 persons—17 white and 67 negro—were saved by officers of the law from death at the hands of mobs.

Mississippi with seven lynchings led the nation according to Dr. Patterson's announcement while Louisiana reported 4, Florida 2, Georgia 2, Texas 2, and California, North Carolina and Tennessee 1 each.

The persons lynched, the Tuskegee president said, included two white men and 18 negroes, while the charges against them included murder, attack, activity in share cropper organizing, communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

Lynching

Editor The News: —

I send you the following information concerning lynchings for the year 1935. I find according to records compiled in the department of records and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933 and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

F. D. PATTERSON,
President, Tuskegee Institute.
Tuskegee, Ala., December 21.

Charlotte News
December 30, 1935

Lynchings - 1935
Reports on, Sent Press.

Jan. - Dec.

5217

Atlanta, Ga.
Christian Index
Jan - 9 - 1936

OUR RECORD OF SHAME

PRESIDENT F. D. Patterson, of Tuskegee, Alabama, quoting from the records compiled in the department of Records and Research of the Tuskegee Institute, is authority for the statement that there were twenty persons lynched in the country in 1935. Dr. Patterson says: "This is five more than the number fifteen for 1934; eight less than the number twenty-eight for 1933; and twelve more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in jail."

But the records from which the foregoing is quoted show that officers of the law prevented fifty-three lynchings. Forty-four of these were in the Southern states. The records give no information as to the number of lynchings prevented in former years, but we believe steady progress is being made in this particular. Methods used to prevent lynchings were the removal of prisoners, augmentation of guards or other effective precautions. In eleven instances state militia was used to prevent lynchings. Thus eighty-four persons, seventeen white and sixty-seven Negro prisoners were saved from death and the law given an opportunity to take its course.

If the records from which Dr. Patterson releases this statement are correct, only six of the twenty lynched in 1935 were charged with an attack on women. Of the fourteen others killed by mobs, the records show that seven were charged with murder, one with an altercation with a man, one with activity in share-cropper organization, one with attacking a person, one with taking a prisoner from an officer of the law, one killed by a mob in search of another person, one charged with slapping a woman and one with communistic activity.

"Made in the United States," should be stamped in letters of fire on the fly leaf of this unique record of shame. No other nation, European, Asiatic, Australian or South American begins 1936 with such a deficit. It is our record—our record of shame and not that of the community in which the law was lynched. Year after year, the American people have carried this burden imposed upon them by a few outraged persons, impatient of the long delays so often experienced in courts of justice. Year after year, the law has cried: "Is it nothing to you, all you that pass by?"

Something should be done to prevent lynching in 1936. Public sentiment against this collective crime should be aroused. The pulpit, the press, the movies, the radio, the school and civic and fraternal organizations should hold up this hateful thing to the light where it may be

"From the witnesses who have appeared before us, we find that many of the industries in this city are victimized by racketeers. This racketeering is largely centralized in the hands of a dozen or fifteen major criminals, most of them totally unknown to the public.

"We find that most of the rackets in this city are based on the systematic extortion of money from business by the criminal underworld, through pretended trade and protective associations, labor union racketeers or plain intimidation."

Opelousas, La. News
January 2, 1936

Mississippi Leads, Louisiana Second in Negro Lynching

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee 1; Texas, 2.

Lynchings-1935
6 Reports on, Sent Press.

Jan.-Dec.

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Guntersville, Ala., Advertiser
January 15, 1936

STOP THIS LYNCH LAW

Records of Tuskegee Norma and Industral Institute which ha kept records on the subject for number of years comes forwar with the interesting informatio that there were 53 instances dur ng 1935 in which officers of th aw prevented lynchings. But 2 ynchings actually occurred.

This is a disgraceful record, be ng five more than were lynche during 1934, although eight les than the number 28 for 1933 an 12 more than the number 8 fo 1932. Only two of the 20 lynche during 1935 were white, the re mainder being negroes while i the 53 instances in which lynch ings were prevented, 17 white an 67 negro persons were saved from such deaths.

There is one bright spot in the report for Alabamians, however and that is due to the fact that not a single lynching occurred in this state during 1935. The states and number of lynchings in each of the year follow: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one and Texas, two.

It is generally recognized that respect for law and order and wide education of the citizenship at large must be at a high pitch before this heinous form of crime can be completely wiped out. But if there is a repetition of this record in 1936 and succeeding years or if the condition becomes more aggravated instead of improvement being noted it is quite likely that rigid federal legislation to to bring justice to bear on lynchers will be proposed and have a better chance for adoption than ever before. The best way to prevent passage of such a bill as the Wagner-Costigan measure which was proposed at the last session of congress and killed only after a stubborn filibuster by southern senators is to stop lynching people. And, unless this is done the sentiment of the people will gradually demand the enactment of such a law.—Florence Times.

Chatsworth, Ga., Times
January 16, 1936

20 Persons Lynched In U. S. During 1935

According to the records compiled in the Department of Records and Research of the Tuskegee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails; 3 from officers of the law outside of jails and 2 were shot to death in jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Villa Rica, Ga., Breeze
January 30, 1936

20 Lynched—84 Saved

The annual lynching statistics of Tuskeegee Institute, one of the outstanding colored educational institutions in the country, have been made public for the year 1935.

Twenty persons were lynched in the United States seven of which were in Mississippi and all except one in California were credited to southern states. Two of the victims were white men.

An encouraging factor is that this report shows that eighty-four persons were saved by officers from possible harm at the hands of mobs, and of these sixty-seven were Negroes. This means, according to the Tuskeegee figures, that in four cases out of every five in which mobs sought to injure Negroes the white officers of the law protected the Negroes.

Of the twenty lunchings on eover half were in Louisiana and Mississippi leaving only nine which occurred in other states. Florida, Georgia and Texas were the reported locations of two each and California ,North Carolina and Tennessee one each. These figures indicate that public sentiment is fairly generally opposed to the crime of lynching.

PRESS
Morgantown - N. C.
JAN 9 1936

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Of the twenty lynchings one over half took place in Louisiana and Mississippi leaving only nine which occurred in other states. Florida, Georgia and Texas were the reported locations of two each and California, North Carolina and Tennessee one each. These figures indicate that public sentiment is fairly generally opposed to the crime of lynching.

Bremen, Ga., Gateway
January 30, 1936

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DEMOCRAT
Freehold. NJ
JAN 23 1936

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fornia, North Carolina and Tennessee one each. These figures indicate that public sentiment is fairly generally opposed to the crime of lynching.

Logan, W. Va. Democrat
January 2, 1936

20 Lynchings Mar Record Of The Past Year

Tuskegee Institute Statistics Reveal Increase of Mob Killings Over Similar Events in 1934

In a report released this week by the Tuskegee Normal and Industrial Institute at Tuskegee, Alabama, it is shown that there were 20 persons lynched in the United States during the year just closing, as compared with 15 lynchings in 9133, an increase of five for this year.

The 1935 record, however, contains eight less mob killings than in 1933, but 12 more than in 1932.

Thirteen of those lynched this year, the record reveals, were taken from the hands of the law, five being taken from jails, six from officers of the law outside of jails, and two were shot to death in their cells.

In fifty-three other instances of mob attack; lynchings were prevented by the police authorities. Nine of these were in northern and western states and 44 in southern states. In 42 of these cases the prisoners were removed or the guards augmented or other precautions taken successfully, while in the other 11 instances armed force was used to repel the attacks. A total of 84 persons, 17 white and 67 Negro, were so saved from mob violence, the report continues.

Of the 20 persons who were lynched, two were white and 18 were Negroes. The offense charges were: Murder, 7; attempted rape 3; rape, 3; altercation with man, one; organization activity, one; attack, one; taking prisoner from officer of law, one; killed by mob in search of another person, one; slapping woman, one; communistic activity, one.

The states in which the lynchings occurred and the number in each were California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, 7; North Carolina, one; Tennessee, one; Texas, two.

DEMOCRAT
Russellville
JAN 16 Ky

TWENTY LYNCHED—84 SAVED.

The annual lynching statistics of Tuskeegee Institute, one of the outstanding Negro educational institutions in the country, have been made public for the year 1935.

Twenty persons were lynched in the United States, seven of whom were in Mississippi and all except one in California were credited to southern states. Two of the victims were white men.

An encouraging factor is that this report shows that 84 persons were saved by officers from possible harm at the hands of mobs, and of these 67 were Negroes. This means, according to the Tuskeegee figures, that in four cases out of every five in which mobs sought to injure Negroes the white officers of the law protected the Negroes.

Of the 20 lynchings one over half took place in Louisiana and Mississippi, leaving only nine which occurred in other states. Florida, Georgia, and Texas were the reported locations of two each and California, North Carolina, and Tennessee one each. These figures indicate that public sentiment is fairly generally opposed to the crime of lynching.

PROVIDENCE, R. I.
BULLETIN
JAN 22 1936

TWENTY PERSONS LYNCHED IN 1935

To the Editor, Evening Bulletin:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number, 15, for 1934; 8 less than the number, 28, for 1933; and 12 more than the number, 8, for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offences charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

F. D. PATTERSON,
President, Tuskegee Normal and Industrial Institute.
Tuskegee Institute, Oklahoma.

Birmingham, Ala., Labor Advocate
January 4, 1936

Annual Report Of Lynching Dec. 31

Editor Labor Advocate:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 134; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails, and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings; 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organization, 1; attacking person 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.—Yours very truly F. D. Patterson, President.

Summerville, Ga., News
January 9, 1936

20 Persons Lynched By Mobs During '35

An Increase Reported Over Preceding Year, According to Statistics Completed at Tuskegee.

During the year 1935 twenty persons were lynched in the United States, according to figures compiled by Tuskegee institute. This is five more than the number 15 for 1934; eight less than the number 28 for 1933, and twelve more than 8 for 1932.

Of the twenty persons lynched, two were white and eighteen negro. The offenses charged were: Murder 7, attempted rape 3, rape 3, altercation with man 1, activity in share-cropper organizing 1, attacking person 1, taking prisoner from officer of the law 1, killed by mob in search of anotehr person 1, slapping woman 1, communistic activity 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1, and Texas, 2.

Quincy, Fla., Times
January 9, 1936

20 Lynched—84 Saved.

The annual lynching statistics of Tuskeegee Institute, one of the outstanding colored educational institutions in the country, have been made public for the year 1935.

Twenty persons were lynched in the United States, seven of which were in Mississippi and all except one in California were credited to southern states. Two of the victims were white men.

An encouraging factor is that this report shows that eighty-four persons were saved by officers from possible harm at the hands of mobs, and of these sixty-seven were Negroes. This means, according to the Tuskeegee figures, that in four cases out of every five in which mobs sought to injure Negroes the white officers of the law protected the negroes.

Of the twenty lynchings one over half took place in Louisiana and Mississippi leaving only nine which occurred in other states. Florida, Georgia and Texas were the reported locations of two each and California, North Carolina and Tennessee one each. These figures indicate that public sentiment is fairly generally opposed to the crime of lynching.

Lynchings-1935.
Reports on, Sent Ress.

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5219

Princeton, W. Va. Observer
January 2, 1936

Lynchings Show Increase In 1935, Report Discloses

Tuskegee Institute Announces 20 Persons Lynched During Year

Twenty persons were lynched in the United States during the past year, according to records compiled in the department of records and research of the Tuskegee Institute, in Alabama.

This number was five more than the fifteen lynchings reported in 1934, the report shows. However, it is eight less than the number 28 for 1933, and 12 more than the number 8 for 1932.

Thirteen of the persons lynched this year were in the hands of the law, the report discloses; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances, it was reported, where officers of the law prevented lynchings. Nine of these were in Northern and Western states and 44 in Southern states. A total of 84 persons, 17 white and 67 Negroes, were saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 Negroes. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; and Texas, 2.

Pathfinder
Washington D.C.
JAN 25 1936

DO YOU KNOW THAT

Twenty persons were lynched in this country in 1935, five more than in 1934, despite the fact that there were 53 instances in which officers of the law prevented lynchings.

Drought and grasshoppers are said to have driven more than 17,000 people from South Dakota since 1930.

Immigration laws have excluded an estimated 1,000,000 aliens from the United States since late 1930.

Since the beginning of the 19th century this country has produced more than one billion ounces of gold, 12 billion ounces of silver, 40 billion pounds of zinc, 100 billion pounds of copper and 136 billion pounds of lead.

During the 1935 football season 75,900 players were injured on the gridiron and 30 players died from their injuries.

Sugar consumption requirements in the United States for this year are estimated at 6,434,088 short tons.

Fish and other aquatic animals do not drink water.

NEWS
Paris - Ky.
JAN 28 1936

TUSKEGEE INSTITUTE

Gives Figures On Lynchings For Year Of 1935.

According to the records compiled in the Department of Records and Research of the Tuskegee Institute, there were 20 persons lynched in 1935. This was five more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law, 5 were taken from jails, 6 from officers of the law outside of jails, and 2 were shot to death in a jail.

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Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: Murder, 7; attempte drape, 3; rape, 3; altercation with man, 1; cativity in share-cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping woman, 1; communistic activity, 1.

The states in which lynching occurred and the number in each state are as follows: California, 1; Florida 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Caroling, 1; Tennessee 1; Texas, 2.

Lawrenceville, Ga., News-Herald
February 6, 1936

TWENTY LYNCHED— EIGHTY-FOUR SAVED

The annual lynching statistics of Tuskegee Institute, one of the outstanding colored educational institutions in the country, have been made public for the year 1935.

Twenty persons were lynched in the United States, seven of which were in Mississippi and all except one in California were credited to southern states. Two of the victims were white men.

An encouraging factor is that this report shows that eighty-four persons were saved by officers from possible harm at the hands of mobs, and of these sixty-seven were negroes. This means, according to the Tuskegee figures, that in four cases out of every five in which mobs sought to injure negroes the white officers of the law protected the negroes.

Of the twenty lynchings, over half took place in Louisiana and Mississippi, leaving only nine which occurred in other states. Florida, Georgia and Texas were the reported locations of two each, and California. North Carolina and Tennessee one each. These figures indicate that public sentiment is fairly generally opposed to the crime of lynching.

Montgomery, W. Va. News
January 3, 1936

TWENTY PERSONS LYNCHED IN 1935

Officers of the Law Prevented Lynchings In 53 Instances, Report Shows

F. D. Patterson, president of Tuskegee Normal and Industrial Institute, founded by Booker T. Washington, for the training of colored young men and women, and located at Tuskegee Institute, Alabama, has sent out the following information concerning lynchings for the year 1935:

"I send you the following information concerning lynchings for the year 1935. I find, according to the records compiled in the Department of Records and Research of the Tuskegee Institute, that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

"There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

"Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

"The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississip-

...1, 7; North Carolina, 1; Tennessee, 1; Texas, 2."

Philadelphia, Miss. Democrat
January 17, 1936

THE OTHER SIDE

Tuskegee Institute takes great pains to assemble each year the figures bearing upon the number of lynchings by States.

Mississippi again heads the list, with seven. Louisiana is second, with four.

There is another side to the picture.

Tuskegee makes much ado about the number of lynchings, but says little of the fact that there would be no such lynchings if certain crimes were not committed.

In other words, if Mississippi leads in lynchings, then it is a corollary thought that Mississippi must also lead in the crimes for which such lynchings are inflicted.

Tuskegee could well afford to begin some missionary work along that line.

CATSKILL, N. Y.
MAIL
JAN 9 1936

20 LYNCHED—84 SAVED

The annual lynching statistics of Tuskeegee Institute, one of the outstanding colored educational institutions in the country, have been made public for the year 1935.

Twenty persons were lynched in the United States, seven of which were in Mississippi and all except one in California were credited to southern states. Two of the victims were white men.

An encouraging factor is that this report shows that eighty-four persons were saved by officers from possible harm at the hands of mobs, and of these sixty-seven were Negroes. This means, according to the Tuskeegee figures, that in four cases out of every five in which mobs sought to injure Negroes the white officers of the law protected the Negroes.

Of the twenty lynchings one over half took place in Louisiana and Mississippi leaving only nine which occurred in other states. Florida, Georgia and Texas were the reported locations of two each and California, North Carolina and Tennessee one each. These figures indicate that public sentiment is fairly generally opposed to the crime of lynching.

NEWS
Paris - Ky.
JAN 11 1936

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Tallapoosa, Ga., Journal
January 9, 1936

20 Persons Lynched During 1935, Reports Tuskegee President

Tuskegee, Ala.—Dr. F. D Patterson president of Tuskegee Institute, announced that records of his institution showed that twenty persons were lynched in the United States during 1935, a gain of five over 1934.

He said that eighty-seven persons—seventeen white and sixty-seven negroes—were saved by officers of the law from death at the hands of mobs.

Mississippi, with seven lynchings, led the nation, according to Dr. Patterson's announcement, while Louisiana reported four, Florida, two; Georgia, two; Texas two and California, North Carolina and Tennessee, one each.

The persons lynched, the Tuskegee president said, included two white men and eighteen negroes, while the charges against them included murder, attack, activity in share cropper organization, Communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law, five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

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The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

The letter in itself constitutes an editorial; it equires no comment.

Santa Barbara, Calif.
PRESS
DEC 30 1935

'Law and Order'

FOR a number of years, the newspapers of the country about this time of the year receive a form letter from Tuskegee Institute, the Alabama colored school founded by Brooker T. Washington, reporting on the number of lynchings in the United States during the year just ending.

Following is this year's letter, signed by F. D. Paterson, president of the school.

I send you the following information concerning lynchings for the year 1935. I find, according to the records compiled in the department of rec-

Jan. -Dec.

Lynchings - 1935
Reports on, Sent Press.

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GALESBURG, ILL.
REGISTER
DEC 30 1935

AS TO LYNCHING

The Tuskogee Normal and ~~Industrial~~ Institute sends out the following information on lynching:

"I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails; 6 from officers of the law outside of jails and 2 were shot to death in a jail.

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"The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2."

This is signed by F. D. Patterson, president of the Institute.

It seems that lynchings were confined to eight states, so that in 40 states there were no lynchings. Mississippi stands out with the worst record, and Louisiana comes next. A bill covering this subject was debated in Congress. The foregoing communication was accompanied by no explanation and no details save the bare facts. It has been years since there was a lynching in Illinois. There is a difficulty in securing evidence against mob participating in such terrible affairs. Perhaps this may be due to a belief in the mind of one that summary punishment was deserved. The trouble with all mob action is that it is impulsive and hasty and may make mistakes. Every man is entitled to a fair trial, and it is believed that this is the universal feeling in this country.

WASHINGTON, D. C.
NEWS
JAN 6 1936

TWENTY LYNCHINGS

TUSKEGEE INSTITUTE reports that there were 20 lynchings in the United States in 1935. That is five more than in 1934.

The states that contributed to this gruesome record were: California, 1; North Carolina, 1; Tennessee, 1; Georgia, 2; Texas, 2; Florida, 2; Louisiana, 4; Mississippi, 7.

Of the offenses charged, only seven were murder, three rape and three attempted rape. One man was lynched for an altercation with a white man, another for share-cropper union agitation, one for slapping a woman. A total of 84 persons were saved from death at the hands of mobs.

Does Congress need any more argument to prove that lynchings, like kidnapings, are its affair. The Wagner-Costigan anti-lynching bill still is pending.

EAST ST. LOUIS, ILL.
JOURNAL
JAN 2 1936

1935's Lynching Record.

—Detroit News.

The Tuskegee Institute sends us its annual compilation of the year's lynchings Twenty in 1935.

This is neither very high nor very low There is no definite trend in this type of crime, which, more than banditry, hoodlumism or kidnapings, pitiless mirrors a flaw in our civilization. There were 15 lynchings in 1934; 28 in 1933; eight in 1932.

Nothing we can say in denunciation of these murders will add to what already has been said, many times over. There is one aspect of this year's record, however, which deserves emphasizing. All but one of the 20 lynchings occurred in the South or Southwest, where the excuse sometimes is made that such summary "executions" serve to protect womanhood.

Only six of the 20 lynchings of 1935 involved victims accused of a sex offense or attempt. In the remaining cases the charge ranged from murder, on the one hand, to "altercation" with another man, on the other. One victim was put to death, in this land of the free, "because he was a Communist."

DECATUR, ILL.
HERALD
JAN 2 1936

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WAYCROSS, GA.
JOURNAL HERALD
DEC 31 1935

Lynchings

During 1935 a total of 20 persons were lynched.

However, during this same year, officers of the law prevented 53 lynchings.

The States in which lynchings occurred were California, Florida, Georgia, Louisiana, Mississippi, North Carolina, Tennessee and Texas.

Portsmouth, Va. Star
December 29, 1935

20 PERSONS WERE LYNCHED IN 1935

TUSKEGEE, Ala., Dec. 28—(AP)—Dr. F. D. Patterson, president of Tuskegee Institute, announced today that records of his institution showed 20 persons ere lynched in the United States during 1935, an increase of 5 over 1934.

He said that 84 persons—17 white and 67 Negro—were saved by officers from farm harm at the hands of mobs.

Mississippi with seven lynchings led the nation, according to Dr. Patterson's announcement, Louisiana reported 4, Florida, 2, Georgia 2, Texas 2, and California, North Carolina and Tennessee 1 each.

The persons lynched, the Tuskegee president said, included two white [illegible] and 18 Negroes, and charges against them included murder, attack, activity in share cropper organizing, communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

RALEIGH, N. C.
NEWS OBSERVER
DEC 30 1935

of two each and California, North Carolina and Tennessee one each. These figures indicate that public sentiment is fairly generally opposed to the crime of lynching.

Preventing Lynchings

In 1935, the Tuskegee Institute reports, 20 persons were lynched in the United States, all but one of them in the South. This is discouraging as it represents an increase of five lynchings over 1934. But there is an encouraging element in the Tuskegee report. Though 13 of those lynched were taken by mobs from the hands of the law, in 53 instances (44 in Southern States) the courage and intelligence of officers prevented lynchings. This is demonstration that lynching can be prevented, that when lynchings do take place, they are in most instances due to the lack of vigor, intelligence or sense of duty on the part of the responsible officers of the law. Many plans, many laws have been proposed as a means of suppressing the violence against civilization and law which lynchings mean. But the only certain defense against lynching and every other crime lies in law enforcement officers of courage, intelligence and the will to do their duty.

North Emporia, Va. Messenger
January 10, 1936

FRIDAY, JANUARY 10, 1936.

20 LYNCHED—84 SAVED!

The annual lynching statistics of Tuskegee Institute, one of the outstanding colored educational institutions in the country, have been made public for the year 1935.

Twenty persons were lynched in the United States, seven of which were in Mississippi and all except in California were credited to Southern states. Two of the victims were white men.

An encouraging factor is that this report shows that eighty-four persons were saved by the officers from possible harm at the hands of mobs, and of these sixty-seven were Negroes. This means, according to the Tuskegee figures, that in four cases out of every five in which mobs sought to injure Negroes the white officers of the law protected the Negroes.

Of the twenty lynchings one over half took place in Louisiana and Mississippi leaving only nine which occurred in other states. Florida Georgia and Teaxs were the reported locations

Lynchings-1935
6 Reports on, Sent Press.

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EL PASO TEX.
HERALD
JAN 11 1936

Twenty Lynchings

TUSKEGEE INSTITUTE reports that there were 20 lynchings in the United States in 1935. That is five more than in 1934.

The states that contributed to this gruesome record were; California, one; North Carolina, one; Tennessee, one; Georgia, two; Texas, two; Florida, two; Louisiana, four; Mississippi, seven.

Of the offenses charged only seven were murder, three rape and three attempted rape. One man was lynched for an altercation with a white man, another for share-cropper union agitation, one for slapping a woman. A total of 84 persons were saved from death at the hands of mobs.

Does Congress need any more argument to prove that lynchings, like kidnapings, are its affair. The Wagner-Costigan anti-lynching bill still is pending.

FARGO, N. D.
MORNING FORUM
JAN 14 1936

1935 Lynchings

There were twenty persons lynched in this country in 1935 according to the records of the Tuskegee Institute. It is regrettable that the efforts which have been put forward in recent years have not completely done away with lynching, but there is satisfaction in knowing that we have made progress in reducing the annual toll over a period of years. In the years prior to 1901, there were 100 or more every year. In 1892 there were 231. An aroused public opinion is making headway against the evil.

One interesting and encouraging feature of the 1935 report is the fact that it shows that officers of the law were able to prevent lynchings in fifty instances, and that responsible authorities saved 84 persons, in all, from mob death.

The twenty lynchings this year form a renewed challenge to the lawabiding citizens of the country.

ASBURY PARK, N. J.
PRESS
JAN 15 1936

20 LYNCHINGS

Sometime when we are worrying about persecution and lawlessness in the more "primitive" countries of Europe why not consider for a moment the record of lynching in this country? The Tuskegee institute reports that 20 lynchings occurred in the last year. Eighty-four persons were saved from lynch mobs. Most of the lynchings occurred in southern states and Negroes were the victims.

The record cannot but compel the nation to blush in shame. While it is true that lynchings are growing less numerous, 20 in one year is anything but a condition of which to be proud. Tyrants abroad, upon reading of this country's criticism of their persecution, must be excused a smile when they read reports of lynching in this country. They obviously have no monopoly over racial prejudice and persecution.

WINONA, MINN.
REPUBLICAN HERALD
JAN 3 1936

Dishonor Roll.

The annual report of the Tuskegee Institute of Alabama shows 20 lynchings in the United States during 1935, all of them in states located far from Minnesota and Wisconsin.

The 20 represent an increase of five over 1934 and as usual nearly all occurred in southern states. Mississippi, with seven, was chief offender. Louisiana had four, Florida, Georgia, and Texas two each and California, Tennessee and North Carolina one each.

A common excuse of mobs is that they do the work in which the law fails, yet 13 of the lynching victims already were in the hands of the law. The question of why authorities in these cases could not hold their prisoners for the justice of the courts is no easier to answer in view of the fact that in 53 other instances officers did prevent lynchings during 1935.

Of those prevented, 44 were in the South the balance in northern and western states. Usually a heavier guard or removal of the prisoner was sufficient; in only 11 cases was use of armed force necessary. A total of 84 persons were saved where would-be lynchers were repelled.

Lynchings, the figures show, occur most frequently in districts leading in ignorance and poverty. Eradicating these evils may be a long-time task, but the record reveals that the crime which springs from them can be checked. That the states in which lynching is a problem have not done the checking is the reason for agitation in behalf of a federal anti-lynching law. In their hands rests the presentation of proof that such a law is not needed.

DANVILLE, ILL.
COMMERCIAL NEWS
JAN 10 1936

AGAIN THE LYNCHING EVIL

The always depressing figures on lynching have just been published for 1935, by the Tuskegee Institute in Alabama. They show a total of 20 for the year, five more than the year before, but eight fewer than in 1933. Thirteen of the victims were in the hands of the law at the time; five were taken from jails, six from officers and two were shot to death in a jail.

Mississippi headed the list with seven; Louisiana had four; Florida, Georgia and Texas two each, and California, North Carolina and Tennessee one each. Eighteen of the twenty victims were Negroes.

The number of victims who are done to death by this form of mob frenzy is only a part of the story. Fifty-three other cases were recorded this year where mobs bent on lynching were beaten off by officers of the law. Had resistance been a little less determined, all of these would doubtless have been added to the horrible list. Nine of these frustrated attempts at mob law occurred in northern states.

It is difficult to find in these figures much to encourage the belief that the lynching mania is dying out. About all that can be said is that law enforcement agencies are becoming more efficient in protecting prisoners from lynchers. Here lies the main hope of ending this form of barbarism. If mobs can once be made to understand that the law can and will be enforced by orderly means, they will gradually become civilized.

Meanwhile the country has another opportunity to reflect on the problem of lawlessness in a country which raises up national heroes, then is unable to assure them safety and peace of mind.

Hartsville, S. C. Messenger
January 9, 1936

NO LYNCHINGS IN S. C.

According to figures published by the Tuskeegee Institute, twenty persons were lynched in the country last year. The number is tabulated as to the crimes committed, the manner in which the lynching was accomplished and the numbers occurring in each state. Two of these hapless victims were white, and among the crimes listed, "communistic activity" is given in one case. Most of the lynchings occurred in the Southern states, of course; Mississippi leading with seven. None are listed as being in South Carolina.—The Greer Citizen.

LEADER
Rockville, Conn.
JAN 11 1936

20 LYNCHED—84 SAVED

The annual lynching statistics of Tuskeegee Institute, one of the outstanding colored educational institutions in the country, have been made public for the year 1935.

Twenty persons were lynched in the United States, seven of which were in Mississippi and all except one in California were credited to southern states. Two of the victims were white men.

An encouraging factor is that this report shows that eighty-four persons were saved by officers from possible harm at the hands of mobs and of these sixty seven were Negroes. This means, according to Tuskeegee figures, that in four cases out of every five in which mobs sought to injure Negroes the white officers of the law protected the Negros.

Of the twenty lynching one over half took place in Louisiana and Mississippi leaving only nine which occurred in other states. Florida Georgia and Texas were reported locations of two each and California North Carolina and Tennessee one each. These figures indicate that public sentiment is fairly generally opposed to the crime of lynching.

Sparta, Ga., Ishmaelite
January 16, 1936

FIGURES ON LYNCHINGS COMPILED AT TUSKEGEE

According to records compiled by Tuskegee Institute's department of records and research, twenty persons were lynched in 1935 in the United States. This is five more than in 1934, when 15 met a similar fate. In 1933 28 persons were lynched, and eight in the year 1932.

Thirteen of the persons lynched were in the hands of the law. Of this number five were taken from jails, six were taken from officers of the law outside of jails, and two were shot to death inside jails.

Lynchings were prevented by officers of the law in 53 instances, according to the Tuskegee records. Nine of these occurrences were in northern and western states and 44 were in southern states. In 42 of the instances violence was prevented when the prisoners were removed or guards were augmented, or other safety precautions taken. In the 11 other instances armed force was used to repel the would-be lynchers. A total of 84 persons, 17 whites and 67 negroes, were thus saved from death at the hands of mobs, the records show.

Of the 20 persons lynched, two were white and 18 were negroes. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

States in which lynchings occurred and the number in each state, as announced by Tuskegee authorities, are: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

TRIBUNE
Bay City - Tex.
DEC 30 1935

Tuskegee Institute Lynching Report

The Tuskegee Institute has released the following report on lynchings during 1935:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the department of records and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933, and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law, 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western states and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions were taken. In the 11 other instances armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

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The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1;

F. D. Patterson, President

Charlottesville, Va.
PROGRESS
JAN 9 1936

PREVENTING LYNCHINGS

Factual evidence, indicating conclusively that practically all lynchings can be prevented if prisoners are quickly removed to safety from the vicinity of their crimes, is set forth in the annual statement of F. D. Patterson, president of Tuskegee Institute, where many of America's leading Negroes have been educated.

The figures show that twenty lynchings occurred in this country in 1935 as compared with 15 in the preceding year Peace officers frustrated 53 attempts of mobs to violently dispose of suspects by hustling them to jails distant from the crime scene or by increasing forces of guards. There is little doubt that most of the twenty persons lynched, eighteen of whom were colored men, would have come to trial in courts of justice had authorities acted without delay to save them from lynching-bent mobs This dilatoriness, intentional or unintentional, should be severely censured by the proper authorities, whose duty it is to see that there is no repetition

Virginia again was not blackened by the stigma of lynchings, while its sister state, North Carolina, reported one. Mississippi led with seven, Louisiana four, Florida, Georgia and Texas two each and California and Tennessee one each.

Danville, Va., Bee
December 30, 1935

The Lynching Record

The annual report on lynching issued by Tuskegee Institute which keeps a close check on these crimes and their causes shows that 20 persons were killed by mobs this year, five more than the year before. Virginia is among the states where racial hatreds happily failed to leave their blemish on the state's record.

The most significant factual record in the report is that 84 persons were saved from lynching through the courageous action of jail officials or through the bringing to bear of the military to see that the law took its course. This shows conclusively that where a state goes to the trouble to circumvent lynching by prompt resort to superior forces to maintain the law the administration of justice prevails.

In those years when the record of mob action was much higher than it is now jails were not as well built as they are today and mobilization of state militia has been speeded up to a point of efficiency where it becomes a really effective lynching deterrent.

Bremen, Ga., Gateway
January 9, 1936

20 Persons Lynched During 1935, Reports Tuskegee President

Tuskegee, Ala.—Dr. F D Patterson president of Tuskegee Institute, announced that records of his institution showed that twenty persons were lynched in the United States during 1935, a gain of five over 1934.

He said that eighty-seven persons—seventeen white and sixty-seven negroes—were saved by officers of the law from death at the hands of mobs.

Mississippi, with seven lynchings led the nation, according to Dr. Patterson's announcement, while Louisiana reported four, Florida, two; Georgia, two; Texas two and California, North Carolina, and Tennessee, one each.

The persons lynched, the Tuskegee president said, included two white men and eighteen negroes, while the charges against them included murder, attack, activity in share cropper organization, Communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law, five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

Lynchings - 1935
Reports on; Sent Press.

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Clanton, Ala., Banner
January 2, 1936

REPORT OF LYNCHINGS IN UNITED STATES IN 1935

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Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 7; Tennessee 1; Texas, 2.

Double Springs, Ala., Herald
January 3, 1936

20 Lynched In 1935

Dr. F. D. Patterson, president of Tuskegee Institute, announced Saturday that records of his institution showed that 20 persons were lynched in the United States during 1935, a gain of five over 1934.

The persons lynched included 2 white men and 18 negroes.

Mississippi with seven lynchings led the nation, while Louisiana reported 4, Florida 2, Georgia 2, Texas 2, and California, North Carolina and Tennessee one each.

Villa Rica, Ga., Breeze
January 9, 1936

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LOUISVILLE, KY.
HERALD POST
JAN 1 1936

20 PERSONS LYNCHED IN U. S. DURING 1935

Two Meet Death in Texas At Hands of Mob

Of the 20 lynchings in the United States during 1935, only two occurred in Texas, according to figures released today through the Tuskegee Normal and Industrial Institute, Tuskegee, Ala.

Eigheen Negroes and two men were lynched, the record shows. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping woman, 1; communistic activity, 1.

Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails, and two were shot to death in a jail.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee. 1; and Texas 2.

Jefferson, Ga., Herald
January 9, 1936

20 PERSONS LYNCHED BY MOBS DURING 1935

During the year 1935 twenty persons were lynched in the United States, according to figures compiled by Tuskegee Institute. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933 and 12 more than 8 for 1932.

Of the 20 persons lynched, 2 were white and 18 negro. The offenses charged were: Murder 7; attempted rape 3; rape 3; altercation with man 1; activity in share cropper organizing 1; attacking person 1; taking prisoner from officer of the law 1; killed by mob in search of another person 1; slapping woman 1; communistic activity 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisinia, 4; Mississippi, 7; North Carolina, 1; Tennessee. 1; Texas, 2.

Mount Olive, N. C. Tribune
January 2. 1936

20 PEOPLE LYNCHED IN U. S. IN 1935

Two White Men and 18 Negroes Killed By Mobs in 1935; Eight States Involved.

Tuskegee, Ala.—Dr. F. D. Patterson, president of Tuskegee institute, announced today that records of his institution showed 20 persons were lynched in the United States during 1935, an increase of five over 1934.

He said that 84 persons—17 white and 67 negro—were saved by officers from harm at the hands of mobs.

Mississippi, with seven lynchings led the nation, according to Dr. Patterson's announcement, Louisiana reported four, Florida, two; Georgia, two, Texas two, and California, North Carolina and Tennessee one each.

The persons lynched, the Tuskegee president said, included two white men and 18 negroes, and charges against them included murder, attack, activity in sharecropper organizing, communistic activity, slappnig a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

Greensboro, N. C., News
December 29, 1935

20 PEOPLE LYNCHED IN U. S. THIS YEAR

Two White Men and 18 Negroes Killed By Mobs In 1935, Survey Shows.

EIGHT STATES INVOLVED

Tuskegee, Ala., Dec. 28.—(AP)—Dr. F. D. Patterson, president of Tuskegee Institute, announced today that records of his institution showed 20 persons were lynched in the United States during 1935, an increase of five over 1934.

He said that 84 persons—17 white and 67 negro—were saved by officers from harm at the hands of mobs.

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Monroe, N. C. Enquirer
January 9, 1936

RECORD OF L... KI... Press Bureau ...EE

Tuskeegee, Ala., Jan. 7.— ...D. Patterson, president of Tuskeekee ...stitute, announces that records of his institution showed 20 persons were lynched in the United States during 1935, an increase of five over 1934.

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Washington, N. C. News
January 7, 1936

A DISMAL RECORD

Twenty persons were lynched in the United States during the year 1935, according to records of Tuskegee Institute.

It is not a record of which the American people can be proud, particularly when it represents an increase of five over the figure for 1934. And when we reflect that 13 of these victims were in the hands of the law when taken forcibly by mobs, the number takes on added significance. Nor is this all. In 53 other instances lynchings were prevented only because officers were strong enough to stand off the mobs or adroit enough to outwit them.

The fact that all but one of the lynchings occurred in the South, and that 18 of the 20 victims were Negroes, suggests that the problem now is largely confined to Southern States. Nevertheless, it is a matter with which the entire Nation should be concerned.

CINCINNATI, O.
POST
JAN 8 1936

TWENTY LYNCHINGS

TUSKEGEE INSTITUTE reports that there were 20 lynchings in the United States in 1935. That is five more than in 1934.

The states that contributed to this gruesome record were: California, one; North Carolina, one; Tennessee, one; Georgia, two; Texas, two; Florida, two; Louisiana, four; Mississippi, seven. A total of 84 persons were saved from death at the hands of mobs.

Does Congress need any more argument to prove that lynchings, like kidnapings, are its affair. The Wagner-Costigan antilynching bill still is pending.

BRIDGETON, N. J.
NEWS

DEC 31 1935

NOT much progress is being made by the country in overcoming the proneness to punish criminals by equal lawlessness, that is by lynchings. In the year just closing 20 persons were lynched as compared with 15 in 1934, but it is eight less than in 1933. Mississippi led all other states with seven lynchings. It must not be supposed, however, that officers of the law made no effort to prevent lynchings. Of the 20 men lynched, only 13 were in the hands of the law, while there were 53 cases in which the custodians of prisoners prevented them from being lynched, 44 of which cases were in southern states. This record speaks well for the officers of the law, but as much cannot be said for the people who made the attempts to take the law into their own hands.

CAMDEN, N. J.
COURIER

JAN 3 1936

Lynchings Increase

To the Editor:

Sir—I send you the following information concerning lynchings for the year 1935. I find, according to the records compiled in the department of records and research of the Tuskegee Institute, that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933, and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were Negro.

F. D. PATTERSON.
President, Tuskegee Institute.

CAMDEN, N. J.
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Of the 20 persons lynched, two were white and 18 were Negro.

F. D. PATTERSON.
President, Tuskegee Institute.

Crystal Springs, Miss., Meteor
January 3, 1936

MISSISSIPPI AGAIN LEADS ALL OTHER STATES IN LYNCHINGS

Mississippi, to date, has had almost twice as many lynchings this year as any other state, according to figures sponsored by Tuskegee Institute.

The figures are: Mississippi, 7; Louisiana, 4; Florida, 2; Georgia, 2; Texas, 2; and California, North Carolina, and Tennessee, one each.

That's an increase of five over last year's national total. But the report also adds the more cheerful item that during the year 84 persons, 17 white and 67 negroes, were saved by officers of the law from mobbery.

It has been known several months that, barring an "epidemic" of late lynchings in some other state, Mississippi would again head this black list this year. The report therefore is no surprise. But it is nonetheless regretted, and is discreditable.

The great majority of Mississippians truly hope that next year's record will be better. And, in this connection the truth should not be forgotten that in no state is a larger percentage of the leaders working to curb lynchings both by combatting the crimes which inspire them and by speeding legal trials so as to remove any contention of "justification" of mobbery.

Mississippi again leads the list, but the crimes which most often inspire lynchings also are more common in Mississippi than in the majority of states and opponents of lynching have more to overcome.—Clarion Ledger

Everybody deplore lynchings. About 95 per cent of lynchings in the South are for the crime of rape. When a black attacks a white woman in Mississippi and is caught, there is going to be a lynching, and if there are more crimes of that character in Mississippi in 1936 Tuskegee Institute will be able to record more lynchings. The only way to curb lynchings in Mississippi is to stop the crime of rape.

Rockingham, N. C. Post-Dispatch
January 9, 1936

Twenty People Lynched in 1935

Increase of Five Over 1934.

Twenty persons, two of whom were white and 18 negroes, were lynched in 1935, according to information compiled by the department of records and research of the Tuskegee institute, it was announced by F. D. Patterson, president of the negro institute.

Mississippi led the list of states in which lynching occurred during the year with seven. Louisiana had four; Florida, Georgia, and Texas, two each, and North Carolina, Tennessee, and California, one each.

The 20 recorded for the year are five more than the number for 1934, eight fewer than the total for 1933, and 12 more than the number listed for 1932, which had a total of only eight. Thirteen of the 20 persons lynched were taken from the hands of the law. Five of these were taken from jails, six from the custody of officers outside of jails, and two were shot to death inside jail.

Wadesboro, N. C., Intelligencer
January 16, 1936

RECORD OF LYNCHINGS KEPT BY TUSKEEGEE

Tuskeegee, Ala., Jan. 7. — Dr. F. D. Patterson, president of Tuskeegee Institute, announces that records of his institution showed 20 persons were lynched in the United States during 1935, an increase of five over 1934.

He said that 84 persons — 17 white and 67 negroes — were saved by officers from harm at the hands of mobs.

Mississippi with seven lynchings led the nation, according to Doctor Patterson's announcement; Louisiana reported 4; Florida, 2; Georgia, 2; Texas, 2; California, North Carolina and Tennessee, 1 each.

The persons lynched, the Tuskeegee president said, had included two white men and 18 negroes, and charges against them included murder, attack, activity in share cropper organizing. Communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails; six were taken from officers outside the jails; two were shot to death in jail.

Lynchings-1935
Reports on, Sent Press.

Jan. - Dec.

5223

PRESS
Morgantown - W. Va.
JAN 9 1936

SCORE LYNCHED IN STATES LAST YEAR

Activity of Mobs Shows Increase During Year, With Five More Victims

Twenty persons, two of whom were white and eighteen negroes, were lynched in 1935, according to information compiled by the department of records and research of the Tuskegee institute, it has been announced by F. D. Patterson, president of the negro institution.

Mississippi led the list of states in which lynchings occurred during the year with seven. Louisiana had four; Florida, Georgia, and Texas, two each, and North Carolina, Tennessee, and California, one each.

The 20 recorded for the year are five more than the number for 1934, eight fewer than the total for 1933, and 12 more than the number listed for 1932, which had a total of only eight. Thirteen of the 20 persons lynched were taken from the hands of the law. Five of these were taken from jails, six from the custody of officers outside of jails, and two were shot to death inside jail.

During the year there were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states, according to the institute's figures. In 43 of the instances the prisoners were removed or "the guard augmented or other precautions taken. In the 11 other instances armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were thus haved from death at the hands of mobs."

The report lists the offenses with which the 20 lynched were charged as—murder, seven; attempted criminal assault, three; criminal assault, three; altercation with man, one; activity in share cropper organization, one; attacking person, one; taking prisoner from officer of law, one; killing by mob in search of another person, one; slapping a woman, one; and communistic activity, one.

ROCKFORD, ILL.
STAR
JAN 17 1936

LYNCHING OF LAW

Utter collapse of a state's dignity in hysteria over the fate of Bruno Hauptmann probably presents us with the best argument yet for abolition of capital punishment, not out of any excess of humanity but simply to protect the state from being punished by the criminal. Had the Lindbergh kidnaping occurred in Michigan, Hauptmann would be a forgotten figure now, immured in a break-proof prison. As it is, he holds the stage as an almost Wagnerian hero. This is not fair to the state.

As we become more careless of valuable life, we place an increasingly artificial value on the life of useless or criminal persons. This is one of the most remarkable phenomena of our times. We kill with utter callousness on highway or airway and at the same time go into hysterics over a life taken by the state. We doubt, moreover, if we can change this new and growing attitude, so the best thing is probably to eliminate a death penalty which merely creates sympathy for a man held by the courts to be guilty, and thus breaks down respect for courts.

In the Hauptmann case the penalty has been fixed and retreat by the state—save for good and proper reasons—makes the state appear a weak and fluctuating thing. A good case, moreover, can never be made out for continued reprieves that keep a man indefinitely in the shadow of death. We do not offer it as a solution now, but the eventual solution may be the elimination of the death penalty to avoid just such crises as the Hauptmann affair; not to save a criminal's life, but to save the state the embarrassment of having to defend justice against an hysterical mob.

There are two kinds of lynchings. One is execution without law. The other is the lynching of law itself.

SIOUX FALLS, S. D.
Press-Leader
JAN 9 1936

VICTIMS OF THE MOB

Omaha World-Herald

A footnote on the state of civilization in the United States is to be found in the annual report on lynching made by F. D. Patterson, president of Tuskegee institute. In 1935, he announces, there were 20 lynchings in this country, two of the victims being white and the rest colored.

That is not good. In the list was one lynching that took place in California, a state whose governor a few years ago publicly congratulated a mob which had taken two men from jail and killed them horribly. The rest of the lynchings occurred in the southern states, Mississippi leading with seven, followed by Louisiana with four.

A significant fact is that 13 of the victims of mob fury had to be taken from the hands of the law for the lynchers to do their work. In other words, these 13, if guilty, were safely in custody. Perhaps some of them were innocent. The seven other victims of the mob were seized and slain on suspicion.

No one can contemplate such a report with any feelings of satisfaction. The facts demonstrate how thin is the veneer which hides the beast, especially when men congregate in mobs. The bright spot in Mr. Patterson's report is to be found in the statement that during last year 53 lynchings were prevented. The mobs were checked in their mad course by officers of the law, who met the mob force with force on their part. These officers demonstrated that when the police are firm, when they assert their lawful authority by armed resistance, they can defeat the cowards that make up and control a mob. This fact may inspire other officials in the future to refuse to be weaklings when barbarism controls ordinarily decent men and women.

Lynchings in 1935.

Tuskegee institute in Alabama has issued its annual statement on lynchings in the United States.

There were 20 persons lynched in 1935; 15 in 1934; 28 in 1933; 8 in 1932. Thirteen of the persons lynched were in the hands of the law when taken by the mobs. Two were shot in jail.

Officers of the law prevented lynching in 53 instances, 9 in northern states and 44 in southern states. In 11 instances armed force was used to repel persons who had come for the purpose of seizing a prisoner. Eighty-four persons were saved to legal processes thereby, 67 of whom were negroes.

Of the 20 persons lynched, 18 were negroes and two were white.

Lynchings by states were:

California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

DES MOINES, IA.
REGISTER
JAN 16 1936

THE LYNCHING RECORD SEEMS TO IMPROVE.

Tuskegee institute, which compiles an annual record of lynchings in this country, announces that 20 persons were put to death by mobs last year. The number during 1934 was 15.

The Register has said before in recent years, however, that it is not so concerned with these fluctuations in the lynching total year by year as it is with some other things. And some of those other things are mildly heartening.

For one, the total of lynchings since 1922, say, has been vastly lower than for any preceding period in our history. The decline has been quite steady for a half century. Whereas the annual average of lynchings at the turn of the century was more than 100, the number for the years since 1923 has been 16, 17, 30, 16, 11, 10, 21, 13, 8, 28, 15 and 20. So at least we are warranted in assuming that lynching as a common place is disappearing.

And naturally, if lynchings are thus being reduced, the number of accused persons whom officers of the law are protecting from mobs, as they are morally and legally obligated to protect them, is increasing. In 1933, when there were 28 lynchings, 48 prisoners were saved from mob action. Last year officers resisted mobs in the protection of 84 persons, or twice as many. Perhaps we may assume, therefore, that local law enforcement agencies—especially in the south—are acquiring a stronger sense of their responsibility to order and decency.

Of course there is not a single mob execution that can really be intelligently condoned. As long as there are lynchings, no matter how many or how few, the disgrace is with us. But at least we may hope, because of the trend that the practice is on the way to ultimate extinction.

FARGO, N. D.
FORUM
JAN 15 1936

1935 Lynchings

There were twenty persons lynched in this country in 1935 according to the records of the Tuskegee Institute. It is regrettable that there are lynchings in fifty instances, and that responsible authorities saved 84 persons, in all, from mob death.

The twenty lynchings this year form a renewed challenge to the lawabiding citizens of the country.

prior to 1901, there were 100 or more every year. In 1892 there were 231. An aroused public opinion is making headway against the evil.

One interesting and encouraging feature of the 1935 report is the fact that it shows that officers of the law were able to prevent lynchings in fifty instances, and that responsible authorities saved 84 persons, in all, from mob death.

The twenty lynchings this year form a renewed challenge to the lawabiding citizens of the country.

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The twenty lynchings this year form a renewed challenge to the lawabiding citizens of the country.

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Wetumpka, Ala., Herald
January 16, 1936

NO ALABAMA LYNCHING IN 1935 RECORD

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There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Missippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Columbia Miss
Progress
Jan. 23-1936

20 Lynched During 1935 Record Shows

Twenty persons were lynched in 1935, according to records compiled in the Department of Records and Reseach of the Tuskegee Institute.

This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

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The States in which lynchings occured and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Wilmington N C News
December 29, 1935

LYNCHINGS IN 1935

THE annual report of lynchings during 1935, as compiled by the department of research at Tuskegee Institute, in Alabama, shows an increase of five over the fifteen of 1934, but a decrease of eight from the 28 of 1933.

Of those lynched, eighteen were Negro and two white, and the apportionment by states shows Mississippi 7; Louisiana 4; Florida 2; Georgia 2; Texas 2; California 1; North Carolina 1; Tennessee 1.

Of particular significance is the record that on 44 occasions, southern officers prevented lynchings and saved prospective victims, an indication that lynching can be stamped out by alert agents of the law.

While the Tuskegee reports are accurate and complete insofar as they go, we hold one criticism against them. All lynchings are not included in the records. Tuskegee depends on instances where men accused or suspected of a crime are dealt with summarily, or who are removed from jail and killed.

There is no difference, insofar as the term lynching is concerned between a mob of white men who drag a negro from a cell and hang him, and the northern gangster who puts his enemy on the spot and riddles him with slugs from a machine gun, or as was the case in three gang outrages in New York this year slowly cuts him to pieces with pocket knives.

These latter crimes are to all intents and purposes lynchings. The fact that the law does play the party of the third makes no difference; the further fact that offenses for which these men pay are as a rule not recognized by law makes less.

The *Star-News* would like to peruse a record of all killings in the United States for 1935 where a mob of two or more men took part. We believe in that case the apportionment between states would be a revelation, particularly to some of the more ardent advocates of the proposed federal anti-lynching law.

YOUNGSTOWN, O.
TELEGRAM
JAN 11 1936

TWENTY LYNCHINGS

TUSKEGEE INSTITUTE reports that there were 20 lynchings in the United States in 1935. That is five more than in 1934.

The states that contributed to this gruesome record were: California, one; North Carolina, one; Tennessee, one; Georgia, two; Texas, two; Florida, two; Louisiana, four; Mississippi, seven.

Of the offenses charged only seven were murder, three rape and three attempted rape. One man was lynched for an altercation with a white man, another for share-cropper union agitation, one for slapping a woman. A total of 84 persons were saved from death at the hands of mobs.

Does Congress need any more argument to prove that lynchings, like kidnapings are its affair. The Wagner-Costigan anti lynching bill still is pending.

SYRACUSE, N. Y.
HERALD
JAN 16 1936

AN EVIL RECORD

The lynching evil is still with us, to a disgraceful extent. In 1934 lynchings numbered fifteen, but last year the were increased to twenty. To aggravate the record eighty-four attempts at lynching were recorded last year—instances where the mobs were robbed of their prey.

These facts are given out by the Tuskegee Institute. It further states that of the offenses charged by the lynchers last year seven were murder, three rape and three attempted rape. This accounts for only thirteen. The alleged provocation in the several remaining cases is typified by the report that one man was lynched for an altercation with a white man, one for share-cropper union agitation and one for slapping a woman. The lynchings were distributed as follows: California, one; North Carolina, one; Tennessee, one; Georgia, two; Texas, two; Florida, two; Louisiana, four; Mississippi, seven.

The scandalous record of mob law above outlined justifies the enactment of the Wagner-Costigan bill, which is still before Congress. This was the measure which Senator Borah opposed on constitutional grounds, thus provoking a resentful flareback from Negro leaders outside of the South. Possibly the Idaho Senator's objections are technically sound; but, if so, they indicate a burlesque perversion of the principle of State rights.

NEWS
Richmond - Va.
JAN 30 1936

20 LYNCHED—84 SAVED

The annual lynching statistics of Tuskeegee Institute, one of the outstanding colored educational institutions in the country, have been made public for the year 1935.

Twenty persons were lynched in the United States, seven of which were in Mississippi and all except one in California were credited to southern states. Two of the victims were white men.

On encouraging factor is that this report shows that eighty-four persons were saved by officers from possible harm at the hands of mobs, and of these sixty-seven were Negroes. This means, according to the Tuskeegee figures, that in four cases out of every five in which mobs sought to injure Negroes the white officers of the law protected the Negroes.

Of the twenty lynchings one over half took place in Louisiana and Mississippi leaving only nine which occurred in other states. Florida, Georgia and Texas were the reported locations of two each and California, North Carolina and Tennessee one each. These figures indicate that public sentiment is fairly generally opposed to the crime of lynching.

Lynchings-1935
Reports on, Sent Press.

Jan. -Dec.

5224

MINNEAPOLIS, MINN.
MORNING TRIBUNE
JAN 12 1936

Judge Lynch in 1935

The records of the Tuskegee Normal and Industrial institute show 20 persons lynched in 1935. Mississippi leads the role of shame with seven lynchings, and Louisiana stands second with four. The year witnessed an increase of five mob murders over 1934, but the record was substantially better than in 1933, when 28 persons were lynched.

While the figures for 1935 are nothing to be proud of, and while they are well above the all-time low of eight lynchings established in 1932, they do indicate progress over a long period. Between 1885 and 1924 there were never as few as 20 lynchings, and since 1924 there have been three years in which the record was worse than 1935. For 16 years prior to 1901 lynchings fell below the 100 mark only once, and in 1892 there were 231 persons who met death at the hands of the mob.

It is fairly plain, then, that the United States has made great progress, during the past half century, in its efforts to stamp out this particular form of savage lawlessness. The fight is far from won, but an aroused public opinion is having its effect. It is permeating the whole country and is strengthening the resistance of the law to those who would substitute brute force for the orderly processes of justice.

It is heartening to note, in the report of the Tuskegee institute for 1935, that in 53 instances officers of the law prevented lynchings. It is estimated that 84 persons, all told, were saved from death at the hands of the mob by responsible authorities who had the courage to uphold the law against the depredations of Judge Lynch.

That is the brighter side of the picture, and it is one that cannot be ignored, even while the darker side, which shows 20 persons lynched, must be deplored by every decent citizen. The United States is slowly working toward the time when it can point with pride and satisfaction towards a lynchless year. The progress may be much less rapid than we could wish, but the goal will ultimately be won. Meanwhile the record for 1935 stands as a challenge to every law-abiding element in the country, and it is the devout wish of all who believe in the orderly process of the law and justice, and who abhor violence and barbarism in every form, that 1936 may witness a conspicuous improvement in it.

TOPEKA, KANS.
CAPITAL
DEC 28 1935

Anti-Lynch Law Needed.

The Tuskegee Institute's annual report on lynchings for the year 1935 to date reveals that efforts to curb this form of mob insanity during the past year have been unavailing. There have been 20 lynchings so far this year as compared to 15 in 1934. In 1932 there were only eight lynchings, but the all-time peak was reached in 1933 with 28.

The report further reveals that in only seven instances did the lynchers catch their victim before he was in the hands of the law. In 13 instances the person lynched was already in custody and should have had the protection of peace officers who were responsible for that custody. Five were taken from jails to their deaths, two were shot to death in jail, unarmed and helpless. Six were taken from officers outside of jails.

That peace officers could and can prevent lynchings is shown by another section of the report analyzing the cases in which mobs sought to take prisoners from custody of officers and in 53 cases officers prevented all attempts to lynch their prisoners. In 42 of these instances prisoners were removed to safety and in 11 other instances armed force was used successfully to forestall lynchers.

Mississippi led all the states in number of lynchings with seven and Louisiana had four. Texas, Georgia and Florida had two each and North Carolina, Tennessee and California, one each.

Of the 20 persons lynched, two were white and 18 were Negroes. Offenses charged were murder, seven; statutory offenses or attempts, six; activity in share cropper organizing, one; slapping a woman, two; communistic activity, one; assaulting white man, two; taking a prisoner from an officer, one.

These 20 persons never were tried for the offenses with which they were charged. They were denied every right guaranteed accused persons under our federal and state constitutions. In the case of those taken from custody of officers who already had made them defenseless prisoners, there can be no excuse for the officials responsible.

Efforts to curb lynchings have made some progress, however, despite the seriousness of this report. Feeble attempts heretofore to apprehend mobsters and bring them to justice will be fortified by the present anti-lynching bill now in Congress and which has won the support of those representatives and senators who favor law and order over mob rule.

It is hoped that this report will bring to the new Congress a sense of responsibility with regard to dealing with the lynching problem and that the measure now before Congress to curb the mounting tide of lawless mob killings will find quick enactment into law.

MANKATO, MINN.
FREE PRESS
DEC 31 1935

A Shameful Record

At this period of the year, when 1935 is being surveyed and reviewed for its spiritual and material gains and losses, there issues from the Tuskegee Normal and Industrial Institute a statistical report that bears horror and shame in every item. Prepared by the department of records and research of the institute, it presents without comment the record of the lynchings in the United States during the year.

In 1935, twenty persons were put to death by mobs, five more than during the previous year and twelve more than during 1932, although the 1935 figure represented eight fewer than were lynched in 1933. The offenses charged against the victims were: Murder, 7; attempted criminal assault, 3; criminal assault, 3; altercation with man, 1; activity in share crop organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1. Thirteen of the twenty persons killed by mobs were in the hands of the law when seized for execution under lynch law.

This does not tell the whole story of 1935 lynch lust, for the records disclose also that there were fifty-three instances in which mob killings were attempted, but were frustrated—in eleven cases by armed resistance. Nine of these defeated attempts occurred in northern and western states and forty-four below the Mason and Dixon's line. In forty-two cases the mobs were beaten by removal of the prisoners or by augmentations of guards. In all, eighty-four persons—seventeen white and sixty-seven Negro—were saved from the law of the rope and firebrand.

BUFFALO, N. Y.
TIMES
JAN 13 1936

TWENTY LYNCHINGS

TUSKEGEE INSTITUTE reports that there were 20 lynchings in the United States in 1935. That is five more than in 1934.

The states that contributed to this gruesome record were: California, one; North Carolina, one; Tennessee, one; Georgia, two; Texas, two; Florida, two; Louisiana, four; Mississippi, seven.

Of the offenses charged only seven were murder, three rape and three attempted rape. One man was lynched for an altercation with a white man, another for share-cropper union agitation, one for slapping a woman. A total of 4 persons were saved from death at the hands of mobs.

Does Congress need any more argument to prove that lynchings, like kidnapings, are its affair? The Wagner-Costigan anti-lynching bill still is pending.

BOISE, IDAHO
DAILY STATESMAN
JAN 2 1936

Lynchings

The annual report of the Tuskegee Normal and Industrial institute on the year's lynchings are always interesting, for the figures constitute one of the indexes by which we may measure the progress of our civilization. The figures this year are nothing of which to boast. They show that 20 persons were lynched during the year, five more than in 1934, eight less than in 1933, 12 more than in 1932.

Eighteen of the 20 persons lynched were negroes; two were white.

Significance may also be found in the following break down of offenses charged:

Murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking a prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The figures do not tell the whole story about the spirit of lawlessness, for a total of 84 persons were saved from lynching only through desperate efforts of the officers who had them in custody.

NEWS
Roncevete - W. Va.
JAN 4 1936

LYNCHING RECORD FOR 1935

The department of records and research of the Tuskegee Institute, in Alabama, reports that 20 persons were lynched in 1935. This is more than the number, 15, for 1934; 8 less than the number, 28, for 1933, and 12 more than the number, 8, for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states, and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share-cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; Communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

ARGUS
Carnden, N. J.
JAN 4 1936

LYNCHINGS INCREASE

Sombre Record of Mobs' Frenzy During Year

Mob violence, resulting in lynchings, appears to have increased during the past year according to F. D. Patterson, president of Tuskegee Institute. In a statement Dr. Patterson says:

"I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is five more than the 15 for 1934; eight less than 1933; and 12 more than 1932. 13 of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

"There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western states and 44 in Southern states. In 42 of the instances the prisoners were removed, or the guards augmented, or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

"Of the 20 persons lynched, two were white and 18 Negro. The offenses charged were: murder, seven; attempted rape, three; rape, three; altercation with man, activity in share-cropper organizing, attacking person, taking prisoner from officer of the law, killed by mob in search of another person, slapping a woman, communistic activity, one each.

"The states in which lynchings occurred and the number in each are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

SALINA, KANS.
Journal
DEC 28 1935

THE LYNCHING FIGURES

Figures on lynching compiled by Tuskegee Normal and Industrial institute, reveal that 20 persons met death at the hands of mobs in this country in 1935. In comparison with other years, however, the figures indicate no trend. They do not reveal that lynching is becoming more popular and, unfortunately, they do not show that much if anything is being accomplished in the effort to weed this form of violence out of the nation.

This figure of 20 for 1935, is five more than for 1934, which would show a recession in law obedience. But it is eight less than in 1933, showing a gain for the forces of law over that year. It is 12 more than for 1932, showing a considerable lapse from that mark. Thus the number see-saws up and down, standing around 15 and 20.

While the report, consequently, fails to reveal that much headway is being made in discouraging mob violence, or that this form of criminal activity is generally increasing, there are two interesting phases of the compilation from Tuskegee. One is the statement that there were 53 instances in which officers of the law prevented lynchings. These 53 instances involved 84 persons so that timely action by the officers is credited with saving the lives of 17 whites and 67 Negroes. This would indicate that as a rule officers do seek to do what they can to forestall mobs and in the majority of cases are successful. The weakness in the law enforcement department really is shown after the lynching occurs. There is almost no record of prosecution of lynchers and very little of any serious attempt along that line. Action rarely passes beyond the "there will be a thorough investigation" stage.

The other item of interest in the report is that lynching continues to be a southern pastime. This year's lynchings were confined to Florida, Georgia, Louisiana, Mississippi, North Carolina, Tennessee and Texas except for one in California.

WINTER HAVEN, FLA.
CHIEF
JAN 3 1936

20 LYNCHINGS IN PAST YEAR

Increase of 33 Percent Over 1934; Florida Had 2 Killings

Twenty persons were lynched in the United States during the year 1935, according to figures furnished the Daily Chief today by F. D. Patterson, president of Tuskegee Normal and Industrial Institute, Tuskegee, Ala. The figures are compiled from the Department of Records and Research of the Institute and represent an increase of five over the 15 lynched in 1934; eight less than the 28 in 1933; and 12 more than the number eight in 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails, and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed forces were used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two — STORY NUMBER SEVEN —

were white and 18 were negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

ADA, OKLA.
NEWS
JAN 2 1936

THE 1935 LYNCHING RECORD

Statistics gathered by the Research Department of Tuskegee Institute show that 20 persons were lynched in the United States during the closing year. This is five more than the number for 1934, but eight under the 1933 record. It is twelve more than the number reported for 1932.

It is revealed that 13 of the persons lynched were in the hands of the law. Five were taken from jails and six from officers outside of jails. Two were shot to death in jail.

It is worthy of note that no lynching occurred in Oklahoma in 1935. The record by states runs as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Of particular interest is the portion of the report which discloses that in 53 instances involving 48 persons, 17 white and 67 negro, lynchings were prevented. Nine of these were in northern or western states and 44 in the South. In 42 instances the prisoners were removed or guards augmented while in 11 other cases armed force was used to repel attacks on prisons.

LYNCHINGS

...early record of lynchings, compiled at Tuskegee Institute in ...shows that 20 of these ghastly tragedies occurred in the United ...925. Of these, 18 were negroes, and all but one lynchings ... the southern states. There is no excuse for these acts of ... They are not necessary to restrain the more brutal members ...ro race. The southern courts are plenty severe enough on ...ple when any of them commit outrageous acts. If those ...tates want to keep their negro workers, and they depend very ... the colored population for their prosperity, they would better ... more protection from these cruel deeds.

"Of the 20 persons lynched, 2 were white and 18 were of the negro race," says the report. "The offenses charged were: murder, 7; attempted rape, 3; altercation with men, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1."

Chickasha Express.

SALEM, MASS.
NEWS
JAN 3 1936

The yearly record of lynchings, compiled at Tuskegee Institute in Alabama, shows that 20 of these ghastly tragedies occurred in the United States in 1925. Of these, 18 were negroes, and all but one lynchings occurred in the southern states. There is no excuse for these acts of savagery. They are not necessary to restrain the more brutal members of the colored population for their prosperity, they would better give them more protection from these cruel deeds.

Lynchings - 1935
Reports on, Sent Press.

Jan. - Dec.

5225

South Pittsburg, Tenn., Hustler
January 9, 1936

LYNCHINGS ALL IN SOUTH EXCEPT ONE

TWENTY VICTIMS OF MOB REPORTED BY TUSKEGEE

Five More Than During Year 1934 When Fifteen Cases Got Beyond Hands of Law.—One In California.

According to a letter from F. D. Patterson, president of Tuskegee Normal and Industrial Institute at Tuskegee, Ala., there have been twenty lynchings in the nation this year compared with fifteen last year.

All but one of the lynchings occurred in the South. That one occurred in California. Mississippi had seven lynchings, more than any other State. Louisiana had four. In Georgia there were two lynchings; Florida and Texas had two each. One lynching took place in North Carolina and one in Tennessee.

"Two of the persons lynched were white and eighteen Negro," F. D. Patterson, head of the school, said. "Thirteen of these persons were in the hands of the law. Five were taken from jails; six were taken from officers outside of jails and two were shot to death in a jail.

"The alleged offenses were: Murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share-cropper organization, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one; attacking person one; taking prisoner from officer of law, one.

"A total of eighty-four persons, seventeen white and sixty-seven Negro, were saved from death at the hands of mobs. There were fifty-three instances where officers of the law prevented lynchings. Nine of these were in Northern and Western states and forty-four in Southern states.

"In forty-two instances prisoners were removed, the guards augmented as other precautions taken. In the eleven other instances, armed force was used to repel the would-be lynchers."

There were twenty-eight lynchings in 1933 and eight in 1932.

NORFOLK, VA.
VIRGINIAN PILOT

JAN 3 1936

Roll of Horror

The 1935 Roll of Horror is 20 lynchings, 19 of them in Southern States, and 18 of the victims Negroes. The number is 33 per cent larger than last year's 15 but smaller by eight than the 28 in 1933. It is the largest number of lynchings in the past dozen years save in 1933, in 1931, and 1926. During these dozen years the range has been from 8 to 28; the average between 16 and 17.

Compared with earlier years around the turn of the century, when a hundred lynchings a year were not unusual, this is progress of a sort. Compared even with 20 years ago, when 50 lynchings were not infrequent, it is progress. But compared with more recent years it is regression.

It is all the more humiliating because most of the 20 victims of last year were not even charged with attacking white women—the old pretext for lynching—and 13 of them were taken from the hands of officers of the law. Three of the victims were charged with rape, and three others with attempted rape. But the majority were murdered by mobs for such alleged offenses as murder (seven), altercations, activities in organizing share croppers, slapping a woman, and communistic activity; and one merely because a mob was searching another man and found him.

Discouraging as the record is in some respects, it will not dampen the efforts of Southerners who are determined to replace the savagery of the jungle with a decent respect for law. The pressure will continue, and in the long run it will win. It will be directed toward Governors and sheriffs and policemen, and toward officers of all types. It will be directed especially toward jailers who allow mobs to taken prisoners from their very hands. It will be directed toward public opinion and toward the courts themselves.

Meantime, a special effort should be made in Mississippi. That State produced seven of the man-killing mobs of 1935 and six of the fifteen the year before. It has been for years the worst of the lynching States, as it is the most backward by nearly any other test by which civilization can be measured. But it is by no means hopeless. One Mississippi Governor who honestly sought to punish lynchers could work wonders. One Mississippi sheriff who defended a prisoner with his pistol could become a celebrity. One Mississippi jailer who defied a mob could set an example that might turn the tide. One day some such man will arise.

Tobacco Leaf
Lumberton N.C.
JAN 2 1936

1935 LYNCHING RECORD

According to records compiled at Tuskegee institute, 20 persons—2 whites, 18 negroes—were lynched in the United States during 1935, an increase of 5 over the 15 lynched in 1934. In 1933 there were 28 mob murders, but only 8 in 1932.

The number of lynchings does not seem to mean anything in particular except that a certain number of persons have fallen victims of mob vengeance, and defiance of law. That is, the number goes up and down with such irregularity as to defy analysis.

Thirteen of the persons lynched this year were in the hands of the law—5 were taken from jails, 6 were taken from officers of the law outside of jails, and two were shot to death in a jail. In that respect the 1935 record seems to be unusual.

The utterly depressing effect of the record is relieved to some extent by the fact that in 53 instances officers prevented lynchings, 84 persons, 67 of whom were negroes, being thus saved from death at the hands of mobs. A lynching rarely, if ever, occurs in the face of brave and determined officers of the law.

Quoting further from the report from which the figures given above are taken:

Of the 53 instances in which officers of the lew prevented lynchings, 9 were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons—17 white and 67 negro—were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Greenville, Miss., Democrat Times
December 30, 1935

INCREASE IN LYNCHINGS

F. D. Patterson, who has succeeded to the prseidency of Tuskegee Institute, founded by the late Booker T. Washington, reports that 20 lynchings took place in the United States last year, which is 5 more than the number 15 in 1934; 8 less than the number 28 in 1933 and 12 more than the numoer 8 in 1932.

He also reports that 13 of those lynched were in the hands of the law, 5 were taken from jails, 6 from officers of the law outside the jails and 2 were shot to death in the jails.

There were 53 instances in which officers of the law prevented lynchings. Nine of the instances were in Northern states and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the other 11 instances armed forces were used to repel the wouldbe lynchers. A total of 84 persons, 17 white and 67 negroes, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 negro. The offenses charged were: Murder 7, attempted rape 3, rape 3, altercation with man 1, activity in share cropper organization 1, attacking person 1, taking prisoner from officer of the law 1, killed by mob in search of another person 1, slapping woman 1, communistic activity 1.

The states in which lynchings occurred and the number in each state are: California 1, Florida 2, Georgia 2, Louisiana 4, Mississippi 7, North Carolina 1, Tennessee 1, Texas 2.

The above information is sent out from Tuskegee Institute without comment. No comment is needed except that law abiding citizens should wake up to the disgrace brought upon us by these lawless activities and should demand more respect for the law and better enforcement of the law.

The brightest picture that might be drawn from the entire desolate scene is the fact that lynchings were prevented in 53 instances, or nearly three times as many prevented as were committed. One of these was in Washington county, due to the active thinking and action by our sheriff.

The remedy, however, lies in the law. If criminals are promptly punished, if evasion of the law were not made so easy by legal technicalities and if the general public would lose some of its maudlin sentiment, there would be better law enforcement and fewer lynchings.

We are not proud of Mississippi's 7 lynchings, or more than one-third of the entire number in the United States for the year, but we are proud of Washington county and the manner in which our courts are conducted

In the meantime the Bar of Mississippi can have an important part in better law enforcement by removing some of the obstacles

Statesville, N. C Daily
December 28, 1935

,nty Persons Lynched In 1935

According to the records compiled in the department of records and research of the Tuskegee Institute, there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails, and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would - be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were: murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The states in which lynchings occurred and the number in each state are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

Roanoke, Ala., Leader
January 8, 1936

LYNCHING RECORD IN 1935

The Leader is in receipt of the following information concerning lynching for the year 1935. According to the records compiled in the Department of Records and Research of the Tuskegee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were tatken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

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Of the 20 persons lynched, 2 were white and 18 were Negroes. The offenses charged were: murder, 7; attempt rape, 3; altercation with man, 1; activity in share cropper organization, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping woman, 1; communistic activity, 1.

The state in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1: Texas, 2.

NEWS
Lake City SC
JAN 1936

LYNCHINGS FOR YEAR
INCREASE BY EIGHT

Tuskegee Institute, Ala., Dec. 21:—According to the records compiled in the Department of Records and Research of the Tuskegee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

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The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Lousiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Crossville, Tenn. Chronicle
January 9, 1936

20 Persons Lynched During the Year 1935

According to the records compiled in the Department of Records and Research of the Tuskegee Institute there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, 6 from officers of the law outside of jails and two were shot to death in a jail.

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The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1, Texas, 2.

Labor Advocate
Nashville, Tenn
JAN 2 1936

LYNCHINGS IN 1935

To the Editor of the Labor Advocate:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 2 for 1932. 13 of the persons lynched were in the hands of the law; 5 pere taken from jails, 6 from officers of the law outside of jails, and 2 were shot to death in a jail.

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The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Yours very truly,
F. D. PATTERSON,
President.
Tuskegee Normal and Industrial Institute.

Covington, Tenn. Leader
January 2, 1936

Lynchings In 1935 Show Big Increase

According to the records compiled in the Department of Records and Research of the Tuskegee Institute there were 20 persons lynched in 1935. This is five more than the number, 15, for 1934; eight less than the number, 28, for 1933; and 12 more than the number, eight, for 1932. Of the persons lynched, 13 were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

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The state in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1: Texas, 2.

Nashville, Ga., Herald
January 9, 1936

20 Persons Lynched In U. S. During 193

According to records compiled in the Department of Records and Research of the Tuskegee Institute there were 20 persons lynched in 1935. This is 5 more than the number of 15 for 1934; 8 less than the number of 28 for 1933; and 12 more than the number of 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails; 6 from officers of the law outside of jails and 2 were shot to death in a jail. There were 53 instances in which officers of the law prevented lynchings.

Lynchings-1935
Reports on, Sent Press.

Jan- Dec.

5226

[redacted]

Lynching Records

Though there was an increase in the number of lynchings which took place in the United States in 1935 over the number for the preceding year, there was a substantial decline from the number lynched in 1933, and the general trend toward fewer and fewer lynchings was maintained.

According to the records compiled in the Department of Records and Research of the Tuskegee Institute, there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

"There were 53 instances in which officers of the law prevented lynchings," writes F. D. Patterson, president of the Institute. "9 of these were in Northern and Western states and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hand of mobs."

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

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"Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were: Murder, seven; attempted rape, three; rape, three; altercation with man, one; actively in share cropper organizing, one; attacking person, one; taking a prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

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a woman, communistic activity, one each.

Kansas is among those states conscpicuously absent from the list of those in which lynchings occurred. The states in which lynchings did occur and the number in each state:

California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one, and Texas, two.

Tuskegee Institute, which released these figures is an educational and training center for young negroes.

Sheffield, Ala., Daily
January 8, 1936

Stop This Lynch Law

Records of Tuskegee Normal and Industrial Institute which has kept records on the subject for a number of years comes forward with the interesting information that there were 53 instances during 1935 in which officers of the law prevented lynchings. But 20 lynchings actually occurred.

This is a disgraceful record, being five more than were lynched during 1934, although eight less than the number 28 for 1933 and 12 more than the number 8 for 1932. Only two of the 20 lynched during 1935 were white, the remainder being negroes while in the 53 instances in which lynchings were prevented, 17 white and 67 negro persons were saved from such deaths.

There is one bright spot in the report for Alabamians, however, and that is due to the fact that not a single lynching occurred in this state during 1935. The states and number of lynchings in each of the year follow: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one and Texas, two.

It is generally recognized that respect for law and order and wide education of the citizenship at large must be at a high pitch before this heinous form of crime can be completely wiped out. But if there is a repetition of this record in 1936 and succeeding years or if the condition becomes more aggravated instead of improvement being noted it is quite likely that rigid federal legislation to bring justice to bear on lynchers will be proposed and have a better chance for adoption than ever before. The best way to prevent passage of such a bill as the Wagner-Costigan measure which was proposed at the last session of congress and killed only after a stubborn filibuster by southern senators is to stop lynching people. And, unless this is done the sentiment of the people will gradually demand the enactment of such a law.

[redacted]

Lynching

Lynching for the year 1935 shows an increase over 1934. The records show 53 cases where officers of the law prevented lynching. There seems to be in this country too much lynching and far too many attempts. Mob psychology has not yet been controlled. The Tuskegee Institute makes the following report:

"There were 20 persons lynched in 1935. This is five

WICHITA, KANS.
EVENING EAGLE
DEC 27 1935

20 Persons Lynched in United States in Past Year

Kansas Keeps Record Clear; Most Victims Are Negroes, Survey Discloses

Lives of 20 persons were snuffed by mobs in the United States in 1935 but Kansas again kept her record clear of lynchings, according to figures compiled at Tuskegee Normal and Industrial Institute, Tuskegee, Ala.

Taking the law into their own hands, maddened followers of "Judge Lynch" ran up a total of five more victims than were killed this way in 1934 when the number was 15. The year, however, was not the worst of recent years for there were 28 lynchings in 1933. In 1932, however, the number was but eight so 1935 had 12 more than 1932.

"There were 53 instances," says the report, in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of these instances, the prisoners were removed, the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were saved from death at the hands of mobs."

The report points out that of the 20 lynched, two were white persons 18 negroes.

Offenses charged against these victims, 13 of whom were in the hands of officers of the law when the mobs got them, were as follows:

Murder, seven; attempted rape three; altercation with man, activity in share-cropper organizing, attacking person, taking prisoner from officer of law, killed by mob in search of another person, slapping

Kings Mt. N. C. Herald
January 9, 1936

20 Persons Are Lynched In Country During Year 1935

Many Would-Be Lynchings Were Prevented by Law Officers.

Twenty persons, two of whom were white and 18 negroes, were lynched in 1935, according to information compiled by the department of records and research of the Tuskegee institute, it has been announced by F. D. Patterson, president of the negro institution.

Mississippi led the list of States in which lynchings occurred during the year with seven. Louisiana had four; Florida, Georgia and Texas, two each, and North Carolina, Tennessee and California, one each.

The 20 recorded for the year are five more than the number for 1934, eight fewer than the total for 1933 and 12 more than the number listed for 1932, whiich had a total of only eight. Thirteen of the 20 persons lynched were taken from the hands of the law. Five of these were taken from jails, six from the custody of officers, outside of jails, and two were shot to death inside jails.

During the year there were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western States according to the institute's figures. In 42 of the instances the prisoners were removed or "the guards augmented or other precautions taken. In the 11 other instances armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

The report lists the offenses with which the 20 lynched were charged as—murder, seven; attempted criminal assault, three; criminal assault, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of law, one; killed by mob in search of another person, one; slapping a woman, one; and communistic activity, one.

Morganton, N. C. Free Press
January 9, 1936

SCORE LYNCHED IN STATES LAST YEAR

Activity of Mobs Shows Increase During Year, With Five More Victims

Twenty persons, two of whom were white and eighteen negroes, were lynched in 1935, according to information compiled by the department of records and research of the Tuskegee institute. It has been announced by F. D. Patterson, president of the negro institution.

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Newbern, Tenn. Tennessean
January 2, 1936

20 LYNCHED IN U. S. DURING THE PAST YEAR

Tuskegee, Ala.—There have been twenty lynchings in the nation this year compared with fifteen last year, according to the annual report of Tuskegee Institute, famed negro college.

All but one of the lynchings occurred in the South. That one occurred in California. Mississippi had seven lynchings, more than any other state. Louisiana had four. In Georgia there were two lynchings; Florida and Texas had two each. One lynching took place in North Carolina and one in Tennessee.

"Two of the persons lynched were white and eighteen negro," F. D. Patterson, head of the school said. "Thirteen of these persons were in the hands of the law. Five were taken from jails; six were taken from officers outside of jails and two were shot to death in a jail.

"The alleged offenses were, murder, seven; attempted attack, three; attack, three; altercation with man, one; activity in share-cropper organization, one; killed by mob in search of another person, one; slapping a woman; communistic activity, one; attacking person, one; taking prisoner from officer of the law, one.

"A total of 84 persons, 17 white and 67 negro, were saved from death at the hands of mobs. There were 53 instances where officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states.

"In forty-two instances prisoners were removed, the guards augmented, greater precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers."

There were twenty-eight lynchings in 1933 and eight in 1932.

Evergreen, Ala., Courant
January 2, 1936

Twenty Persons Lynched During Past Year

According to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number for number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

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Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Union Springs, Ala., Herald
January 2, 1936

NO LYNCHINGS IN ALABAMA DURING 1935

According to the records compiled in the Department of Records and Research of the Tuskegee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

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Morristown, Tenn. Sun
January 9, 1936

MORE LYNCHINGS IN YEAR 1935

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The states in which lynchings occurred and the number in each State are as follows: California ,1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Lynchings - 1935
Reports on, Sent Press.

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News
Asheville, N. C., Times
December 31, 1935

North Carolina Has One Of 20 Lynchings In U. S.

(Special to The Daily News)

The United States piled up a total of 20 lynchings during 1935. That's five more than last year, and eight fewer than in 1933. Of these, North Carolina accounted for one, while Mississippi had the highest record with seven.

The Department of Records and Research of Tuskeegee Institute in Alabama made the compilation, and reports the following information in the year's lynchings:

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

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Goldsboro, N. C. Argus
December 28, 1935

Lynchings In U. S. Increase 5 During 1935

Twenty Lynchings Last Year As Compared to 15 Year Before

(Special to News-Argus)

Tuskegee Institute, Ala., Dec. 28—According to the records compiled in the department of records and research of the Tuskegee Institute there were 20 persons lynched in 1935.

This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

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BIRMINGHAM, ALA.
NEWS

JAN 31 1935

The Lynching Record For The Year 1935

The number of lynchings in 1935 was greater than in the preceding year, and in most other recent years. Records compiled at Tuskegee Institute show 20 lynchings in the year now ending, five more than in 1934. Only two or three times in the last 12 years has the number of lynchings exceeded 20. In one year, 1932, lynchings declined to the record low number of eight. In some other recent years the record was almost as good. In 1929 there were 10, in 1928 there were 11 and in 1931 there were 13.

There has been a marked downward trend in lynchings ever since annual records have been compiled. In some years there has been a setback, as there was in 1935, but in the main there has been gratifying progress in stamping out this hideous evil. From 1885, the first year for which records are available, until the turn of the century, there was but one year in which the number of lynchings was less than 100, and then it was 96. In one year during that period there were more than 200 lynchings, and in several years there were nearly 200. The last year in which lynchings reached as high as a hundred was 1901, when there were 105. From then on lynchings gradually declined, and 1922 was the last year in which there were more than 50, the number in that year being 57. From 1901 to 1922 there were only two years in which the number dropped below 50. Since 1922 it has not been above 50 and in most years since then there have been less than 20 lynchings.

Thus we see that there has been steady progress in putting down this barbarous practice. The 1935 record is disappointing both because it shows an increase over the year before and because this year started out so hopefully. In the first six months of 1935 there were only four lynchings, and we were encouraged to believe that the low mark of eight in 1932 would at least be equalled. But the last half of the year brought 16 more lynchings, four times as many as there had been in the first six months.

Of the 20 victims of mobs this year, two were white persons and 18 were Negroes. All but one of the lynchings took place in the South, California being the only state outside this section to have one. For many years lynching has been very largely confined to the South. Only rarely is there such an act of mob violence in any other section.

Mississippi is at the top of the list for 1935 with seven lynchings. Mississippi has the worst record of any state in this respect almost every year. The other lynchings in 1935 were distributed as follows: Louisiana, four; Florida, two; Georgia, two; Texas, two, and California, North Carolina and Tennessee, one each.

The gradual decline in number of lynchings has not been the only encouraging fact. There has also been a gradual lessening of the area in which lynchings take place year after year. Slowly enlightened public opinion and growing respect for law have pushed the boundaries of the lynching region back. The area over which lynch law has prevailed year after year has grown steadily smaller. There was a time, for example, when Virginia and North Carolina frequently had lynchings. Mob violence is now a rarity in those states. In the same way, lynchings have become more and more rare in South Carolina, Georgia, Alabama, Tennessee, Florida and one or two other Southern states. Alabama has been free of lynchings in most years during the last 12 or 15. There was no lynching in this state in 1935. Lynch law is now largely confined to Mississippi, Louisiana and Texas—and gradually it is being put down in those states.

There is no question that public opinion, in the South as elsewhere, is now strongly set against lynching, that the great majority of people have no sympathy with it. This fact is having its influence in more ways than one. For one thing, it is curbing the spirit of mob violence. For another, it is strengthening the arm of the law in dealing with mobs. It is encouraging officers of the law to stand up against mobs which try to take prisoners from them.

Unfortunately, however, officers do not always stand up as they should against attempts at mob violence, or take the proper precautions to protect prisoners. Of the 20 persons lynched this year, 13 were at one time in the hands of the law. Five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail. On the other hand, the records show that 84 attempts at mob violence were frustrated by officers of the law during the year.

Officers can do more than any others to put down lynching by taking due precautions against attempts at mob violence, and by opposing with all their strength and courage any mob that attempts to take a prisoner in their custody.

Hattiesburg, Miss. American
December 28, 1935

MISSISSIPPI LEADS NATION IN LYNCHINGS

(By Associated Press)

TUSKEGEE, Ala., Dec. 28.—F. D. Patterson, president of Tuskegee Institute, announced today that records of his institution showed that 20 persons were lynched in the United States during 1935, a gain of 5 over 1934.

He said that 84 persons—17 white and 67 negro—were saved by officers of the law from death at the hands of mobs.

Mississippi with seven lynchings led the nation, according to Patterson's announcement, while Louisiana reported 4, Florida 2, Georgia 2, Texas 2, and California, North Carolina and Tennessee 1 each.

The persons lynched, the Tuskegee president said, included two white men and 18 negroes, while the charges against them included murder, attack, activity in share cropper organizing, communistic activity, slapping a woman and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

Morganton, N. C. Free Press
January 9, 1936

20 Lynched—84 Saved

The annual lynching statistics of Tuskeegee Institute, one of the outstanding colored educational institutions in the country, have been made public for the year 1935.

Twenty persons were lynched in the United States seven of which were in Mississippi and all except one in California were credited to southern states. Two of the victims were white men.

An encouraging factor is that this report shows that eighty-four persons were saved by officers from possible harm at the hands of mobs, and of these sixty-seven were negroes. This means, according to the Tuskeegee figures, that in four cases out of every five in which mobs sought to injure negroes the white officers of the law protected the negroes.

Of the twenty lynchings one over half took place in Louisiana and Mississippi leaving only nine which occurred in other states. Florida, Georgia and Texas were the reported locations of two each and California, North Carolina and Tennessee one each. These figures indicate that public sentiment is fairly generally opposed to the crime of lynching.

Key West, Fla., Citizen
January 10, 1936

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Concord, N. C. Tribune
January 1, 1936

THE NATION'S LYNCHING RECORD.

For many years former President Moton of Tuskegee Institute, furnished the press an annual report of lynchings in the United States. His successor, President Patterson, compiled the figures this year, his report showing 20 persons lynched in the year just closing. This is five more than in 1934 eight less than in 1933, and twelve more than in 1932.

Thirteen of the victims of mobs this year were in the hands of the law. Five were taken from jails, six from officers of the law outside of jails, and two were shot to death in prison.

It is encouraging to note, however, that there were 53 instances in which officers prevented lynchings in the face of angry mobs. Nine of these were in Northern and Western States and 44 in Southern States. A total of 84 persons, 17 white and 67 Negroes, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were Negroes. The offenses charged were: murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; attack person, one; taking prisoner from officer, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The States in which lynchings occurred and the number in each State are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennesseee, one; Texas, two.

North Carolina, with the one black spot against her record this season, should determine that there shall be no recurrence of the mob spirit within her boundaries next year. And President Patterson should cover a wider field with his report by including the record as to the number of lynchers who were tried and convicted.

Newberry, S. C. Observer
December 31, 1935

NO LYNCHINGS IN STATE DURING 1935.

South Carolina made a perfect record this year with no lynchings to her credit. Figures just released show that there were twenty lynchings during the year, this being five more than 1934, but eight less than 1933. However it is not surprising to note that practically all of the lynchings were in Southern states: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1, and Texas 2.

It is reassuring to learn that of the fifty-three instances in which officers of the law prevented lynchings, nine of these were in Northern and Western States and forty-four in Southern states.

Two of the lynched persons were white and eighteen negroes.

South Carolinians should be proud of the fact that no lynchings occurred within our state during the past year. Justice and the lawless mob do not go hand in hand. Proper enforcement of the laws of our land, with the cooperation of the public citizens and the law enforcement officers, will in time reduce the number of lynchings to a minimum.

JAMESTOWN, N. Y.
MORNING POST

JAN 3 1936

THE YEAR'S LYNCHINGS.

The lynching record for 1935, while not so bad as in some years past, does not disclose progress in elimination of the evil, since the number of instances of illegal summary executions was greater than in the preceding twelvemonth. As the tally is kept by the Tuskegee Institute, there were twenty lynchings, five more than in 1934. Thirteen were in the hands of the law when seized. Of these, five were taken from jails, two from officers and two were shot to death in jails. It is disclosed that Mississippi was the chief offender with seven cases; Louisiana followed with four, while Florida, Georgia and Texas had two each, with California, North Carolina and Tennessee each presenting a single instance.

While the situation thus presented is disagreeable, it would have been vastly worse had not many officers been devoted to their duty. In fifty-three other instances mobs formed and sought victims, but through the vigilance of defenders of the law were denied the fulfillment of the purpose sought. The readiness to engage in lynchings was signified. This seems to point to the condition that there is, particularly in the Southland, widespread public favor for lynchings. However, the Northern states are not exempt from the manifestation of mob spirit, though less frequent than below the Mason and Dixon line.

As is usually true, the great majority of the victims of lynchings were black persons, though two of the twenty were white. However, we canont regard ourselves as a law abiding people until we present a condition in which offenders are brought to justice through orderly procedure in tribunals established for the purpose. Lynchings are an indefensible blot on the land.

Concord N. C. Observer
Jan 10, 1936

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The annual lynching statistics of Tuskeegee Institute, one of the outstanding colored educational institutions in the country, have been made public for the year 1935.

Twenty persons were lynched in the United States, seven of which were in Mississippi and all except one in California were credited to southern states. Two of the victims were white men.

An encouraging factor is that this report shows that eighty-four persons were saved by officers from possible harm at the hands of mobs, and of these sixty-seven were Negroes. This means, according to the Tuskeegee figures, that in four cases out of every five in which mobs sought to injure Negroes the white officers of the law protected the Negroes.

Of the twenty lynchings one over half took place in Louisiana and Mississippi leaving only nine which occurred in other states. Florida, Georgia and Texas were the reported locations of two each and California, North Carolina and Tennessee one each. These figures indicate that public sentiment is fairly generally opposed to the crime of lynching.

Lynchings-1935
Reports on, Sent Press.

Jan.-Dec.

5228

KNOXVILLE, TENN.
NEWS SENTINEL
DEC 29 1935

LYNCHINGS FOR YEAR INCREASE

18 Negroes and Two White Men Killed During 1935, Five More Than 1934.

Twenty men, 18 Negro, and two white, were lynched in 1935, which is five more than in 1934, Tuskegee Institute in Alabama reports.

Mississippi led with seven. All but one were in the South. Louisiana was second with four. Florida, Georgia and Texas had two each. Tennessee, North Carolina and California had one each.

Of the 20 lynched, 13 were in the hands of the law. The offenses charged were: murder, 7; attempted assault, 3; assault, 3; altercation with man, activity in share cropper organizing, Communistic activity, attacking person, taking prisoner from officer, slapping a woman, one each.

HIGH POINT, N. C.
ENTERPRISE
DEC 30 1935

LYNCHING A FRIGHTFUL COMMENTARY ON LAW

Editor of The Enterprise:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the department of records and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Yours very truly,
F. D. PATTERSON,
President Tuskegee Normal and Industrial Institute.

Rochester, N. Y.
Democrat-Chronicle
JAN 3 1936

Tuskegee Head Reports On Lynchings for 1935

Editor Democrat and Chronicle:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were Negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee 1; Texas, 2.

F. D. PATTERSON,
President.
Tuskegee Institute, Ala.

BOONE, IA.
NEWS REPUBLICAN
DEC 30 1935

LYNCHINGS INCREASE

At this time of year everyone is taking stock, of themselves, their businesses and so on. It is an appropriate time to note whether the country as a whole has or has not improved in certain ways. From the president of Tuskegee Institute comes the annual report of the number of lynchings in the nation. In 1923, 20 persons met their deaths at the hands of mobs.

It is distinctly discouraging to find that this is 5 more than the number 15 for 1934, although 8 less than the 28 lynched in 1933 and 12 more than the number 8 in 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in jail.

As usual most of the lynchings occurred in the southern states. The distribution was as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2. The offenses charged were murder, rape, altercation with man, activity in share crop organizing, attacking person, taking prisoner from officer of the law, killed by mob in search of another person, slapping a woman and communistic activity.

Perhaps some ray of hope may be seen in the fact that there were 84 instances in which officers of the law prevented lynchings by various means. However, accused individuals are sometimes caught by the mob before the authorities have opportunity to afford them protection.

Lynchings are terrible and tragic occurrences. They are a matter of shame to the nation as a whole. A federal law against them has been proposed time and again, but defeated. It is to be doubted if this would be one hundred per cent effective. A mob is not guided by reason. A crowd inflamed by anger or hatred would not stop to think of possible penalties resulting from their act. The only hope for stamping out lynchings entirely lies in the rigid enforcement of laws and the certain punishment through the law's channels of persons accused or convicted of crimes. Once the people are convinced they can safely leave justice to the courts they will not take the law into their own hands.

PHILADELPHIA, PA
RECORD
JAN 2 1936

Lynchings Increase

To the Editor:

I send you the following information concerning lynchings for the year 1935. I find, according to the records compiled in the department of records and research of the Tuskegee Institute, that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933, and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were Negro.

F. D. PATTERSON,
President, Tuskegee Institute.

Panama City, Fla., Pilot
January 2, 1936

Concerning Lynchings For the Year 1935

The following is the record concerning lynchings for the year 1935. I find according to the records compiled in the Records and Reasearch of the Tuskegee Institute that there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings oc-

urred and the number in each tates are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

HIGH POINT, N. C.
ENTERPRISE
DEC 30 1935

WEAK-KNEED LAW YIELDS 13 TO LYNCHERS

THIRTEEN of the 20 persons lynched during 1935, according to records of the Tuskegee Normal and Industrial Institute, were taken from the hands of the law. That is a condition more alarming, if possible, than the fact that an increase of five over the preceding year's total of lynchings, and a commentary upon the inadequacy or the unwillingness of law to function against that most dangerous foe of liberty and justice, mob rule.

Geographically speaking, the lynchings and prevented lynchings—of which there were 53 — show a spread over Northern and Western territory instead of the normal restriction to the South, although the Southern area, led by Mississippi with seven lynchings, continues to lead a sorry situation in that respect. It is a blot which the South has endeavored to erase, has succeeded in a measure, but to which it must continue to give unrelenting attention if law and order are to be served as a self-respecting people must demand.

Seventeen whites and 67 Negroes were saved from mobs when law prevented would-be lynchers from accomplishing their disgraceful purpose; in that may be found some solace, but in the breakdown that allowed 13 to be taken from officers and a total of 15 to be lynched nothing is ameliorating. It is a blackness not to be washed off the hands of an altogether pitiful and too weak enforcement of law. No one is safe when law is that weak-kneed.

ALBANY, N. Y.
KNICKERBOCKER PRESS
DEC 30 1935

1935's LYNCHING RECORD

From the Detroit News

The Tuskegee Institute sends us its annual compilation of the year's lynchings. Twenty in 1935.

This is neither very high nor very low. There is no definite trend in this type of crime, which, more than banditry, hoodlumism or kidnapings, pitilessly mirrors a flaw in our civilization. There were 15 lynchings in 1934; 28 in 1933; eight in 1932.

Nothing we can say in denunciation of these murders will add to what already has been said, many times over. There is one aspect of this year's record, however, which deserves emphasizing. All but one of the 20 lynchings occurred in the South or Southwest, where the excuse sometimes is made that such summary "executions" serve to protect womanhood.

Only six of the 20 lynchings of 1935 involved victims accused of a sex offense or attempt. In the remaining cases the charge ranged from murder, on the one hand, to "altercation" with another man, on the other. One victim was put to death, in this land of the free, "because he was a 'Communist.'"

WATERTOWN, N. Y.
TIMES
DEC 30 1935

Lynchings in 1935.

To The Times:

I send you the following information concerning lynchings for the year 1935: I find according to the records compiled in the department of records and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and twelve more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were: Murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The states in which lynchings occurred and the number in each state are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

F. D. Patterson,
President, Tuskegee Normal and Industrial Institute.
Tuskegee, Ala., Dec. 30, 1935.

PLAINFIELD, N. J.
COURIER-NEWS
DEC 31 1935

'I Must Write To the Editor About That'

Lynchings in 1935

Editor, The Courier-News:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 52 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 8: persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negroes. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

F. D. PATTERSON
President, Tuskegee Normal and Industrial Institute.

Greensboro, N. C., Record
January 4, 1936

Lynching and a Law

Peculiarly American, most horrific of crimes, is lynching. This week statistics gathered by President F. D. Patterson, of Tuskegee Normal and Industrial Institute in Alabama, showed mob vengeance cost the lives of 20 United States citizens during 1935, five more than in 1934. North Carolina had one such act of violence to its discredit, the hanging of a negro in Franklin county early in the summer. Mississippi led all other states with seven lynchings.

Brighter side of the picture was the growing tide of public responsibility where mob violence threatened. A total of 84 persons, 17 white and 67 negro, were saved by alert peace officers during the past year. Though the mark of 20 was higher than in 1934, it was revealed that 28 lynchings were committed in 1933. Such crimes, though in some years there are spasmodic increases, have generally declined since such statistics were first taken. In 1885, for instance, 106 white persons and 78 negroes were lynched. The peak of mob violence was in 1892, when 225 persons met death by lynching. Fewest cases on record were for 1929. That year only 10 died.

Later this week, as anti-lynching agitation was resumed, Senator Van Nuys, Indiana Democrat, announced he would demand a congressional investigation of lynching at present session of Congress. A southern senate filibuster pigeon-holed the Costigan-Wagner anti-lynch bill at last session of Congress.

LYNCHBURG, VA.
ADVANCE
JAN 1 1936

THE TREND IS DOWNWARD

Although the lynching record for 1935 constitutes a blot upon the fair name of the South, nevertheless the trend is definitely towards the elimination of lawless methods of dealing with crime. In the past forty-five years approximately 5,000 persons have been lynched in this country but the peak was reached prior to the turn of the century.

Statistics cited by the Richmond Times-Dispatch show that between 1885 and 1901, the lowest for any one year was 96 and the highest 231. Since 1901 only one year has approached even the low record of the previous 15 years. In 1919 there were 80 lynchings.

The year just closing is credited with 20 lynchings, 19 of which were in the South. Last year there were only 15 lynchings while in 1933 there were 28 and in 1932 only eight. The increase in 1935 over the previous year is to be deeply regretted but if improvements from one decade to another continue, there is hope that within the not distant future the lynching crime may become extinct.

Aside from the hideous character of lynching, the South is facing trouble unless lawless actions of mobs are controlled. Anti-lynching legislation is always a threat and the day may come when local authorities will have to give way to federal agencies in the prosecution of persons charged with the lynching offense. That is not a very happy condition to which to look forward.

Vindicator
Jeannette-Penn.
JAN 1 1936

ONE LYNCHED IN STATE IN 1935

Twenty Total Of Those Lynched Over The United States; 2 White Men and 18 Negroes

20 persons were lynched in 1935 according to a bulletin released from the Tuskegee Normal and Industrial Institute recently.

This is five more than the number in 1934, eight less than the number in 1933 and 12 more than the number in 1932. Thirteen of those lynched were in the hands of the law, five were taken from jails, six from officers of the law outside of the jail and 2 were shot to death inside of jails.

There were fifty-three instances when officers of the law prevented lynchings. Of the total number lynched 2 were white men and eighteen were negroes. The offenses charged were: murder, 7

follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.
State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.
attempted rape, 3; rape, 3; alby mob in search of another per
tercation with man, 1; activity in son, 1; slapping a woman, 1; com
share cropper organizing, 1; at munistic activity, 1.
tacking person, 1; taking prisoner The States in which lynchings
from officer of the law, 1; killed occurred and the number in each

Lynchings- 1935
Reports on, Sent Press.

Jan. -Dec.

5229

WOONSOCKET, R. I.
CALL
DEC 28 1935

The Year's Lynching Record

The Tuskegee Normal and Industrial Institute, founded by the late Booker T. Washington, for the training of colored young men and women, has, for years, waged a campaign against lynchings, especially in the South where colored persons are usually the victims of such outrages. Its Department of Records and Research keeps a careful check each year on lynchings throughout the Nation. Figures just compiled by that department show a total of 20 lynchings in 1935, which is fast being drawn to a close.

Not encouraging is the fact that the number of such crimes this year is five more than in 1934 and 12 more than in 1932, when there were but eight. Other figures show that of this year's lynchings 13 of the victims were in the hands of the law, five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

Perhaps encouraging is the statement that in 53 instances during the past year officers of the law, as should be their solemn duty, prevented lynchings. In 42 of these cases, it is reported, prisoners were removed, guards augmented or other precautions taken. In 11 cases armed force was used to repel would-be lynchers. Such figures as these latter ones do reveal that law enforcement agencies are at least making more sincere efforts to prevent lynchings, and frankly such was not always the case.

It has often been said that people in the North do not appreciate the situation in the South as it concerns the feelings of whites towards those of the colored race and that because the situation is different it is natural to expect more lynchings in the South than in any other section of the Nation. The fact remains that there is neither excuse nor justification for lynchings in any part of the United States, especially if there is a general and sincere desire for law and order. When the law is permitted to take its course there are many who believe that injustice is seldom done, whereas the same cannot be said when mob rule replaces law and order and when citizens take the law into their own hands.

This year's lynching record is one which is to be deplored, especially since it shows such an increase over the previous year. It may show crime on the increase in the South especially, for without crime or alleged crime there are no lynchings.

Because the Tuskegee Institute and other agencies working for the education, advancement and proper protection of colored people throughout the Nation have persistently waged a campaign against lynching it is to be assumed that there has been, in modern times, an improvement in the situation. The fact remains that when 20 citizens are executed at the hands of mobs in the course of a year there is still room for considerable improvement. Lynching can and must be stopped before our people, regardless of in what part of the United States they reside, can lay claim to be an orderly and law-abiding aggregation of human beings.

Jackson, Miss. Ledger
December 31, 1935

Mississippi Again Leads All Other States In Lynchings

Mississippi, to date, has had almost twice as many lynchings this year as any other state, according to figures sponsored by Tuskegee Institute.

The figures are: Mississippi, 7; Louisiana, 4; Florida, 2; Georgia, 2; Texas, 2; and California, North Carolina, and Tennessee, one each.

That's an increase of five over last year's national total. But the report also adds the more cheerful item that during the year 84 persons, 17 white and 67 negroes, were saved by officers of the law from mobbery.

It has been known several months that, barring an "epidemic" of late lynchings in some other state, Mississippi would again head this black list this year. The report therefore is no surprise. But it is nonetheless regretted, and is discreditable.

The great majority of Mississippians truly hope that next year's record will be better. And, in this connection, the truth should not be forgotten that in no state is a larger percentage of the leaders working to curb lynchings, both by combatting the crimes which inspire them and by speeding legal trials so as to remove any contention of "justification" of mobbery.

Mississippi again leads the list, but the crimes which most often inspire lynchings also are more common in Mississippi than in the majority of states and opponents of lynching have more to overcome.

ELMIRA, N. Y.
STAR GAZETTE

JAN 2 1936

AGAIN THE LYNCHING EVIL

THE always depressing figures on lynching have just been published for 1935 by the Tuskegee Institute in Alabama. They show a total of 20 for the year, five more than the year before but eight fewer than in 1933. Thirteen of the victims were in the hands of the law at the time; five were taken from jails, six from officers and two were shot to death in a jail.

Mississippi headed the list with seven; Louisiana had four; Florida, Georgia and Texas two each, and California, North Carolina and Tennessee one each. Eighteen of the 20 victims were Negroes.

The number of victims who are done to death by this form of mob frenzy is only a part of the story. Fifty-three other cases were recorded last year where mobs bent on lynching were beaten off by officers of the law. Had resistance been a little less determined, all of these would doubtless have been added to the horrible list. Nine of these frustrated attempts at mob law occurred in northern states.

It is difficult to find in these figures much to encourage the belief that the lynching mania is dying out. About all that can be said is that law enforcement agencies are becoming more efficient in protecting prisoners from lynchers. Here lies the main hope of ending this form of barbarism. If mobs can once be made to understand that the law can and will be enforced by orderly means, they will gradually become civilized. Meanwhile the country has another opportunity to reflect on the problem of lawlessness in a country which raises up national heroes, then is unable to assure them safety and peace of mind.

Sandersville, Ga., Progress
January 2, 1936

Lynching Statistics Set at 20 for 1935

According to the records compiled in the department of records and research of the Tuskegee Institute, of Tuskegee, Ala., that there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negroes.

The states in which lynching occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

ROME, GA.
NEWS TRIBUNE
JAN 1 1936

INCREASE IN LAWLESSNESS

THE lawlessness that has been so rampant throughout the nation during the past year and which brought about the removal of the Lindbergh family to a foreign nation in quest of safety, was reflected in the increased number of lynchings, as well as in other acts of violence.

Twenty persons were lynched during 1935, an increase of five over the previous year. As usual, most of the lynchings were in the South. There were two each in Florida, Texas and Georgia; one each in North Carolina and Tennessee; four in Louisiana; seven in Mississippi and one in California. The victims included eighteen negroes and two white persons.

It is significant that in only six of the lynchings was the "usual crime" involved, criminal attacks upon women not figuring in fourteen of the lynchings. This record shows how lynch law, once tolerated in one field, will spread quickly to other fields. Mobs that are permitted to do violence in one connection will turn quickly to violence in other directions and thus a condition is created under which the innocent may suffer along with the guilty. The list of 1935 victims included one person who was killed while a mob was trying to get another man.

The record is an appalling one but it has one bright angle. There were fifty-three instances during the year in which determined officers of the law prevented mobs from carrying out their designs. Forty-four of these instances occurred in the Southern states and this furnishes cause for gratification.

The lives of no persons are safe when lawlessness is rampant and it is altogether too rampant in the South as well as in other portions of the country. The urgent need is for courageous and determined officers, resolute courts and solidified public sentiment.

BROOKLYN, N. Y.
TIMES UNION
DEC 29 1935

TWENTY LYNCHED IN U. S. THIS YEAR

All Except One of Mob Killings Throughout Nation Occurred in South.

By United Press.

Tuskegee, Ala., Dec. 28.—There have been 20 lynchings in the nation this year compared with 15 last year, according to the annual report of Tuskegee Institute, negro college.

All except one of the lynchings occurred in the south. That one occurred in California. Mississippi had seven lynchings, more than any other State. Louisiana had four. Georgia, Florida and Texas had two each; North Carolina and Tennessee one each.

"Two of the persons lynched were white and 18 negro," F. D. Patterson, head of the school, said. "Thirteen of these persons were in the hands of the law. Five were taken from jails; six were taken from officers outside of jails and two were shot to death in a jail.

"The alleged offenses were: Murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share-cropper organization, one; killed by mob in search of another person, one; slapping a woman, one; Communistic activity, one; attacking person, one; taking a prisoner from an officer of the law, one.

"A total of 84 persons, 17 white and 67 negro, were saved from death at the hands of mobs. There were 53 instances where officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern States.

"In 42 instances prisoners removed, the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers."

There were 28 lynchings in 1933 and eight in 1932.

MIDDLETOWN, CONN.
DEC 30 1935

LYNCHING RECORDS

Another year's report on lynchings comes from the Tuskegee Normal and Industrial Institute. An increase is noted from fifteen to twenty. Of the twenty all but two were Negroes and all but one was carried out in the Southern states, Mississippi leading with seven. California was the Northern state to disclose disregard of lawful procedure.

No less than thirteen of the lynched persons were in the hands of legal officials, when attacked. On the other hand, officials of the law prevented fifty-five lynchings and in eleven other instances armed forces protected the offenders from raiders. No less than eighty-four persons, of whom seventeen were white, were saved from mob action which would deny due process of law.

While the record of the year discloses a small increase, still when compared with what was done in other years, the report indicates a decided change for the better. The record year was 1892 with 255, of whom 100 were whites. The year with the best showing is 1932 when only eight were reported.

New Brunswick, N. J.
HOME NEWS
DEC 31 1935

RECORD OF LYNCHINGS

To the Editor of The Home News:
Dear Sir:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western states and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 whites and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking a person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

F. D. PATTERSON, president,
Tuskegee Institute, Alabama.

Panama City-Fla.
DEC 30 1935

Concerning Lynchings For the Year 1935

The following is the record concerning lynchings for the year 1935. I find according to the records compiled in the Records and Reasearch of the Tuskegee Institute that there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each states are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Lynchings-1935
Reports On, Sent Press.

Jan. -Dec.

5230

Carrollton, Ga., Times
January 2, 1936

Records Show More Lynchings Occurred In 1935

According to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935.This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and twelve more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were fifty-three instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and forty-four in Southern states. In forty-two of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances, armed force was used to repel the would be lynchers. A total of eighty-four persons, seventeen white and sixty-seven negroes were thus saved from death at the hands of mobs.

Of the twenty persons lynched, two were white and eighteen were negroes. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officers of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

GREENSBORO, N. C.
RECORD
DEC 27 1935

Horrible and Shameful.

One of the most horrible and shameful features of the record for the year now nearing its close is revealed in a statistical report from the Tuskegee Normal and Industrial Institute showing that 20 persons were lynched in the United States during the last 12 months.

This is five more than the number put to death by mobs during 1934, and 12 more than the 1932 total, although the 1935 figure represents eight fewer than were lynched in 1933.

The offenses charged against this year's victims were: Murder, seven; attempted criminal assault, three; criminal assault, three; altercation with man, one; activity in share crop organizing, one; attacking person, one; taking a prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one. Thirteen of the 20 persons put to death by mobs were in the custody of the law when seized and executed under lynch law.

The 1935 record reveals that there were 53 instances in which mob killings were attempted, but were frustrated—in 11 cases by armed resistance. Nine of these defeated attempts took place in northern and western states, and 44 in southern states. In 42 instances the mobs were defeated in their purpose by removal of prisoners or by augmentation of guards.

Eighty-four persons—17 white and 67 negro—were saved from lynching by rope, firebrand, mutilation or bullet. Many more, perhaps all, would have been saved had the officers of the law displayed more nerve, resourcefulness and a stronger determination to do their duty. There are no braver men than those officers who protect prisoners at the risk of their own lives.

GREENSBORO, N. C.
RECORD
JAN 2 1936

Remember Govan Ward!

Of the 20 lynchings which occurred in the United States in 1935, none constituted a more flagrant insult to law and decency, and none was quite so much of a spit in the face of justice as the one near Louisburg, Franklin county, North Carolina, in which a crazed negro, Govan Ward, was taken from officers, well armed, on a public highway in broad daylight, by a mob of unmasked men and put to death. The crime took place within a short distance of the state capital!

The Govan Ward case also shines in the 1935 lynching record because the official "investigation" of it stands out as superlative in weakness and farce. Despite the fact that a score or more of mobsters participated in the crime, and despite the fact that hundreds of persons, men, women and children were on the scene shortly after the insane man was killed, no one has been punished—in fact no arrests have been made, though the lynching took place months ago.

Characterizing the Ward lynching as the "most surprising" of last year, an esteemed contemporary, the Roanoke (Va.) World-News, comments: "For some years North Carolina had enjoyed an enviable reputation. It dealt sternly with the mob that stormed the Asheville jail, and sent to prison those who took part in the Needleman affair. And for years afterwards there was no lynching in North Carolina. In the Ward case a white North Carolinian obtained the names of nine of the lynchers and furnished them to the authorities, but no action was taken. Some of the predecessors of Governor Ehringhaus were made of sterner stuff."

The World-News is right. Circumstances being what they are in the Ward case, the Record cannot believe the state of North Carolina is so impotent, so helpless, so lacking in courage and resourcefulness, so dumb, that it can obtain no evidence at all tending to reveal the identities of the white-livered cowards who by their infamous crime have placed the name of the state high on the roster of states shamed and disgraced in 1935 because of lynchings.

When mob-murderers are permitted to go unpunished, that, in effect, cordially invites and warmly welcomes more mob murders. Lynching is anarchy in its more dangerous and despicable form. Even at this late date, a clearing up of the Ward case, or even a sincere and determined move to get at the bottom of it, might serve to save the state from the ignominy of a lynching in 1936.

HERALD
Sanford - N. C.
DEC. 30 1935

20 LYNCHINGS REPORTED FOR 1935 IN U. S

Tuskegee Institute In Alabama Makes Report On Illegal Executions

ONE IN THIS STATE

According to a report special to the Sanford Herald from the department of records and research of Tuskegee Institute in Alabama, there were 20 persons lynched in United States during 1935, North Carolina contributing one of them and Mississippi leading the list with seven.

This number is five more than were recorded in 1934 and eight less than for 1933 and 12 more than 1932. Thirteen of the number were in the hands of the law; five were taken from jails, six from officers of the law outside jails and two were shot to death in jail.

Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were murder, seven; atempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The states in which lynchings occurred and the number in each state are as follow: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee. 1; and Texas. 2.

FAYETTEVILLE, N. C.
OBSERVER
DEC 30 1935

The Public Pulse

1935 LYNCHINGS
Tuskegee Institute, Alabama.
December 21, 1935.

Editor,
Fayetteville Observer.
Dear Sir:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the department of records and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negroes, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Yours very truly,
F. D. PATTERSON,
President.

CHARLOTTE, N. C.
OBSERVER
DEC 31 1935

LYNCHING RECORD SIGNIFICANT.

Several significant facts are conspicuous in Tuskegee institute's annual compilation of the Nation's lynching record for 1935, showing 20 persons lynched during the year.

It must be noted at once that 19 of the 20 lynchings occurred in the Southern States and that 18 of the victims were negroes.

Another outstanding fact in the record at once and as usual gives the lie to the contentions of those apologists who would like for the world to believe that most of the lynchings in the South are in defense of Southern womanhood. Of the 18 negroes lynched this year, only six were charged with either criminal assault or attempted criminal assault. Seven were charged with murder and one with attacking a person, another with slapping a white woman.

It may be significant—certainly it is not encouraging — that the number of lychings this year exceeded last year's record by one third and also exceeded the average annual record for the three preceding years, 1932-1934. The average for the three years was 17. The highest record for any of the four years was 28 in 1933.

The most encouraging phase of the annual compilation is the number of lynchings that were prevented. In 53 instances of threatened lynchings a total of 84 persons, 17 white and 67 negro, were saved from death at the hands of mobs, according to the Tuskegee record, 44 of these instances being in the South. The batting average in favor of the officers of the law, therefore, was a little better than two to one in the Southern States; that is, more than two lynchings were prevented for each one committed.

However, no excuse or apology or argument can wipe away the ugly fact that in the year 19 lynchings were perpetrated in seven Southern States and none in any other State except California, and that in as many instances mobs succeeded in defiance of the Federal and State constitutions, the statute laws, the courts and the officers of the law, and committed an act of anarchy in each instance.

Soon Congress will be in session and will have before it for consideration a Federal anti-lynching bill. Southern Senators and Representatives will be expected to fight it to the finish on the ground that such a law would be in contravention of States' rights. Also they will argue that the States of the South are amply able to deal with the matter of lynchings and that no Federal law to deal with the crime is necessary.

The Southern States ought to prove that they can deal with lynching and put it down. As long as they fail—either because they will not or cannot do it—they are inviting Congress to enact a Federal anti-lynching law, no matter what their Senators and Representatives say about it.

And, unless the record be considerably improved, it need not surprise any one if Congress before many years does pass an anti-lynching bill. The Nation is getting tired of lynchings.

BALTIMORE, MD.
MORNING SUN
DEC 27 1935

LYNCHINGS

At this period of the year, when 1935 is being surveyed and reviewed for its spiritual and material gains and losses, there issues from the Tuskegee Normal and Industrial Institute a statistical report that bears horror and shame in every item. Prepared by the department of records and research of the institute, it presents without comment the record of the lynchings in the United States during the year.

In 1935, twenty persons were put to death by mobs, five more than during the previous year and twelve more than during 1932, although the 1935 figure represented eight fewer than were lynched in 1933. The offenses charged against the victims were: Murder, 7; attempted criminal assault, 3; criminal assault, 3; altercation with man, 1; activity in share crop organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; Communistic activity, 1. Thirteen of the twenty persons killed by mobs were in the hands of the law when seized for execution under lynch law.

This does not tell the whole story of 1935 lynch lust, for the records disclose also that there were fifty-three instances in which mob killings were attempted, but were frustrated—in eleven cases by armed resistance. Nine of these defeated attempts occurred in Northern and Western States and forty-four below the Mason and Dixon's Line. In forty-two cases the mobs were beaten by removal of the prisoners or by augmentations of guards. In all, eighty-four persons—seventeen white and sixty-seven Negro—were saved from the law of the rope and firebrand.

NEWS
Derry N. H.
DEC 27 1935

LYNCHINGS IN 1935

According to the records compiled in the Department of Records and Research of the Tuskagee Institute, Alabama, that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails; 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 person, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 person lynched, 2 were white and 18 were Negro. The offenses charged were, murder, 7; attempted rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

ROANOKE, VA.
TIMES
DEC 28 1935

LYNCHINGS IN 1935.

From the Tuskegee Normal and Industrial Institute comes what the Baltimore Sun correctly terms "a statistical report that bears horror and shame in every item." Prepared by its department of records and research, the Institute presents without comment—for that matter, the actual figures speak for themselves—a record of the lynchings in the United States during the year now approaching a close.

In 1935, twenty persons were put to death by mobs, five more than during the previous year and twelve more than during 1932, although the 1935 figure represented eight fewer than were lynched in 1933. The offenses charged against the victims were: Murder, 7; attempted criminal assault, 3; criminal assault, 3; altercation with man, 1; activity in share crop organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; Communistic activity, 1. Thirteen of the twenty persons killed by mobs were in the hands of the law when seized for execution under lynch law.

Besides the foregoing, the record shows that in fifty-three instances mob killings were attempted but were frustrated. Nine of these defeated attempts occurred in Northern and Western States and forty-four in the South.

Insofar as this indicates a growing disposition on the part of law enforcement officers in Southern States to do their duty and resist force with force, it is to be applauded as one of the most encouraging features in a sorry and deplorable situation. In eleven cases the mob was balked by armed resistance and in forty-two cases mobs were frustrated by removal of the prisoners or by augmentations of the guards. Intelligence and courage on the part of officers of the law in coping with those who would take it into their own hands make an effective combination, one that is successful nine times out of ten.

Lynchings-1935
Reports on, Sent Press.

Jan. -Dec.

5231

MIAMI, FLA.
NEWS
JAN 2 1936

Dishonor Roll

The annual report of the Tuskegee Institute of Alabama shows the number of mob victims last year totaled 20, with Florida accounting for 10 per cent of these. This is an increase of five over 1934. As usual, nearly all of the lynchings occurred in the South. Mississippi, with seven, was the worst offender. California had one, Texas two. Georgia, Louisiana, North Carolina and Tennessee are the other states on the list.

A common excuse of mobs is that they do the work in which the law fails, yet 13 of the 1935 lynching victims were already in the hands of the law, five were taken from jails, six from officers outside jails, and two were shot to death in jail. The question of why the law in these cases could not hold its prisoners for the justice of the courts is no easier to answer in view of the fact that in 53 other instances officers of the law did prevent lynchings.

Of the lynchings prevented, 44 were in the South, the balance in northern and western states. Usually a heavier guard or removal of the prisoner was sufficient; in only 11 cases was it necessary to use armed force in repelling the mob. But for the courage of these authorities the number of persons lynched in 1935 would have been 104 instead of 20.

The significance of the figures is inescapable. Lynchings occur most frequently in districts where ignorance and poverty are the rule. Eradicating these evils may be a long-time task, but the record reveals that the crime which springs from them can be checked now. It is up to the states which do not want a federal anti-lynching law to prove that such a law is not needed.

ASHEVILLE, N. C.
TIMES
DEC 30 1935

THE LYNCHING RECORD

Editor of The Times:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Yours very truly,
F. D. PATTERSON,
President, Tuskegee Institute.

Tuskegee Institute, Alabama,
Dec. 21.

BINGHAMTON, N. Y.
PRESS
JAN 2 1936

Tuskegee Institute, Ala.,
Dec. 21, 1935.

To The Editor of The Binghamton Press:

Sir:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the department of records and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is five more than the number 15 for 1934, eight less than the number 28 for 1933, and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law, five were taken from jails, six from officers of the law outside of jails, and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched two were white and 18 were negro. The offenses charged were: Murder, seven, attempted rape, three; rape, three; altercation with man, one activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The states in which lynchings occurred and the number in each state are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

Yours very truly,
F. D. PATTERSON,
President.

HARTFORD, CONN.
COURANT
DEC 28 1935

THE LYNCHING RECORD

The Regular Report Comes From Tuskegee Institute

To the Editor of The Courant:—

I send you the following information concerning lynchings for the year 1935. I find according to records compiled in the Department of Records and Research of the Tuskeegee Institute that there were twenty persons lynched in 1935. This is five more than the number fifteen for 1934, eight less than the number twenty-eight for 1933 and twelve more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law, five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were fifty-three instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and forty-four in Southern States. In forty-two of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances, armed force was used to repel the wouldbe lynchers. A total of eighty-four persons, seventeen white and sixty-seven Negro, were thus saved from death at the hands of mobs.

Of the twenty persons lynched, two were white and eighteen were Negro. The offenses charged were: Murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The States in which lynchings occurred and the number in each State are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

F. D. PATTERSON.

Tuskegee, Ala., Dec. 27, 1935.

DEMOCRAT
Logan - W. Va.
JAN 2 1936

20 Lynchings Mar Record Of The Past Year

Tuskegee Institute Statistics Reveal Increase of Mob Killings Over Similar Events in 1934

In a report released this week by th Tuskegee Normal and Industria Institute at Tuskegee, Alabama, i is shown that there were 20 persons lynched in the United States during the year just closing, as compared with 15 lynchings in 9133, an increase of five for this year.

The 1935 record, however, contains eight less mob killings than in 1933, but 12 more than in 1932.

Thirteen of those lynched this year, the record reveals, were taken from the hands of the law, five being taken from jails, six from officers of the law outside of jails, and two were shot to death in their cells.

In fifty-three other instances of mob attack, lynchings were prevented by the police authorities. Nine of these were in northern and western states and 44 in southern states. In 42 of these cases the prisoners were removed or the guards augmented or other precautions taken successfully, while in the other 11 instances armed force was used to repel the attacks. A total of 84 persons, 17 white and 67 Negro, were so saved from mob violence, the report continues.

Of the 20 persons who were lynched, two were white and 18 were Negroes. The offense charges were: Murder, 7; attempted rape 3; rape, 3; altercation with man, one; organization activity, one; attack, one; taking prisoner from officer of law, one; killed by mob in search of another person, one; slapping woman, one; communistic activity, one.

Tre states in which the lynchings occurred and the number in each were California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, 7; North Carolina, one; Tennessee, one; Texas, two.

Commission has announced open

SPRINGFIELD, MASS.
REPUBLICAN
DEC 27 1935

LYNCHINGS IN 1935

Five More Than in 1934, According to Tuskegee Records

To the Editor of The Republican:—

I send you the following information concerning lynching for the year 1935. I find according to the records compiled in the department of records and research of the Tuskegee institute that there were 20 persons lynched in 1935. This is five more than the number, 15, for 1935; eight less than the number, 28, for 1933; and 12 more than the number, eight, for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were Negro. The offenses charged were: Murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking a prisoner from officer of the law, one; killed by mob in search of another person,

one; slapping a woman, one; communistic activity, one.

The states in which lynchings occurred and the number in each state are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

F. D. PATTERSON.
President.

Tuskegee Institute, Ala., December 31. 1935.

Elberton, Ga., Star
December 31, 1935

20 Persons Lynched in U.S. During 1935

According to records compiled in the Department of Records and Research of the Tuskeegee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails; 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 3 were white and 18 were negro. The offenses charged were: murder, 7; atempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman 1; communistic activity, 1.

The States in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tenessee, 1; Texas, 2.

Marianna, Fla., Times Courier
January 2, 1936

20 Lynched During 1935

Compilation of Figures From All Sections of U. S.; Florida Has Two Lynchings

According to records compiled in the department of records and research of the Tuskegee Institute there were 20 persons lynched in 1935. This is five more than the 15 for 1934; eight less than the 28 for 1933, and 12 more than the eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails, and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented, or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negroes, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were negroes. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows; California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Cardlina, 1; Tennessee, 1; Texas, 2.

Toccoa, Ga., Record
January 2, 1936

20 Persons Lynched In U. S. During 1935

According to records compiled in the Department of Records and Research of the Tuskeegee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails; 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of there were in Northern and Western States and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augumented or other precautions taken. In the 11 other instances, armed force was used to repell the would be lynchers. A total of 84 persons, 17 white and 67 negros, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 8 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person,1 ; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; North Carolina,1; Louisiana, 4; Texas, 2; Mississippi, 7; Tennessee, 1.

Glenville, Ga., Sentinel
January 2, 1936

20 PERSONS LYNCHED DURING 1935 REPORTS TUSKEGEE PRESIDENT

TUSKEGEE, Ala., Dec. 30.—Dr. F. D. Patterson, president of Tuskegee Institute, announced Saturday that records of his institution showed that twenty persons were lynched in the United States during 1935, a gain of five over 1834.

He said that eighty-seven persons—seventeen white and sixty-seven negroes—were saved by officers of the law from death at the hands of mobs.

Mississippi with seven lynchings, led the nation, according to Dr. Patterson's announcement, while Louisiana reported four, Florida, two Georgia, two; Texas, two, and California, North Carolina and Tennessee, one each.

The persons lynched, the Tuskegee president said, included two white men and eighteen negroes, while the charges against them included murder, attack, activity in share cropper organizing, Communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

Thomasville, Ga., Press
January 3, 1936

20 Persons Put To Death By Mobs In Year 1935

Dr. F D Patterson, president of Tuskegee Institute, announced today that records of his institution showed that 20 persons wer lynched in the United States during 1935, a gain of 5 over 1934

He said 84 persons—17 white and 67 negro—were saved by officers of the law from death at the hande of mobs.

Mississippi with seven lynchings led the nation, while Louisana reported 4, Florida 2, Georgia 2, Texas 2 and Tennessee, California and North Carolina 1 each

The persons lynched included two white men and 18 negroes, while the charges against them included murder, attack, activity in share cropper organizing, commusictic activity, slapping a woman and taking a prisoner from an officer of the law.

Thirteen of those lynched were at one time in the hands of the law, five were taken from jails, six were taken from officers outside the jails and two were shot to death in jail.

Philadelphia, Pa.
Inquirer-Public ledger
JAN 1 1936

LYNCHINGS IN 1935

To the Editor of the Evening Ledger:

I find, according to the records compiled in the department of records and research of the Tuskegee Institute, that there were twenty persons lynched in 1935. This is five more than the number (fifteen) for 1934, eight less than the number (twenty-eight) for 1933, and twelve more than the number (eight) for 1932. Thirteen of the persons lynched were in the hands of the law, five were taken from jails, six from officers of the law outside of jails, and two were shot to death in a jail.

There were fifty-three instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western States and forty-four in Southern States. In forty-two of the instances the prisoners were removed or the guards augmented or other precautions taken. In the eleven other instances armed force was used to repel the would-be lynchers. A total of eighty-four persons, seventeen white and sixty-seven Negro, were thus saved from death at the hands of mobs.

Of the twenty persons lynched two were white and eighteen were Negroes. The offenses charged were: Murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share-cropper organizing, one; attacking person one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; Communistic activity, one.

The States in which lynchings occurred and the number in each State are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

F. D. PATTERSON, President.
Tuskegee Institute. Alabama.

Lynchings-1935
Reports on, Sent Press.

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5232

GLENS FALLS, N. Y.
TIMES

JAN 2 1936

THE LYNCHING RECORD OF 1935

The year just closed exceeded the year previous in the number of lynchings. Twenty times during 1935 a band of interrified citizens, alert to the welfare of society, took matters into their own hands and inflicted capital punishment on the spot. As usual we find public spirit of this nature running higher below the Mason and Dixon line than elsewhere in these United States, according to the figures given out by the department of records and research of Tuskegee Institute. Except for one lynching in California (where anything can happen) the people of no state except a southern state found it necessary to set aside the customary procedure of the courts.

The place of honor goes to Mississippi with seven lynchings in 1935. Louisiana takes second place with four. Florida, Georgia and Texas were contented with two each. North Carolina and Tennessee scored but one.

The penalty of death was thus exacted for a number of causes. Humanitarians today look back with horror upon the savage old criminal code of England under which a man could be hanged for picking a pocket, harboring a smuggler, stealing five shillings, robbing a rabbit-warren, cutting a hop vine or injuring Westminster bridge. Judge Lynch last year dealt with equal severity with some equally grave offenses. While seven of those lynched were charged with murder, three with rape and three attempted rape, one was lynched for engaging in an altercation with another, one for activity in a share-cropper organization, one for communistic activity, one for slapping a woman and one was lynched by a mob who intended to lynch some one else. In other words, he was lynched for being in the way of the lynchers.

The underlying excuse for most of the lynchings was of course the old one of keeping the negroes in their place. Of twenty lynched two were white.

DULUTH, MINN.
NEWS TRIBUNE

DEC 30 1935

A Disgraceful Record

The gruesome record of lynchings, as compiled by the Tuskegee Institute shows that twenty persons were lynched in 1935 as compared to fifteen in 1934. Thirteen of the persons killed by lawless mobs already were in custody. Of the twenty persons lynched eighteen were colored and two were white. All the lynchings took place in Southern states, with Mississippi leading with seven.

The blot of lynching which disgraced eight Southern states this year is all the more discreditable because of the fact that it was the Southern states which defeated the measure in the last congress which would have done much to restrain mobs, make law officers more diligent, and cause lynching to be unpopular even in Southern communities.

[redacted]

JAN 2 1936

NUMBER OF LYNCHINGS INCREASE

In 1934, the number of lynchings was 15; the number in 1933 was 12, but in 1935, the number reached 20, which show an increase for the past year. Practically all of the lynchings occurring last year were committed in the southern states. California, however, having one.

A majority of the lynchings were due to the crime of rape and to the delays and bickerings of the courts. Mob violence cannot be justified nor can the action of the officers and the courts in failing to detect, arrest and try the members of mobs. In some instances, alleged members of mobs have been arrested and tried in the courts, but few convictions have resulted. To the laxity of the laws and their enforcement by the courts is due, in a great measure, the deplorable condition existing throughout the country.

SPARTANBURG, S. C.
JOURNAL

JAN 1 1936

Lynching Record

The yearly statistics adduced as to lynchings in the United States confirm that this form of outrageous and indefensible mob rule is still in the saddle at least to some extent throughout the country, and that after all this thing called civilization is a thin veneer when such manifestations break out here and there throughout the course of a twelve-month period. There was a total of 20 lynchings, five more than for the year 1934. They were confined almost exclusively to the southeastern states, with Mississippi in the lead, in which state Judge Lynch demanded seven victims. South Carolina had none to blot her escutcheon throughout the past year. Let's keep the slate clean for 1936.

BUTTE, MONT.
POST

JAN 3 1936

OUR LYNCHING SHAME.

The annual report of the Tuskegee Institute on lynchings is one of the unpleasant summaries of last year's happenings. It shows that 20 persons, two white and 18 Negro, met death at the hands of mobs in 1935. That is an increase of five such crimes over the 1934 record and is a greater number than in any of the past five years, with the exception of 1933. As usual, most of the killings took place in the South, the distribution by states including: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Bad as this record is, it would have been much worse had it not been for the action of peace officers who in 53 other instances prevented lynchings. In some of these cases guards were augmented; in others prisoners were removed to safe places; in all, 84 lives were saved. That is one bright feature of the report; on the other side of the picture is the fact that of the 20 who were lynched, 13 were in the hands of the law. Five of them were taken from jails, six from officers outside of jails and two were shot to death in a jail.

From these facts it is apparent that the onus rests, in large part at least, upon peace authorities. Where they courageously refused to surrender prisoners and met mob violence with stern force, lynch attempts

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lict officers.

GREENSBORO, N. C.
RECORD

DEC 30 1935

Twenty Lynchings Reported This Year; Only 15 In 1934

North Carolina Has First Mob Execution In Many Years; Mississippi Leads With Total of Seven.

There have been 20 lynchings in the United States this year, compared with 15 for 1934 and 28 for 1933, according to a report just submitted to this paper by F. D. Patterson, president of Tuskegee Normal and Industrial institute, of Tuskegee, Ala.

North Carolina offered one lynching to the total of 20, a negro being hanged early in the summer near Louisburg, in Franklin county. Mississippi led the list with seven lynchings. Other states in which that form of violence took place were California, one; Florida, two; Georgia, two; Louisiana, four; Texas, two; and Tennessee, one.

Of the 20 persons lynched, two were white and 18 were negroes. The offenses charged were: Murder, seven; attempted criminal assault, three; criminal assault, three; altercation with man, one; activity in share cropper organization, one; attacking person, one; taking prisoner from an officer of the law, one; killed by a mob in search for another person, one; slapping a woman, one; communistic activity, one.

Thirteen Taken From Law.

Thirteen of the persons lynched were in the hands of the law; five were taken from jails; six from officers of the law outside jails; and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Of these, nine were in the northern and western states and 44 in the southern states. In 42 of the instances the prisoners were moved or the guards augmented or other precautions taken. In 11 cases armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were saved from death at the hands of mobs.

JACKSON, MISS.
NEWS

DEC 30 1935

TABLE SHOWS STATE LEADS IN LYNCHINGS

TUSKEGEE—(AP)—Dr. F. D. Patterson, president of Tuskegee Institute, announced today that records of his institution showed that 20 persons were lynched in the United States during 1935, a gain of five over 1934.

He said that 84 persons—17 white and 67 negro—were saved by officers of the law from death at the hands of mobs.

Mississippi with seven lynchings led the nation, according to Dr. Patterson's announcement, while Louisiana reported 4, Florida 2, Georgia 2, Texas 2, and California, North Carolina and Tennessee one each.

The persons lynched, the Tuskegee president said, included two white men and 18 negroes, while the charges against them included murder, attack, activity in share cropper organizing, communistic activity, slapping a woman, and taking a prisoner from an officer of the l

Thirteen of these lynched, he said, were at one time in the hands of the law; five were taken from jails, six were taken from officers outside the jails, and two were shot to death in jail.

ENID, OKLA.
MORNING NEWS

DEC 31 1935

THE DECLINING POWER OF JUDGE LYNCH

Official records of Tuskegee Institute, just released, show an increase in the number of lynchings in 1935 as compared to 1934, but still show the gradual downward trend of mob rule as compared to most of the years of the present century. Twenty persons were lynched in 1935, an increase of five over 1934 but not comparable at all to records of many years. Thirteen of the persons lynched were in the hands of the law; five were taken from jails; two were shot to death in a jail.

The best lynching record of the last three and one-half decades was established in 1932, when only eight persons, white or colored, were victims of the mob. The worst year of the century was 1901 when 135 persons were victims of the noose, the gun or the stake at the hands of crowds inflamed by prejudice and the mob spirit.

Mob rule has no place in a civilized country, and, fortunately, is generally on the down grade. Yet the small increase this year in the number of those put to death without benefit of trial is deplorable enough, and a continued blot on the record of law enforcement agencies in America.

Mob rule is savage rule; civilization has provided a better plan of bringing to book those accused of crime; and, too often, the mob's victims are innocent parties, caught in a web of circumstances from which, probably, a calm and ordered trial by jury could extricate them.

That the majority of mob victims are negroes is, no doubt, largely due to race prejudice, as indicated by the fact that 19 of the 20 lynchings last year occurred in southern states; yet there were 17 white persons in other states who were saved from mobs during the year only by the prompt and stern efforts of the law officers, and 67 negroes likewise who were properly protected from the passions of the horde.

Twenty persons illegally done to death is, perhaps, not many in a nation as large as the United States, yet it is twenty too many. There are legal ways to determine the guilt, to convict, to sentence, and even to execute the person or persons guilty of serious crime. The lynch rope or the stake determine nothing, except to emphasize the mad passions of the mob and to cast a shadow on civilization

ALBANY, N. Y.
NEWS

DEC 31 1935

Lynching

THE annual report of the court of Judge Lynch in America is dark enough but it has some beaming candles therein. F. D. Patterson, president of Tuskegee Institute, cites a total of 20 lynchings in 1935 or five more than in 1934, but eight less than in 1933. However it is 12 more than in 1932. Thirteen of those lynched were in the hands of the law; five were taken from jails, six from officers and two were shot in jail. All but two of those lynched were Negroes and race prejudice played the biggest part in mob vengeance last year.

That is a shameful record indeed, a national disgrace. Yet let us look on the other side of the picture. Dr. Patterson points out that in 53 instances officers prevented lynchings. Nine of these instances were in Northern and Western states and 44 were in Southern states. So the North need not draw its skirts about it and look at the South as altogther to blame for lynchings. In 44 cases Southern officers prevented lynchings and did their duty at the risk of their own lives and defiance of the warped "sentiment" of their neighbors who had organized themselves into mobs. In these 53 instances the lives of 84 persons, 17 whites and 67 Negroes, were saved from lynchers. That is a bright spot. Another bright spot is the work of women of the South who are doing their utmost to discourage lynching and calling on men of the South not to take the law into their own hands.

Lynching is a blot on America. Will it never be removed?

FORT WORTH, TEX.
EVENING STAR TELEGRAM

JAN 3 1936

Lynching in 1935.

THE ANNUAL REPORT on lynching in the United States, made by the Tuskegee Normal and Industrial Institute, Tuskegee, Ala., contains in its round figures little encouragement for the hope that this crime is on the way out. The number of persons lynched in 1935 was 20, which is five more than in 1934, and 12 more than in 1932, although eight fewer than in 1933.

But in the figures for prevented lynchings there is much encouragement for the

belief that the crime can be suppressed by determined action of peace officers. There were 53 instances in which officers of the law prevented lynchings—in 42 cases by removal of the prisoners or augmentation of prison guards so as to overawe the mob, and in 11 instances by armed force employed to repel attack by a mob. A total of 84 persons, 17 white, were thus saved

Lynchings-1935
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Twenty Persons Victims Of Lynching Orgies In 1935

According to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 colored were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in shar ecropper organizing 1; attacking person, 7; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Montgomery, Ala. Journal
December 28, 1935

Score of Persons Lynched in 1935

TUSKEGEE, Ala., Dec. 28.—(AP)—Dr. F. D. Patterson, president of Tuskegee institute, announced today that records of his institution showed that 20 persons were lynched in the United States during 1935 a gain of 5 over 1934.

He said that 84 persons—17 white and 67 negro—were saved from death at the hands of mobs by officers of the law.

Mississippi with seven lynchings led the nation according to Dr. Patterson's announcement, while Louisiana reported 4, Florida 2, Georgia 2, Texas 2, and California, North Carolina and Tennessee each.

The persons lynched, the Tuskegee president said, included two white men and 18 negroes charged with murder, attack, activity in share cropper organizing, communistic activity, slapping a woman, and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails, six from officers outside the jails, and two were shot to death in jails.

Richmond, Va. News-Leader
December 28, 1935

20 Lynched in 1935, Says Tuskegee Man

TUSKEGEE, Ala., Dec. 28.—(AP)—Dr. F. D. Patterson, president of Tuskegee Institute, announced today that records of his institution showed twenty persons were lynched in the United States during 1935, an increase of five over 1934.

He said that eighty four persons—seventeen white and sixty-seven Negro—were saved by officers from harm at the hands of mobs.

LYNCHINGS FOR 1935

December 21, 1935

Dear Sir: I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Departments of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1: Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Yours very truly,
F. D. Patterson, Pres.

Spartanburg S. C. Herald
December 29, 1935

Mobs Kill Twenty in 1935

The mob spirit was rife during 1935. Twenty persons were lynched, an increase of five over the previous year. But other mobs were not so successful and the lives of 84 persons—17 white and 67 negro—were menaced by them. It is to the credit of peace officers that these persons were saved from lynching.

According to data collected by Dr. D. F. Patterson, of Tuskegee Institute, the year's lynchings were confined to the eight states of Mississippi, Louisiana, Texas, Georgia, Florida, Arkansas, North Carolina and Tennessee, Mississippi leading all with a total of seven.

It is gratifying to South Carolinians to see the name of their state missing rfom the list of those in which mobs committed murder during the year 1935, though there have been killings in the state this year that were almost as humiliating to all right-thinking people.

Selma, Ala. Times
December 29, 1935

1935 LYNCHING RECORD

It is regrettable that the very authentic chronicle of lynchings which is kept by the Tuskegee Institute shows an increase of five in the number of victims of mob law in 1935 compared with 1934, the figures being 20 for this year and 15 for the year before. It is shown that 13 of the number lynched were already in the hands of the law. They were wrested away from officers or taken from jails, two were shot in jail. There were 53 instances in which officers of the law prevented lynchings.

Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were: murder, 7; attempted rape. 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person. 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia. 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Alabama does not appear in the list of states blighted by the lynching evil, for which we may well give thanks.

Brooklyn, N. Y. Citizen

JAN 2 1936

Old Judge Lynch still claims his toll. The ~~total~~ for 1935 is twenty. Last year it was only fifteen and in 1933 it was twenty-eight. In thirteen cases this year the victims were taken either from jails or from the arms of the law. Nineteen of the cases occurred in the South and one in California. The savagery and unwillingness of the Southerners to rely on the due processes of the law are no less rampant than ever, although it is admitted that some of the lynching victims perpetrated horrible crimes. The Southern States will do nothing about the practice and efforts to pass Federal legislation are blocked by Southern Senators. The South believes greatly in tradition and will not abandon it, even if that tradition is most uncivilized.

Shelby, N. C. Star
December 30, 1935

Twenty Lynchings Occur In '35 And 53 Preventions Reported

According to the records compiled in the department of records and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails; six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 ohter instances, armed force was used to repeal the would be lynchers. A total of 84 persons, 17 white and 67 negroes, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were negroes. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

"The alleged offenses were: murder, seven; attempted rape ,three; rape ,three; altercation with man one; activity in share-cropper organization, one; killed by mob in search of another person, one; slapping a woman, oe; communistic activity, one.

"A total of 84 persons, 17 white and 67 negro, were saved from death at the hands of mobs. There were 53 instances where officers of the law prevented lynchings. Nine of these were in northern and western states ad 44 in southern states," the report said.

ST. JOSEPH, MO.
NEWS PRESS
DEC 30 1935

Editorial Observations

The Tuskegee Institute says there were twenty persons lynched in 1935. This is five more than the number fifteen for 1934; eight less than the number twenty-eight for 1933, and twelve more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails; six from officers of the law outside of jails and two were shot to death in a jail. Of the twenty persons lynched, two were white and eighteen were Negro. The offenses charged were: Murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one. The states in which lynchings occurred and the number in each state are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one Texas, two.

Anniston, Ala. Star
December 28, 1935

Lynchings In Nation Increase To 20 This Year; 15 In 1934

TUSKEGEE, Ala., Dec. 28. (U.P.)—There have been 20 lynchings in the nation this year compared with 15 last year, according to the annual report of Tuskegee Institute, famed negro college.

All but one of the lynchings occurred in the South. That one occurred in California. Mississippi had seven lynchings, more than any other state. Louisiaa had four. In Georgia there were two lynchings; Florida and Texas had two each. One lynching took place in North Carolina and one in Tennessee.

"Two of the persons lynched were white and 18 negro," F. D. Patterson, head of the school, said. "Thirteen of these persons were in the hands of the law. Five were taken from jails; six were taken from officers outside of jails and two were shot to death in a jail.

Columbia, S. C. State
December 29, 1935

Tuskegee Lynching Data

Tuskeegee, Ala., Dec. 28—(AP)—Dr. F. D. Patterson, president of Tuskeegee institute, announced today that records of his institution showed 20 persons were lynched in the United States during 1935, an increase of five over 1934.

He said that 84 persons—17 white and 67 Negro—were saved by officers from harm at the hands of mobs.

Mississippi with seven lynchings led the nation, according to Doctor Patterson's announcement; Louisiana reported 4, Florida, 2; Georgia, 2; Texas, 2; California, North Carolina and Tennessee, 1 each.

The persons lynched, the Tuskegee president said, had included two white men and 18 Negroes, and charges against them included murder, attack, activity in share cropper organizing, Communistic activity, slapping a woman and taking a prisoner from an officer of the law.

Thirteen of those lynched, he said, were at one time in the hands of the law; five were taken from jails; six were taken from officers outside the jails; two were shot to death in jail.

LOWELL, MASS.
EVENING LEADER
DEC 30 1935

LYNCHING RECORD OF 1935.

While either insufficient information, or a difference of opinion in some cases, as to whether a homicide could properly be described as a "lynching" occasionally produces slight differences in the statistics emanating from various sources, those which are issued each year from the Tuskegee Institute are usually considered standard. According to this report the crimes of this sort exceeded in number those of 1934 by five, and those of 1932 by eight; but fell below those of 1933 by eight.

This number, 20, seems to represent neither favorably nor very unfavorably the present status of lynching in the United States. Except in 1917, when war conditions may have had an effect in checking mob violence directed against Negroes, in consequence of the fact that they, together with the young men of the white race, were fighting for their country and were kept out of mischief by service in the army, the victims of mob violence had never been fewer than 50 since the beginning of the record. For some reason there was an abrupt drop to 33 in 1923. Even this was to be far above the average of future years. The number was reduced by more than 50 per cent the next year and only twice has it reached or approached 30 since then. But it cannot be said that there has been much indication that conditions have improved over a 12-year period.

As usual the great majority of the victims were Negroes. The two lynchings of whites were political murders directed against a share cropper agitator and a Communinst. In view of the ruthless suppression of attempts at organization of low-priced labor in some of the far western states, it is rather surprising that only one lynching is reported from that region.

In one case the mob got the wrong man, one lynching was for altercation with a white man, one for slapping a woman. The others were for offenses for which the victims, if they were guilty, would probably have been convicted and executed. The six rape cases represent perhaps the irreducible minimum of lynchings, since it may well be doubted that southern mobs will ever let the law take its course after all such crimes.

Mississippi usually stands near the head of the list, and this year its contribution is more than a third of the whole. California was the only northern state represented. It is not beyond doubt that the southern people as a whole are becoming really more willing to leave punishment to the law. The decrease in the number of completed crimes is due largely to greater vigilance on the part of the authorities. Nine lynchings in the North and 44 in the South were prevented by either strategy or armed resistance on the part of the officials who had charge of the prisoners. This fact ought to be taken into consideration when the annual anti-lynching bill comes up next year. The situation is certainly disgraceful, even if it is not as bad as it was in the early years of this century, to say nothing of the years when the number of victims was in the hundreds; yet it is possible that state effort will in the end accomplish fully as much as federal intervention. The 18th amendment showed that federal laws settle nothing where they are not backed up by local sentiment.

NEW ROCHELLE, N. Y
STANDARD STAR
DEC 30 1935

LYNCHING DATA

President of Tuskegee Institute Sends In Report of Cases for Year of 1935

Editor, The Standard-Star: I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Yours very truly,
F. D. PATTERSON,
President.
Tuskegee Institute, Ala.
Dec. 21. 1935.

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Roanoke, Va., World News
December 31, 1935

THE LYNCHING RECORD.

Of twenty lynchings in 1935 nineteen occurred in the South—one in California, where the statement of a former governor gave encouragement to that form of lawlessness. The total is five more than in 1934—an argument handed by the States of the deep South to advocates of a pending bill placing prosecution of lynchers in Federal courts. In the past twenty-five years more than 5,000 persons have been lynched in the United States, and there have been convictions of those taking part in these mob murders in less than one-half of one per cent of the cases.

Old fashioned orators in the half century following the War Between the States used to defend lynching as necessary "to protect Southern womanhood." Yet the record shows that in 1935 the offenses charged against those lynched were: Murder, 7; attempted criminal assault, 3; criminal assault, 3; altercation with man, 1; activity in share crop organizing, 1; attacking person, 1; taking a prisoner from an officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1. Thirteen of the twenty persons killed by lynching mobs were already under arrest when taken from the hands of officers for summary execution.

A more hopeful part of the report shows that in fifty-three instances mob killings were attempted but were frustrated. Nine of these attempts occurred in Northern and Western States, and 44 in the South. Where officers showed a determination to do their duty to protect the prisoners entrusted to their keeping, there was little evidence of mob disorder. In eleven cases mobs were turned back by armed resistance, in 42 cases by removal of prisoners or increase in the number of guards.

How far are the law's delays an incitement to mob violence? In many circles the fact that Hauptmann was convicted nearly a year ago, and that the trial evidence was exhaustively reviewed by the Supreme Court of New Jersey six months ago, and that the agitation for commutation of his sentence still goes on, has caused many a man to decide that if another baby is taken from its nursery and murdered, the man found with the ransom money secreted will be disposed of without benefit of courts. The long drawn out Scottsboro case, in the courts for years, has caused many an Alabama citizen to conclude that a rump jury on the ground could have settled the matter with more equity and less quibbling in one afternoon. So long as trials are made into sporting contests between shrewd lawyers so long as the courts offer opportunities for years of delay, so long will there be an invitation to an outraged citizenry to make summary settlements from which there can be no appeal.

Of the 1935 lynchings, perhaps the most surprising is that of Govan Ward, put to death in broad daylight on the streets of Louisburg, N. C. For some years North Carolina had enjoyed an enviable reputation. It dealt sternly with the mob that stormed the Asheville jail, and sent to prison those who took part in the Needleman affair. And for years afterwards there was no lynching in North Carolina. In the Ward case a white North Carolinian obtained the names of nine of the lynchers and furnished them to the authorities, but no action was taken. Some of the predecessors of Governor Ehringhaus were made of sterner stuff.

In the case of two Negro boys killed by a Texas mob, the county prosecutor announced that the lynchings conformed "to the will of the people," and that neither he nor any other local official had any intention of doing anything about it. His oath of office meant nothing to him so long as he considered that he was on the popular side. But to admit that he was on the popular side is to admit that the people of his county had broken through the thin veneer that separates civilization from savagery.

The pending Federal anti-lynching statute may be unconstitutional, and has been steadily opposed by defenders of rights of the States. But if the States will not protect human life, they can hardly be surprised if there is a general turning to the Federal authority. In our own section, a gigantic whiskey conspiracy was uncovered by the Federal courts, after the State had for years failed to enforce its own laws.

Tuskegee, Ala., News
January 2, 1936

Dr. Patterson Gives Figures On Lynchings

Tuskegee Institute, Ala.
December 21, 1935

Editor News:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynching occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

Yours very truly,
F. D. PATTERSON.
President

MONROE, MICH.
NEWS
DEC 27 1935

LYNCHINGS

Editor, Evening News:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the department of records and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; Communistic activity, 1.

The states in which lynchings occurred and the number in each are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

F. D. PATTERSON,
President.

Greensboro, N. C., Record
December 27, 1935

Horrible and Shameful.

One of the most horrible and shameful features of the record for the year now nearing its close is revealed in a statistical report from the Tuskegee Normal and Industrial institute showing that 20 persons were lynched in the United States during the last 12 months.

This is five more than the number put to death by mobs during 1934, and 12 more than the 1932 total, although the 1935 figure represents eight fewer than were lynched in 1933.

The offenses charged against this year's victims were: Murder, seven; attempted criminal assault, three; criminal assault, three; altercation with man, one; activity in share crop organizing, one; attacking person, one; taking a prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one. Thirteen of the 20 persons put to death by mobs were in the custody of the law when seized and executed under lynch law.

The 1935 record reveals that there were 53 instances in which mob killings were attempted, but were frustrated—in 11 cases by armed resistance. Nine of these defeated attempts took place in northern and western states, and 44 in southern states. In 42 instances the mobs were defeated in their purpose by removal of prisoners or by augmentation of guards.

Eighty-four persons—17 white and 67 negro—were saved from lynching by rope, firebrand, mutilation or bullet. Many more, perhaps all, would have been saved had the officers of the law displayed more nerve, resourcefulness and a stronger determination to do their duty. There are no braver men than those officers who protect prisoners at the risk of their own lives.

GREENSBORO, N. C.
NEWS
DEC 30 1935

LYNCHINGS IN 1935.

Editor of The Daily News:

I send you the following information concerning lynchings for the 1935. I find according to the records compiled in the department of records and research of the Tuskegee institute that there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails; six from officers of the law outside of jails and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings, nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were: murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The states in which lynchings occurred and the number in each state are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

F. D. PATTERSON.
Tuskegee Institute, Ala.

INDIANAPOLIS, IND., TIMES
Tuesday, December 31, 1935

ANNUAL REPORT SHOWS GAIN IN MOB LYNCHINGS

20 Occur in Nation During Year Compared With 15 in 1934.

By United Press

TUSKEGEE, Ala., Dec. 30.—There have been 20 lynchings in the nation this year compared with 15 last year, according to the annual report of Tuskegee Institute, Negro college.

All but one of the lynchings occurred in the South That one occurred in California. Mississippi had seven lynchings, more than any other state. Louisiana had four Georgia, Florida and Texas had two each; North Carolina and Tennessee one each.

"Two of the persons lynched were white and 18 Negro," F. D. Patterson, head of the school, said: "Thirteen of these persons were in the hands of the law. Five were taken from jails; six were taken from officers outside of jails, and two were shot to death in a jail.

Offenses Listed

"The alleged offenses were: Murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share-cropper organization, one; killed by mob in search of another person, one; slapping a woman, one; Communistic activity, oe; attacking person, one; taking a prisoner from an officer of the law, one.

"A total of 84 persons, 17 white and 67 Negro, were saved from death at the hands of mobs. There were 53 instances were officers prevented lynchings. Nine of these were in northern and western states and 44 in southern states.

"In 42 instances prisoners were removed, guards augmented or other precautions taken. In the 11 used to repel the would-be lynchers."

Thre were 28 lynchings in 1933 and eight in 1932.

State
1, 1936

Lynching Can Be Abolished.

Lynchings in 1935, according to statistics given out December 28 by Tuskegee institute, numbered 20; two white men and 18 Negroes. This is five more than for 1934; but it is also eight fewer than in 1933.

The State has never condoned a lynching, and certainly does not want to be misunderstood when it says that even with the increase of five this year, the lynching situation is one which gives the hosts of decent citizens and the militant newspapers which have been fighting against it encouragement to believe that this barbarity will be downed eventually.

Back in 1892, just one year after The State was founded, lynchings in the United States reached the record figure of 231. From that dark year on, slowly but surely the number has fallen. Of course in some of these 43 years, there have been increases, but the black line has gone steadily downward. The all-time low to date, was reached in 1932, with a total of eight; 1933 saw a rise to 28; there was a fall in 1934 to 12, and in 1935 the figure went up again to 20.

Lynching is just as horrible a crime as ever. Those 20 mob murders in 1935 are just 20 too many. Friends of law and order, indeed of civilization itself, cannot relax the fight against this evil till it be wiped out. But happily the past decade, in which no year has seen more than 30 lynchings, gives fair promise that eradication of this crime can and will finally be achieved.

Henderson, N. C. Dispatch
December 30, 1935

LYNCHINGS ARE 20 IN THE YEAR 1935

All But Two Are Negroes And Franklin County Affair is Included.

During the year 1935 there were a total of 20 lynchings in the United States, according to information compiled by Tuskegee Institute for Negroes at Tuskegee, Alabama.

This score of lynchings was five more than the 15 in 1934, eight less than the 23 in 1933 and 12 more than the eight in 1932. Thirteen of those lynched were in the hands of the law, five were taken from jails, six from officers of the law outside of jails and two were shot to death in jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in northern and western states and 44 in southern states. In 42 of the instances, the prisoners were removed or the guard augmented, or other precautions taken. In the eleven other instances armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hand of mobs, the record shows.

Of the 20 persons lynched two were whites and 18 Negroes. The offenses charged included seven for murder three for rape and three for attempted rape, and one each for altercation with man, activity in share cropper organization, attacking person, taking prisoner from officer of the law, killed by mob in search of another person; slapping a woman, and communistic activity.

The States in which lynchings occurred showed seven in Mississippi four in Louisiana, two each in Florida, Georgia and Texas, and one each in North Carolina, Tennesse and California.

Greensboro, N. C. Record
December 30, 1935

Twenty Lynchings Reported This Year; Only 15 In 1934

North Carolina Has First Mob Execution In Many Years; Mississippi Leads With Total of Seven.

There have been 20 lynchings in the United States this year, compared with 15 for 1934 and 28 for 1933, according to a report just submitted to this paper by F. D. Patterson, president of Tuskegee Normal and Industrial institute, of Tuskegee, Ala.

North Carolina offered one lynching to the total of 20, a negro being hanged early in the summer near Louisburg, in Franklin county. Mississippi led the list with seven lynchings. Other states in which that ferm of violence took place were California, one; Florida, two; Georgia, two; Louisiana, four; Texas, two; and Tennessee, one.

Of the 20 persons lynched, two were white and 18 were negroes. The offenses charged were: Murder, seven; attempted criminal assault, three; criminal assault, three; altercation with man, one; activity in share cropper organization, one; attacking person, one; taking prisoner from an officer of the law, one; killed by a mob in search for another person, one; slapping a woman, one; communistic activity, one.

Thirteen Taken From Law.

Thirteen of the persons lynched were in the hands of the law; five were taken from jails; six from officers of the law outside jails; and two were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Of these, nine were in the northern and western states and 44 in the southern states. In 42 of the instances the prisoners were moved or the guards augmented or other precautions taken. In 11 cases armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were saved from death at the hands of mobs.

Chicago, Ill. Daily News
Journal
Mon., Dec. 30, 1935

Negro College Reports Increase in Lynchings

TUSKEGEE, Ala., Dec. 30.—There have been 20 lynchings in the nation this year compared with 15 last year, according to the annual report of Tuskegee Institute, famed Negro college.

All but one of the lynchings occurred in the south. That one occurred in California. Mississippi had seven lynchings, more than any other state. Louisiana had four. Georgia, Florida and Texas had two each; North Carolina and Tennessee one each.

"Two of the persons lynched were white and 18 Negro," F. D. Patterson, head of the school, said.

There were 28 lynchings in 1933 and eight in 1932.

EAST ST. LOUIS, Ill., JOURNAL
Sunday, December 29, 1935

LYNCHINGS SHOW INCREASE OF FIVE DURING THE YEAR

TUSKEGEE, ALA. (UP) There have been 20 lynchings in the nation this year compared with 15 last year, according to the annual report of Tuskegee institute, famed Negro college.

All but one of the lynchings occurred in the South. That one occurred in California. Mississippi had seven lynchings, more than any other state. Louisiana had four Georgia, Florida and Texas had two each; North Carolina and Tennessee one each.

"Two of the persons lynched were white and 18 Negro," F. D. Patterson, head of the school, said.

There were 28 lynchings in 1933 and eight in 1932

Lynchings-1935
Reports on, Sent Press

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Sanford Herald
December 30, 1935

Lynching Records

Though there was an increase in the number of lynchings which took place in the United States in 1935 over the number for the preceding year, there was a substantial decline from the number lynched in 1933, and the general trend toward fewer and fewer lynchings was maintained.

According to the records compiled in the Department of Records and Research of the Tuskegee Institute, there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

"There were 53 instances in which officers of the law prevented lynchings," writes F. D. Patterson, president of the Institute. "9 of these were in Northern and Western states and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hand of mobs."

Of the 20 persons lynched, 2 were white and 18 were negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

white. The offenses charged together with the number of persons slain for each offense were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organization, 1; attacking a person, 1; taking prisoner from the officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; and communistic activity, 1.

As usual, it is shown that the South has led in this activity with only one lynching taking place outside this territory and that in the far west. While the number was larger than that for last year, it was smaller than the total reported for 1933 when twenty-eight persons were lynched, but much larger than the figure for 1932 when only eight persons met their death in this manner. We cannot lay claim to having advanced very far in the matter of showing respect for law and order and neither can we point to a very great increase in the willingness of the citizenry to abide by the rulings of the courts.

The fact that every year there are from less than a dozen to a more than a score of persons whose lives are taken before a jury has had an opportunity to do its part in giving them a fair trial bespeaks rather poorly for our courts. Yet, when we consider that only one out of every one hundred persons in North Carolina who is convicted of murder ever has his life taken by the state leads us to believe that the people may have lost confidence in the courts and fear that justice will not be done if the offenders are permitted to stand trial. The business of lynching, however, is bad, and those who take part in them should devote more of their time and energy toward trying to obtain action from the courts instead of taking the law into their own hands.

ROCKY MOUNT, N. C.
TELEGRAM
DEC 31 1935

TWENTY DEAD MEN

Twenty persons in eight states of the Union came to their deaths this year without benefit of judge or jury—by the lynching route according to information contained in a bulletin which recently has been released by the department of records and research of the Tuskegee Institute in Alabama. The compilation shows that the total has increased by five over that for the year 1934 and that eighteen of the persons slain were Negroes and two were

SALESBURG, ILL., REG. MAIL
Monday, December 30, 1935

AS TO LYNCHING

The Tuskogee Normal and Industrial Institute sends out the following information on lynching:

"I find according to the records compiled in the Department of Records and Research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails; 6 from officers of the law outside of jails and 2 were shot to death in a jail.

"There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

"Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

"The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2."

This is signed by F. D. Patterson, president of the Institute.

It seems that lynchings were confined to eight states, that in 40 states there were no lynchings. Mississippi leads out with the worst record, and Louisiana comes next. All covering this subject was debated in Congress. The foregoing communication was accompanied by no explanation and no details save the bare facts. It has been years since there was a lynching in Illinois. There is a difficulty in securing evidence against mob participating in such terrible affairs. Perhaps this may be due to a belief in the mind of one that summary punishment was deserved. The trouble with all mob action is that it is impulsive and hasty and may make mistakes. Every man is entitled to a fair trial, and it is believed that this is the universal feeling in this country

Rome Ga News Tribune
January 1, 1936

INCREASE IN LAWLESSNESS

THE lawlessness that has been so rampant throughout the nation during the past year and which brought about the removal of the Lindbergh family to a foreign nation in quest of safety, was reflected in the increased number of lynchings, as well as in other acts of violence.

Twenty persons were lynched during 1935, an increase of five over the previous year. As usual, most of the lynchings were in the South. There were two each in Florida, Texas and Georgia; one each in North Carolina and Tennessee; four in Louisiana; seven in Mississippi and one in California. The victims included eighteen negroes and two white persons.

It is significant that in only six of the lynchings was the "usual crime" involved, criminal attacks upon women not figuring in fourteen of the lynchings. This record shows how lynch law, once tolerated in one field, will spread quickly to other fields. Mobs that are permitted to do violence in one connection will turn quickly to violence in other directions and thus a condition is created under which the innocent may suffer along with the guilty. The list of 1935 victims included one person who was killed while a mob was trying to get another man.

The record is an appalling one but it has one bright angle. There were fifty-three instances during the year in which determined officers of the law prevented mobs from carrying out their designs. Forty-four of these instances occurred in the Southern states and this furnishes cause for gratification.

The lives of no persons are safe when lawlessness is rampant and it is altogether too rampant in the South as well as in other portions of the country. The urgent need is for courageous and determined officers, resolute courts and solidified public sentiment.

Orangeburg, S. C., Democrat
December 31, 1935

20 Lynched—84 Saved.

The annual lynching statistics of Tuskeegee Institute, one of the outstanding colored educational institutions in the country, have been made public for the year 1935.

Twenty persons were lynched in the United States, seven of which were in Mississippi and all except one in California were credited to southern states. Two of the victims were white men.

An encouraging factor is that this report shows that eighty-four persons were saved by officers from possible harm at the hands of mobs, and of these sixty-seven were Negroes. This means, according to the Tuskeegee figures, that in four cases out of every five in which mobs sought to injure Negroes the white officers of the law protected the Negroes.

Of the twenty lynchings one over half took place in Louisiana and Mississippi leaving only nine which occurred in other states. Florida, Georgia and Texas were the reported locations of two each and California, North Carolina and Tennessee one each. These figures indicate that public sentiment is fairly generally opposed to the crime of lynching.

Athens, Ga., Banner-Herald
January 2, 1936

NUMBER OF LYNCHINGS INCREASE

In 1934, the number of lynchings was 15; the number in 1933 was 12, but in 1935, the number reached 20, which show an increase for the past year. Practically all of the lynchings occurring last year were committed in the southern states. California, however, having one.

A majority of the lynchings were due to the crime of rape and to the delays and bickerings of the courts. Mob violence cannot be justified nor can the action of the officers and the courts in failing to detect, arrest and try the members of mobs. In some instances, alleged members of mobs have been arrested and tried in the courts, but few convictions have resulted. To the laxity of the laws and their enforcement by the courts is due, in a great measure, the deplorable condition existing throughout the country.

Nashville, Tenn. Banner
January 4, 1936

THE LYNCHING RECORD

The number of lynchings in 1935 was greater than in the preceding year, and in most other recent years. Records compiled at Tuskeege Institute show twenty lynchings in the year now ending, five more than in 1934. Only two or three times in the last twelve years has the number of lynchings exceeded twenty. In one year, 1932, lynchings declined to the record low number of eight. In some other recent years the record was almost as good. In 1929 there were ten, in 1928 there were eleven, and in 1931 there were thirteen.

There has been a marked downward trend in lynchings ever since annual records have been compiled. In some years there has been a setback, as there was in 1935, but in the main there has been gratifying progress in stamping out this hideous evil. From 1885, the first year for which records are available, until the turn of the century, there was but one year in which the number of lynchings was less than 100, and then it was ninety-six. In one year during that period there were more than 200 lynchings, and in several years there were nearly 200. The last year in which lynchings reached as high as 100 was 1901, when there were 105.—Birmingham News.

MACON, GA.
NEWS
DEC 29 1935

Lynching Record Still Bad

In the longer view, the number of lynchings has been falling off, but the figures still remain a blot on the country. The Department of Records and Research of Tuskegee Normal and Industrial Institute shows that thus far 20 persons were lynched in 1935. This is five more than last year, eight less than the number of 1933 and 12 more than in 1932.

Thirteen of the persons lynched were in the hands of the law, the report says. Five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

Officers of the law, in 53 instances, prevented lynchings. Nine of these cases were in Northern and Western states and 44 in Southern states. In other cases different precautions were taken. A total of 84 persons, 67 of whom were Negroes, were thus saved from mob violence.

Of the 20 persons actually lynched this year two were white and 18 were Negroes.

Mississippi led the list in the number of lynchings, the record standing at seven; there were four in Louisiana, two each in Georgia, Florida and Texas, and one each in California, North Carolina, and Tennessee.

It is a dark record and one of which the states involved may well be ashamed.

Birmingham, Ala. News
January 1, 1936

THE LYNCHING RECORD

To the Editor The News:

For us the records on lynching released by Tuskegee Institute hold just one bright spot during 1935 not one lynching occurred in Alabama. But as we lay this flattering unction to our soul, let us note that 19 of the 20 lynchings of the closing year took place in the South. We may feel pride as Alabamians, but as Southerners we must blush with shame.

The Tuskegee report lists the offenses for which the mob lynched its victims. Some were charged with murder and attack but others were guilty of only the most trivial misdemeanors. These included "sharecropper organizing, communistic activity, and slapping a woman." Here, to put it mildly, the punishment was not made to fit the crime. But the ultimate in brutish folly was reached when a person was lynched for "taking a prisoner from an officer of the law." In the moral arithmetic of the lyncher, two wrongs make a right.

Again it is evident that those well-meaning people who uphold lynch law with the stock excuse that "we must protect our Southern womanhood" are simply libeling a race. Other records show that rape or attempted rape was alleged in less than 25 per cent of the lynchings of the past 40 years. Once this fact is driven home, lynch law will lose its last apologists among men of good will.

2713 Hanover Circle. HERMAN PFAFF.

20 LYNCHINGS IN 1935, SAYS TUSKEGEE INST.

TUSKEGEE INSTITUTE, Ala. Dec. 27—Twenty persons were lynched during 1935, according to an announcement made this week by the Department of Records and research of Tuskegee.

The Tuskegee report, which is one of several made annually, stated that the 1935 figure represents an increase of five over the 1934 total of 15.

Mississippi led all other states in the number of lynchings, with seven, and Louisiana was second with four. Eighteen of the 20 lynch victims were members of the Race.

The report, bearing the signature of Dr. Frederick D. Patterson, the president of Tuskegee, follows:

"I find, according to the records compiled in the Department of Records and Research of the Tuskegee Institute, that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933, and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

"There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western states and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

"Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activitity in share cropper organizing, 1; attacking person, 1; taking a person from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

"The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2."

The above statement at Tuskegee Institute on the lynchings occurring during the year of 1935 does not include men and women lynched and murdered whose names have never been given to law enforcing agencies. It is a known fact that black persons are murdered for trivial offenses sometimes for refusing to obey share crop overseers and at other times men have been shot down for insisting upon being paid for their labor by their white employers.

Lynchings- 1935
Reports on, Sent Press.

Jan. -Dec.

5236

Millen, Ga., News
January 2, 1936

LYNCHING RECORD

According to the records compiled in the Department of Records and Research of the Tuskegee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 taken from jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

WORCESTER, MASS.
TELEGRAM
DEC 27 1935

THIS YEAR'S LYNCHINGS

There Were Five More Than in 1934, Says Tuskegee Report

To the Editor of the Telegram:

I send you the following information concerning lynchings for the year 1935. I find according to the records compiled in the department of reords and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 5 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western states and 44 in Southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana 4; Mississippi, 7; North Carolina, 1 Tennessee, 1; Texas, 2.

F. D. PATTERSON,
President, Tuskegee Institute,
Tuskegee, Ala., Dec. 21.

MARION (IND.) POST
Tuesday, December 31, 1935

Twenty Persons Lynched in 1935

According to the records compiled in the department of records and research of the Tuskegee Institute at Tuskegee, Ala., that there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934—8 less than the number 28 for 1933; and 12 more than the number 8 for 1932.. Thirteen of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances, armed force was used to repel the would-be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of fobs.

Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were: Murder 7, attempted rape 3, rape 3, altercation with man 1, activity in share cropper organizing 1, attacking white man 1 taking prisoner from officer of the law 1, killed by mob in search of another person 1, slapping a woman 1, communistic activity 1.

The states in which lynchings occurred and the number in each state are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee. 1; Texas. 2.

Orangeburg, S. C., Democrat
December 31, 1935

Data Compiled As to Lynchings

According to the records compiled in the Department of Records and Research of the Tuskegee Institute there were 20 persons lynched in 1935. This is 5 more than the number 15 for 1934; 8 less than the number 28 for 1933; and 12 more than the number 8 for 1932. 13 of the persons lynched were in the hands of the law; 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. 9 of these were in Northern and Western States and 44 in Southern States. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro were thus saved from death at the hands of mobs.

Of the 20 persons lynched, 2 were white and 18 were Negro. The offenses charged were: Murder, 7; attempted rape, 3; rape, 3; altercation with man, 1; activity in share cropper organizing, 1; attacking person, 1; taking prisoner from officer of the law, 1; killed by mob in search of another person, 1; slapping a woman, 1 communistic activity 1

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tenessee, 1; Texas, 2.

W... Com'rcial Appeal
January 1, 1936

MOB VIOLENCE IN '35 COSTS LIVES OF 20

Report on Deaths Is Issued by Negro College

Mob violence took a score of lives in 1935 in the United States, 18 negroes and two white men being put to death by lynchings in violation of their constitutional rights to trial by jury, the Tuskegee Institute, negro college at Tuskegee, Ala., reported yesterday through its research department.

The report showed that Tennessee bore the stigma of one lynching; Mississippi, 7; Louisiana, 4; North Carolina, 7; Texas, 2; Georgia, 2; Florida, 2, and California, 1. This compares with 15 lynchings over the country in 1934; 28 in 1933 and only eight in 1932.

The report also shows that in 53 instances officers outwitted mobs either by spiriting their prisoners away or by calling in reinforcements to guard the jail. In 11 other instances, the National Guard repelled mobsters, the institute declared.

Greensboro, N. C., News
December 30, 1935

LYNCHING IN 1935.

Editor of The Daily News:

I send you the following information concerning lynchings for the 1935. I find according to the records compiled in the department of records and research of the Tuskegee Institute that there were 20 persons lynched in 1935. This is five more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails; six from officers of the law outside of jails and two were shot to death in a jail

There were 53 instances in which officers of the law prevented lynchings, nine of these were in northern and western states and 44 in southern states. In 42 of the instances the prisoners were removed or the guards augmented or other precautions taken. In the 11 other instances armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched, two were white and 18 were negro. The offenses charged were: murder, seven; attempted rape, three; rape, three; altercation with man, one; activity in share cropper organizing, one; attacking person, one; taking prisoner from officer of the law, one; killed by mob in search of another person, one; slapping a woman, one; communistic activity, one.

The states in which lynchings occurred and the number in each state are as follows: California, one; Florida, two; Georgia, two; Louisiana, four; Mississippi, seven; North Carolina, one; Tennessee, one; Texas, two.

F. D. PATTERSON.
Tuskegee Institute, Ala.

Citizen
January 2, 1936

NO LYNCHINGS IN S. C.

According to figures published by the Tuskegee Institute, twenty persons were lynched in this country last year. The number is tabulated as to the crimes committed, the manner in which the lynching was accomplished and the numbers occurring in each state. Two of these hapless victims were white, and among the crimes listed, "communistic activity" is given in one case. Most of the lynchings occurred in the Southern states, of course; Mississippi leading with seven. None are listed as being in South Carolina.

Fayetteville, Tenn., News
January 2, 1936

20 LYNCHED DURING 1935

According to the records compiled in the Department of Records and Research of the Tuskegee Institute there were twenty persons lynched in 1935. This is five more than the number fifteen for 1934; eight less than the number twenty-eight for 1933; and twelve more than the number eight for 1932. Thirteen of the persons lynched were in the hands of the law; five were taken from jails, six from officers of the law outside of jails and two were shot to death in a jail.

The States in which lynchings occurred and the number in each State are as follows: California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina, 1; Tennessee, 1; Texas, 2.

20 Lynchings Recorded In Year

TUSKEGEE, Ala.—Dr. Frederic D. Patterson, president of Tuskegee Institute, has just released the record compiled by the Department of Records and Research of the institute, on the number of lynchings occuring during the year 36.

According to Dr. Patterson, twenty persons were lynched during the year; 5 more than the number 15 for 1934; eight less than the number 28 for 1933; and 12 more than the number 9 for 1932. Thirteen of the persons lynched accord ing to the Institute were in the hands of the law, 5 were taken from jails, 6 from officers of the law outside of jails and 2 were shot to death in a jail.

There were 53 instances in which officers of the law prevented lynchings. Nine of these were in Northern and Western states and 44 in Souther nstates. In 42 of the instances the prisoners were removed or the guards augumented or other precautions taken. In the 11 other instances, armed force was used to repel the would be lynchers. A total of 84 persons, 17 white and 67 Negro, were thus saved from death at the hands of mobs.

Of the 20 persons lynched 2 were white and 18 were Negro. The offenses charged were; murder, 7; attempted rape 3; rape 3; altercation with man, 1; activity in sharecropper organizing, 1; attacking person, 1; taking a prisoner from officer of the law, 1, killed by mob in search of another person, 1; slapping a woman, 1; communistic activity, 1.

The states in which lynching occurred and the number in each state are as follows, California, 1; Florida, 2; Georgia, 2; Louisiana, 4; Mississippi, 7; North Carolina 1; Tennessee, 1: Texas, 2.

Cullman Ala. Democrat
January 2, 1936

LYNCHINGS INCREASE; NONE IN ALABAMA DURING YEAR

F. D. Patterson, president of the Tuskegee Institute has just released statistics showing that the number of lynchings increased to 20 in 1935 from 15, in 1934. Thirteen of those lynched were taken from officers, five from jails, and two were shot in jail. A total of 84 persons, 17 white and 67 negroes were saved from mobs by officers. Of the 20 lynchings, two were whites, and 18 negroes. Alabama had no lynchings. Mississippi topped the list with seven.

Aiken S.C. Review
Jan 3-1936

ANOTHER BLOT

The Tuskeegee Institute, of Alabama, announces that a total of 20 persons were lynched in the year 1935. The total is five greater than during the year 1934, but eight less than in 1933.

The report is a blot upon the states in which these manifestations of mob violence occurred and impresses forcibly upon the minds of law-abiding citizens that the spirit of the mobster is still at large.

In connection with the score of lynchings during the year, one wonders how many persons who participaated in these illegal killings have been punished by the courts.

SAULT STE. MARIE, Mich. News
Saturday, December 28, 1935

More Lynchings

Lynchings in 1935 were 20, five more than in 1934. We take a backward step in the number of times that mobs refuse to wait for the law to take its course although not equaling the 1933 figure of 28.

The Tuskegee Institute, founded by Booker T Washington, furnishes the figures each year and gathers additional data concerning the states where the lynchings occurred as well as the offense charged. President F. D. Patterson outlines 10 offenses ranging from murder and rape to slapping a woman and for communistic activity. One lynching resulted from a "search of another person."

It is going to take time to get a steady return to the figure of eight in 1932. Meanwhile Mississippi Florida, Georgia, Louisiana, Texas, California, North Carolina and Tennessee, where the 1935 lynchings occurred need to do everything possible to increase respect for their courts and curb their lawless elements.

Spartanburg S. C. Journal
January 1, 1936

Lynching Record

The yearly statistics adduced as to lynchings in the United States confirm that this form of outrageous and indefensible mob rule is still in the saddle at least to some extent throughout the country, and that after all this thing called civilization is a thin veneer when such manifestations break out here and there throughout the course of a twelve-month period. There was a total of 20 lynchings, five more than for the year 1934. They were confined almost exclusively to the southeastern states, with Mississippi in the lead, in which state Judge Lynch demanded seven victims. South Carolina had none to blot her escutcheon throughout the past year. Let's keep the slate clean for 1936.

NEW ORLEANS, LA.
STATES
Jan 2, 1936
JAN 2 1936

Antilynching Bill

THE annual statistics by Tuskogee Institute relative to lynchings in the United States brings immediate announcement of a probable move in Congress for a committee to investigate the evil and the revival of the Wagner-Costigan bill to give some sort of federal jurisdiction over lynchings.

We suggested last session, when Southern senators succeeded by a filibuster of several days in forcing the supporters of the Wagner-Costigan bill to lay it aside, to take warning from the fact that Democratic members were joining in advocacy of the measures, that unless there was a decrease in these outbreaks of violence, enough senators might finally rally behind the bill to put it over.

The measure contemplated probably is an unconstitutional invasion of the rights of the states. Senator BORAH and other distinguished lawyers and senators have so expressed themselves and oppose the legislation. But in these days no one can see into the minds of the gentlemen of the supreme court, and that body might take the congressional view if the Wagner-Costigan bill is put over. Prudence dictates that the South should take no risks in the matter, for it might have serious consequences. The only certain way to block antilynching legislation is by suppression of the crime by the South itself.

* * *

THE record for 1935 is disappointing. Where we had hoped for a decline there was an increase. Twenty persons were victims of mob justice. This is more than the number 15 for 1934, eight less than the number 28 in 1933, and 12 more than the number eight for 1932.

The only encouragement in the figures is that in 53 instances lynchings were prevented by officers of the law, nine of these in Northern and Western states and 44 in the South Southern public sentiment is having some effect.

By contrast, a lamentable fact is that of the 20 lynchings, Mississippi (7) and Louisiana (4) contributed more than half the total. Texas had two lynchings, California one, Florida two, Georgia two, North Carolina one and Tennessee one. No less lamentable is the fact that a number of the lynchings were unprovoked, since the crimes alleged were under no construction of the law punishable by death.

DAYTON, O.
NEWS
DEC 30 1935

Dishonor Roll

The annual report of the Tuskegee Institute of Alabama shows that up to Dec. 26 the number of mob victims this year totaled 20. This is an increase of five over 1934. As usual, nearly all of the lynchings occurred in the south. Mississippi, with seven, was the worst offender. California had one, Texas two. Florida, Georgia, Louisiana, North Carolina and Tennessee are the other states on the list.

A common excuse of mobs is that they do the work in which the law fails, yet 15 of the 1935 lynching victims were already in the hands of the law, five were taken from jails, six from officers outside jails, and two were shot to death in jail. The question of why the law in these cases could not hold its prisoners for the justice of the courts is no easier to answer in view of the fact that in 53 other instances officers of the law did prevent lynchings.

Of the lynchings prevented, 44 were in the south, the balance in northern and western states. Uusually a heavier guard or removal of the prisoner was sufficient; in only 11 cases was it necessary to use armed force in repelling the mob. But for the courage of these authorities the number of persons lynched in 1935 would have been 104 instead of 20.

The significance of the figures is inescapable. Lynchings occur most frequently in districts where ignorance and poverty are the rule. Eradicating these evils may be a long-time task, but the record reveals that the crime which springs from them can be checked now. It is up to the states which do not want a federal anti-lynching law to prove that such a law is not needed.

Lynchings-1935
Side Lights.

Alabama

30

5145

Armed Alabama Thugs Abduct and Slug Negro



This photograph of John Harvey, taken two weeks after he was beaten by armed vigilante thugs in Birmingham, shows the mass of welts and cuts still plainly visible on his body.

Kidnaped While on the Streets of Birmingham John Harvey, Young Communist, Was Taken to Woods and Beaten—Aid Later Refused Him

By Cyril Briggs

His head, face and body a mass of ugly welts and cuts, John Harvey, militant Alabama Negro youth and a member of the Young Communist League, arrived in New York City last Thursday evening after a narrow escape from lynching at the hands of a gang of Birmingham vigilantes who kidnaped and beat him on the eastern outskirts of the Southern city.

Although the attack on the Negro youth occurred a little over two weeks ago, clear evidence of the savage brutality to which he was subjected is still plainly visible in the numerous welts and scars on his body and face, and the bumps and gashes on his head, as shown in the accompanying photograph taken last Friday in the Daily Worker office.

Seized by Four Men

Harvey was in the company of five other Negro youths on the morning of Aug. 10, when he was attacked, he told the Daily Worker yesterday. "We were sitting on the side of the road just out of Birmingham when a 1935 Ford rolled up, and four white men got out, leaving another white man at the wheel. The four men came over to our group and looked us all over. Then they all four grabbed hold of me, and told me 'get in this car, nigger.'"

When Harvey protested, and asked what "crime" he had committed, one of the gang retorted "your crime is too grave to take you to the jail here. We are taking you to Montgomery to Kilby Prison." It is at Kilby Prison that Haywood Patterson and Clarence Norris, two of the Scottsboro boys, are confined.

All Carry Guns

Harvey was thrown, protesting, into the car by the four men, all of whom were armed with automatic pistols. As the car started off, his captors began questioning Harvey and taking notes of his answers, and finding his answers negative, started beating him up in the car. Among the questions put to him was whether he knew Robert Woods, Birmingham secretary of the International Labor Defense who has been twice kidnaped and beaten by vigilantes in the employ of the Tennessee Coal and Iron Company, and Beth Mitchell, an I. L. D. organizer. When Harvey refused to give information as to members of the I. L. D., the Y. C. L. and other working-class organizations, he was driven into the woods and savagely beaten.

This time all five men got out of the car, pulled off their coats, pulled Harvey out of the car by his heels and began punching him, kicking him in the face when he fell, continuing the attack until the young worker was rendered unconscious. On his revival, his tormentors again attacked him, knocking out a front tooth, beating him on his head and face, tearing off his clothes and finally launched a volley of kicks at him.

"They used me as if I were a football," the young worker told the Daily Worker, "kicking me from all sides at once. They told me I was a 'Red' and they would beat me till my body was all red."

Aid Is Refused

After making him stand up and knocking him down several times, they drew their guns and ordered him to run, forcing him deeper into the woods. Finally managing to escape his tormentors, Harvey rested in the woods for a time and then made his way to the nearest highway, where he tried to get a lift back to the city from a white driver. The latter jumped on him with a crank and threatened to kill him. Thinking that this man might return with others, Harvey made his way back to the woods where he lost consciousness. When he revived, he went to another highway where while waiting for a car to pass by, he again lost consciousness. This time he revived to find a white man and his wife bending over him. The couple refused to give him a lift, but returned after an hour with eight or ten white men. The Chief of Police of Homewood, a small city near Birmingham, was then notified and arrived on the scene, but not to hunt the kidnapers of the Negro youth but to grill Harvey on the "reason" why the thugs had found it "necessary" to kidnap and beat him: "had he been going with a white girl?" "was he fooling around with 'em Commue-nists?"

Police Take No Action

Harvey was finally taken to the Hillman Hospital in Birmingham where doctors stitched the worst cuts in his head, applied iodine to the other head cuts but refused to treat the cuts and welts on his body. He was kept in the hospital until the following Tuesday morning, when he was discharged, his body injuries still not treated.

Harvey did not recognize any of the men who kidnaped and beat him, but states he could identify them if given the opportunity. Police, however, made no attempt to arrest any of the gang. Two days after the attack on Harvey, Birmingham papers reported the finding of the body of another Negro worker "who fell off a cliff while walking along Shade Mountain."

The Birmingham Y. C. L., which provided medical care for Harvey after he was discharged from the hospital, sent him to New York City as soon as he was able to travel. Harvey, his militant spirit unbroken by the vicious attack on him, told the Daily Worker yesterday that he was ready to return to the South in the near future to continue his work, or accept any assignment given him by the Young Communist League.

Eufaula Negro Brought Here To Kilby Prison

9-22-35

In a serious condition from bullet wounds in the chest and left arm, Nathan Beauchamp, Eufaula negro, was under treatment last night in the hospital at Kilby Prison where he was taken early yesterday by Sheriff M. P. Williams, of Barbour County, who said he brought him to Kilby when he learned a plan was on foot to take the negro from a hospital in Eufaula and lynch him.

Beauchamp is charged with fatally shooting Will Britt, filling station operator, in a pistol battle that occurred Thursday night in Eufaula. The negro's condition was understood to be critical late last night and it was not known at that time whether he would survive until morning.

Lynchings-1935
Side Lights.

Alabama

5237

BIRMINGHAM, ALA.
POST

FEB 7 1935

STORY OF LYNCHING WILL BE PROTESTED

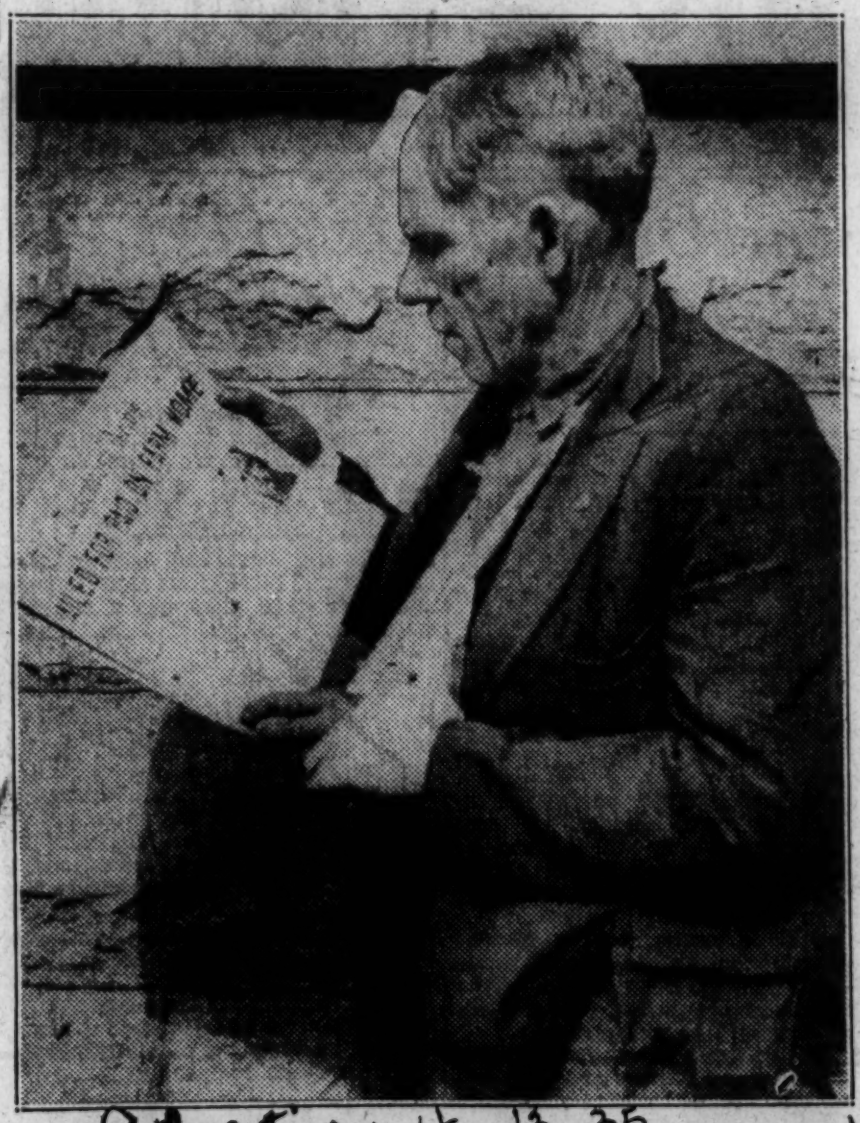
Resolution Will Be Introduced To Ask Revision Of Report

A resolution requesting Tuskegee Institute to revise a report which classifies the fatal shooting of a Negro in East Birmingham last August as "Alabama's only lynching will be introduced at the weekly City Commission meeting next Tuesday, Public Safety Commissioner W. O. Downs announced today.

"By no stretch of the imagination can the death of this Negro be called a lynching," Commissioner Downs declared. "The Negro attempted to abduct three white girls who were on their way to a religious meeting. He also threatened them with a pistol. The posse of citizens which rescued the girls shot the Negro after he shot at its members."

Police Chief Luther Hollums voiced his approval of the resolution, explaining that the Negro was shot while resisting arrest.

Alabama Man Beaten By Mob



Attacked in his home by seven men whom he claimed were searching for a missing liquor distillery, Andrew Greathouse (above), 65 of south Tuscaloosa County, Ala., was beaten and his household furniture was smashed. The mob also beat his daughter-in-law. Seven persons accused of the assault were charged with assault with intent to murder. (Associated Press Photo)

Sheriff Places Negro in Hands Of Lynch Gang

Missing Since Release, Friends Fear Man Was Murdered

BIRMINGHAM, Ala., May 24.—John Foster, militant Negro worker, is missing since last Sunday when he was released from the county jail at the point of a gun and turned over to a police-landlord gang waiting for him in several automobiles.

It is feared here that Foster was either murdered outright or so badly injured that he is unable to make his way home.

Only two weeks ago Elaine Owen and Henry Johnson, two white workers arrested by sheriff deputies at a meeting of Dallas County Negro croppers, were forced out of Selma jail by Sheriff Reynolds, at the point of a gun, into the arms of a group of landlords who beat them up and dropped them on a road fifteen miles from here.

A Communist meeting in a private home in Bradford, a suburb of Birmingham, was broken up by police yesterday. Five of the workers present were taken for a ride and warned to leave "that business alone." No one was placed under arrest.

LYNCH LAW HINTED IN SLAYING OF CHIEF

Sacramentan Is Third Police Head To Be Slain in California Recently.

SACRAMENTO, Cal., Aug. 11.—(AP)—The third chief of police to be shot down in northern California in recent weeks was killed fatally today by bullets from a prowler's pistol.

The victim was Frank G. Fish, 47-year-old police chief of North Sacramento. Shot in an exchange of gunfire with two men, he bled to death within 30 minutes.

Lynching Rumored.

Muttered talk of lynch law was heard in the streets of the Sacramento suburb a few hours after a suspect was placed in jail. Later, two companions were arrested.

One man was arrested and booked as George O. Wallace, 27, of Oakland. He was picked up by Deputy Sheriff C. K. Harder, of Sacramento, who had been called to the neighborhood by citizens complaining of prowlers.

The other two made no attempt at resistance when the sheriff came across them at a railroad station. He said they readily admitted they were Alfred Paine and Huge F. Smith.

The deputy sheriff did not learn of the slaying of Chief Fish until he had brought his prisoner to headquarters here.

Other police department heads who have been slain in recent weeks in northern California were F. R. Daw, of Dunsmuir, and Police Chief O'Neil, of Santa Rosa.

Robbed Store.

The prisoner, Wallace, after lengthy questioning at headquarters said he had left two companions in the vicinity where the shooting took place. He said they had gone to rob a grocery store, but Sheriff Harder found him as he was waiting for his companions to return, he told police.

Records of the state bureau of criminal identification listed an Alfred A. Paine, alias Ralph Paine, 26, with five minor law violations against him in Alameda county, of which Oakland is the county seat.

Suspects Flee.

The county jail here in which Wallace is held is a large gray stone structure. No attempt was made to seize him, but there was talk in the streets that "they'd better put him in a strong place if they want to keep him."

A week ago C. L. Johnson, confessed slayer of Chief Daw, of Dunsmuir, was taken from the jail at Yreka and lynched.

No violence followed the killing of Chief O'Neil.

The barking of the dog of M. W. Millert, an elderly resident of the suburb, nearly led to the capture of the slayer of Chief Fish.

Almost Nabbed.

Awakened by the barking, Millert went to the backyard of his home in his nightclothes in time to see a man leap over a hedge with a box of groceries. The prowler slipped, and Millert, pretending to have a pistol in his hand, cried out for him to halt.

R. H. Alexander, a neighbor, joined Millert and as they were about to seize the prowler a shot was fired by a second man they could not see, the bullet scattering dirt at their feet.

At the command of the unseen gunman, Millert and Alexander backed away, and the two prowlers fled.

A block up the street a young woman, Huolene Towns, sat in an automobile and heard the shot. A moment later she saw the two men fleeing. A few minutes afterward she heard a series of shots from farther up the streets.

Police believe the second burst of gunfire marked the shooting of Chief Fish.

ORANGE, TEXAS, CHIEF SLAIN BY BANDITS

BEAUMONT, Texas, Aug. 11.—(AP) Johnnie Godwin, 31, acting police chief of Orange, Texas, died today by a bullet wound suffered in a fight with two motor car theft suspects—just 75 days after the slaying of his predecessor, Ed J. O'Reilly.

Clyde Dawson, 21, and B. F. Thompson, 29, were arrested nd charged with murder. Police Officer George Lafitte said Dawson admitted firing the fatal shot last night.

Officer Lafitte captured Thompson at the scene of the shooting, which broke out with an attempt to arrest the pair on a charge of stealing the taxicab of Fred Thomas, of Beaumont.

Dawson was arrested in Lake Charles, La., after, officers said, he kidnaped Jessie Webb and Miss Rosa Lee Patterson, of Orange, in their motor car to flee.

Chief of Police O'Reilly, who hired Godwin only a few months ago, was shot to death May 29 in an altercation with the Rev. Edgar Eskridge, Baptist minister, now in jail at Houston awaiting trial for murder.

UNION BARES LYNCHING OF SHARECROPPER

Federal Government Is Asked To Intervene

By ALBERT JACKSON

MONTGOMERY, Ala., Aug. 30.—On July 21, Joe Spinner Johnson, Negro share cropper and a leader of the Share Croppers Union in Perry County, was called from his cotton patch by the landlord, B. J. Young, and the overseer, Locke Trainer, delivered into the hands of a vigilante gang, and murdered.

The lynching of Johnson is one of the many secret lynchings that are not reported in the white press. The majority of these lynchings never come to light. But now and then the foul deed is discovered. Investigators of the Share Croppers Union, after more than a month of search, have uncovered the facts. The union is now pushing with all its might to have the lynchers brought to trial and sentenced to the usual penalty for premeditated murder—death!

Johnson was bound hog fashion with a board behind his neck and his hands and feet tied in front of him, brutally beaten and carried to the Selma, Dallas County, jail.

About 11 o'clock that night the inmates heard a terrible commotion, beating and screaming which lasted until 12 o'clock.

Union Makes Demands

The next morning Joe Johnson was not in jail. A few days later his mutilated body was found in a field near a crossroads around Greensboro. The coroner did not hold an inquest, did not identify the body, did not turn it over to the family for burial. The landlords dumped it in a secret grave to keep the information from getting out. Friends of Joe Johnson, however, recognized the body.

The Share Croppers Union is making the following demands upon the state officials and upon President Roosevelt and Attorney-General Homer S. Cummings:

1. The immediate arrest and conviction of B. J. Young and the Selma jail officials for murder. Death penalty for the lynchers.
2. Intervention and prosecution by the federal government.
3. A jury on the case, composed of Race and white workers, share croppers and tenants.
4. The right to armed self-defense for the Race and white workers, sharecroppers, tenants and poor farmers, and ample protection for witnesses and jury during the trial.
5. Payment of $100 a month, by the State of Alabama, for the upkeep of Mrs. Johnson and her eight children, during the remainder of her life.

Uncover Secret Lynching of Ala. Sharecropper's Leader

By Albert Jackson

(Secretary, Share Croppers Union)

MONTGOMERY, Ala.—On July 11 Joe Spinner Johnson, Negro share cropper and a leader of the Share Croppers Union in Perry county, was called from his cotton patch by the landlord, B. J. Young, and the overseer, Locke Trainer, delivered into the hands of a vigilante gang, and murdered.

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Victim Bound Like Hog

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Landlords Angry at Union

Mrs. Virginia Johnson, militant wife of Joe Johnson, had been sick in bed for five weks before this happened. Her eight children were left without anyone to take care of them. Locke Trainer, the overseer, told her she would have to move right away. He "consoled" her by saying the landlords were not sore at her, it was just her husband who had been "distributing literature" and "organizing that damn union against the white folks".

After the murder of her husband, Mrs. Johnson went to visit Governor Bibb Graves about the case. The Ku Kluxer was "busy" and she could not get by his secretary. Then she went to see Attorney-General Albert Carmichael, but he had a secretary too. This secretary told her to see Mayor Joseph James in Greensboro. Now it happened that James was one of the leaders of the lynch-gang that murdered Joe Johnson.

Lynchers Are Known

But the lynchers are known! There is no excuse. If the state officials would act they would have the evidence and the guilty parties! The landlord, B. J. Young; the overseer, Locke Trainer, and the officials of the Selma jail are among those who should be indicted for the lynching.

The Share Croppers Union is making the following demands upon the state officials and upon President Roosevelt and Attorney-General Homer S. Cummings:

1. The immediate arrest and conviction of B. J. Young and the Selma jail officials for murder. Death penalty for the lynchers.
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3. A jury on the case, composed of Negro and white workers, share croppers and tenants.
4. The right to armed self-defense for the Negro and white workers, share-croppers, tenants and poor farmers, and ample protection for witnesses and jury during the trial.
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Lynchings-1935
Side Lights.

Arkansas.

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Posse Seeking Negroes Who Wounded Deputy

ASHDOWN, Ark., Feb. 3.—(AP)—A posse of officers with the aid of bloodhounds tonight was scouring Red River bottoms near here for two negroes in connection with the wounding of Willard Locke, Little River County deputy sheriff, who was shot this morning when he attempted to question a group of negroes concerning a burglary.

Officers said they suspected one of the negroes being hunted as the officer's assailant and the other of burglarizing a negro house.

The deputy was believed not seriously wounded. He was fired upon without warning as he approached several negroes after going to the area alone.

Negro Organizer Hides After Mob Fires Into Home

MARKED TREE, ARK., March 21.—(AP)—A negro organizer for the Southern Tenant Farmers' Union who said he escaped when a mob fired 32 bullets into his home in the negro section here late last night was in hiding tonight after conferences with union leaders.

C. T. Carpenter, attorney for the union, an organization of sharecroppers, said the negro, A. B. Brookins, escaped from his home silently, said, when the mob arrived there about midnight to "talk" to him, describing themselves as "members of the union."

Brookins, a preacher, about 60 years old, was active in enrolling negro sharecroppers in the union, and is regarded as the "chaplain" of the negro section.

Carpenter said the negro escaped unhurt, and that a blind negro woman housekeeper who was in the home when the firing started, crawled under a bed to escape the bullet fire. He said the group arrived at the home in two automobiles, and that after the firing, one car started toward Tyronza, the other toward Lepanto, Ark.

The negro preacher was described by union officials as "badly frightened" tonight and uncertain of his plans.

Fred H. Stafford, deputy prosecuting attorney, said he was making a thorough investigation, but that he had no information as to members of the mob.

The mob appeared at the home two or three times, Carpenter said he was told, and once asked where other organizers for the union could be located.

THOMAS CLAIMS MOB PREVENTED SPEAKING

Telegram to Roosevelt Tells of "Armed Planters"

A telegram saying that he was forcibly prevented by a mob of armed planters from addressing a meeting of agricultural workers, mostly negroes, from the steps of a church" Friday afternoon in Birdsong, Ark., was sent by Norman Thomas, national Socialist leader, to President Roosevelt last night.

Mr. Thomas told reporters here that he had been invited to speak at a negro Baptist Church and that a spokesman for a group of 30-odd planters assembled there said, "If you don't get out, we'll pull you out."

No Charges Preferred

As he was being "bustled out," Mr. Thomas said, he asked whether authorities were preferring any charges and was told that they were not.

"Then the man who pulled me off the platform came up to me and said he represented the sheriff and advised me to go because he could not give me and the innocent people who were there to hear the speakers protection."

In his telegram, Mr. Thomas said: "This is but one sample of the most arrogant tyranny I have seen in America."

He spoke at tenant farmer meetings yesterday at Gilmore, Marked Tree and Lepanto on behalf of the Southern Tenant Farmers Union.

Mr. Thomas left Memphis last night to fill speaking engagements in New England.

TENANT ORGANIZER FLEES

"Missing" Negro Of Marked Tree Runs When Bullets Fly

MARKED TREE, Ark., March 21 (AP)—A negro organized of the Southern Tenant Farmers' Union was reported "missing" today by C. T. Carpenter, union attorney, who said the negro's house was the target last night of gunfire by a mob. Carpenter said A. B. Brookins, negro preacher, escaped through the back door when the firing started, and that he apparently was still in hiding today.

Brookins, Carpenter said, has been active in organization of negro locals of the union.

Bandit Brothers Slain By Posse

EL PASO, ARK., May 6—(AP)—Two men identified by Sheriff T. C. Plant, of White County, as Clarence and Freddie Busche, 21 and 22-year-old Missouri bandit brothers accused of five murders in two states since January 1, were shot to death in a gun battle with an Arkansas posse tonight.

They were killed after they opened fire on two possemen, Hanford Russell and Mark Huckaby, who were trailing them through the woods after receiving a tip from a farm youth that they had been seen in woods two miles east of El Paso late this afternoon.

Russell shot a pistol from the hand of one of the Busche brothers after he had fired one shot. Russell and Huckaby were armed with automatic shotguns while a saw-off shotgun, a German Luger, and an automatic revolver were found beside the brothers.

Russell, a Vilonia farmer, had engaged in a previous gun battle with the desperadoes, his marksmanship forcing them to abandon their car near Vilonia last Saturday night after he and another man shot the windshield out of the machine.

Sheriff T. C. Plant, of White County, Sheriff J. I. Summers, of Faulkner County, and others of the 100 officers and citizens who had been tracking the bandits since Saturday reached the scene shortly after the battle.

The two were identified as the men who shot and killed two men and wounded two others at a rural dance near Grapevine, Ark., last Wednesday night when they became angered over a dance being concluded.

They also are wanted at Ironton, Mo., for the murder of an officer and Superintendent A. Gray Albright, of the Arkansas State Rangers, declared he believed they were the men who slew a night marshal at Malvern, Ark., in March and killed a youth in northern Arkansas several weeks ago.

Vigilantes Try To Kill Negro

MARKED TREE, Ark., March 26.—The home of Rev. A. B. Brooks, a Negro organizer of the Southern Tenant Farmers Union, was riddled with bullets late last Wednesday night. The 65-year old Negro preacher escaped through the back door of his home in the Negro section when the firing started. Thirty-two bullet holes were found in the walls of the house.

Negro tenant farmers are reported to be hiding Rev. Brooks from the vengeance of the landowners and their armed bands.

W. H. Stultz, president of the union, found a note on his door step this morning warning him to leave Poinset County "within twenty-four hours."

Birmingham, Ala. News
March 21, 1935

ORGANIZER "MISSING"

Negro Union Workers Home Reported Fired On In Arkansas

MARKED TREE, Ark.—(AP)—A Negro organizer of the Southern Tenant Farmers Union was reported "missing" Thursday by C. T. Carpenter, union attorney, who said the Negro's house was fired upon Wednesday night by a mob.

Carpenter said A. B. Brookins, a negro preacher about 60 or 65 years of age, escaped through the back door of his home in the Negro section when the firing started Wednesday night, and that he apparently was still in hiding in another Negro home Thursday.

Brookins, Carpenter said, has been active in the organization of Negro locals of the sharecroppers' union.

Carpenter said he was told by members of the union who visited the scene Thursday morning that there were 32 bullet holes in the house.

Marked Tree has been the center of the controversy in East Arkansas between the sharecroppers union and planters. The union has charged wholesale illegal evictions of tenants.

Fred H. Stafford, deputy prosecuting attorney, said he would investigate the shooting.

Birmingham, Ala. News
March 22, 1935

NEGRO STILL MISSING

MARKED TREE, Ark. —(AP)— Information as to the whereabouts of A. B. Brookins, a Negro organizer for the Southern Tenant Farmers Union, was kept a secret by union officials Friday as Deputy Prosecuting Atty. Fred H. Stafford investigated a report that the Negro had fled from his home following a hail of gunfire. Brookins, a 60-year-old preacher, escaped unhurt after 32 bullets had been fired into his house Wednesday night by two "mobs." C. T. Carpenter, attorney for the tenant farmers' union, said. A Negro woman housekeeper obtained shelter beneath a bed, the attorney declared. Identities of the "mob" members have not been determined. Stafford said.

Lynchings - 1935
Sidelights

California

5108

Memphis, Tenn., Com'rcial Appeal
August 6, 1935

Food For Thought

For the third time in two years, California steps out with a lynching. The latest victim, one Clyde Johnson in jail on a charge of murdering a chief of police, was taken by a mob of indignant citizens and hanged to a pine tree. An investigation has been ordered, and officers are busy trying to identify members of the mob.

Regardless of the outcome of this investigation, the district attorney offers an explanation that casts an entirely new light on some of the difficulties of a well-ordered enforcement of the law. He makes no mention, for the moment, of the brutality of the crime. But it seems that some two years ago a state highway patrolman, a citizen of the county, was murdered. A jury convicted the murderer, he was sentenced to death. The conviction was resisted through a petition for a writ of habeas corpus in the federal courts, and "has been slowly manipulated to the country's highest tribunal." Such a display of "apathy by the supreme court of the United States and other federal courts," concluded the district attorney, aroused the people of the community to an "uncontrollable unrest."

In other words, the citizens lost confidence in law enforcement. They knew that an outrageous and, as the district attorney suggests, a wanton murder had been committed. A jury, after hearing all the evidence, said so. The higher courts of California agreed. And yet, this murderer goes into the federal courts upon a technical point and ties up the law enforcement machinery of the entire state of California.

Without knowing any of the details of the case, and relying solely upon the district attorney's statement, it is a safe bet that the guilt or innocence of this murderer is not an issue in the federal courts. Similar appeals have hinged upon such absurd suggestions as the incompetency of a juror because he was delinquent in his taxes, or because trivial forms were not complied with in the prosecution of the case. Not only do such questions have nothing to do with the guilt or the innocence of a defendant but they irritate and confuse the average citizen who is impatient of the law's delay.

No one blames even a criminal for fighting to the last. The courts must see to it that all of the forms of law have been observed to enable him to prove his innocence. But after it appears that he is guilty, it would be well if technicalities and such could be brushed aside.

Lynchings-1935
Side Lights

Florida

5239

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SEBRING, FLA.
AMERICAN
JUL 25 1935

HOPELESS

A rather hopeless task the Broward County grand jury has on its hands in trying to bring to justice the mob who took the negro, Reuben Stacey, away from the officers as they were taking him away for safe-keeping, and lynched him. The utter hopelessness of the situation is seen in the statement of State's Attorney Louis Maire: "We intend to do all we can in the matter, and that's all we can do." Governor Sholtz has demanded immediate action. Circuit Judge George W. Tedder, in charging the investigating grand jury, reminded them that while a good citizen does not condone, but condemns the crime of the negro, still there was no excuse for the mob to take the law into their own hands. In spite of all this, it will be almost impossible to ascertain the identity of the lynchers.

TAMPA, FLA.
TRIBUNE
JUL 24 1935

13 WITNESSES SUMMONED IN LYNCHING PROBE

Grand Jury Hears Story Of Mob Slaying

FORT LAUDERDALE, July 23.—(Associated Press.) — Thirteen new subpoenas were issued after the grand jury today finished the opening sessions of its inquiry into the lynching last Friday of a negro accused of attacking a white woman with a knife.

The jurors, told that "lynching is an unlawful means to an end." Learned from the officers how a masked band of 100 men overpowered five deputies and hanged Reuben Stacey, 37, negro, to a roadside tree.

They also heard of the attack from Mrs. Marion Jones, 30, who identified Stacey as her assailant. Circuit Judge George W. Tedder warned the jurors to consider the second crime, excluding the attack.

Among those summoned for tomorrow were Indian Commissioner R. L. Glenn—the negro was snatched from the deputies a short distance from the Seminole reservation — and the tender of the bridge over which the lynching party passed.

"We intend to do all we can in the matter," said State Attorney Louis Maire, "and that's all we can do."

Suggests Federal Help

He expressed the belief the case as is now stands was a matter for investigators. He suggested G-men, rather than the deliberative grand jurors.

"If anyone can help us in any way in this investigation," he promised, "it will be appreciated. The investigation will last as long as necessary to bring forth the facts."

Judge Tedder, charging the jury said it had been called to place responsibility and to indict those it finds guilty.

"A good citizen does not condone, but condemns the first crime," he said of the attack on Mrs. Jones, mother of three small children. "However, there is no excuse for us to take the law into our own hands."

Emphasizing the blessings enjoyed under the constitution and the law, Judge Tedder said: "If we allow our laws to be broken, those blessings will vanish. No one can tell when mob violence begins where it will end, and it may lead to the breaking down of all laws."

JACKSONVILLE, FLA.
JOURNAL
JUL 25 1935

JURY PROBE OF LYNCHING FAILS

Find It Impossible to Return True Bill

FORT LAUDERDALE, Fla., July 25—(AP)—An investigation into the lynching of Reuben Stacey was continued today by State Attorney Louis F. Maire after a grand jury probe had collapsed.

After questioning 30 witnesses in a special two-day session, the grand jurors said they found it "impossible to return a true bill." Earlier a coroner's jury reported the lynchers were "unknown."

Sheriff Walter R. Clark said he also would continue his investigation.

Stacey was taken from six deputies sheriff carrying him to Miami for safekeeping by 100 masked men, who hanged him and riddled his body with bullets. He had been identified by Mrs. Marion Hill Jones as the negro who attacked her with a knife.

Sham Inquiry of Lynching Begun by Florida Governor

Daily Worker
New York, 7-29-35

FORT LAUDERDALE, Fla., July 21.—A fake investigation into the lynching last Friday of Rubin Stacey, 37-year-old Negro, has been set in motion by Governor Dave Sholtz.

In his order for the investigation Governor Sholtz duplicated the sham indignation he had expressed in connection with the brutal torture and lynching October 26, 1934, of Claude Neal. The "investigation" ordered by the Governor at that time petered out within a few weeks.

Stacey was handed over by six Broward County officers, headed by Deputy Sheriff Virgil Wright, to a masked band of lynchers last Friday. He had been arrested earlier that day on a charge of slashing a white woman with a pen-knife.

He was being taken to the Dade County Jail in Miami when he was handed over by the officers to the mob. Deputy Sheriff Virgil Wright offers the explanation that he and his men were "overpowered" by the mob.

With great zest, he described the lynching, saying that the hooded band took the Negro "up the road and hanged him. He was filled full of bullets, too. I guess they shot him both before and after they hanged him."

"As far as we can figure out, they just picked him up with the rope from the ground—didn't bother to push him from an automobile or anything," the deputy continued, while denying that he and his fellow officers were present at the lynching.

The deputy sheriff said that the officers were unable to identify any of the lynch gang.

MIAMI, FLA.
NEWS
JUL 20 1935

The Mob Returns

The first lynching in many years is reported in southeastern Florida. The victim—a negro, as usual—had been identified by a white woman and her three children as the man who attacked her with a knife. The sheriff and his deputies appear to have attempted to guard their prisoner. But the mob spirit was not to be denied.

There are just two excuses commonly offered in defense of lynching. One is the supposition that it is the only effective way of keeping the negro "in his place" and the other is that justice, as administered by the courts, is too uncertain. The two excuses are really one. If the courts are effective, there is no need for mob intervention.

The entire record of the courts, in regard to negro criminals in the South, betrays no lack of severity. It has been said that a southern jury is inclined to regard a negro as guilty until proved innocent; if there has been any lack of justice, it has not been through leniency. The weakness of the courts is found in dealing with white criminals who are able to employ the shrewdest and most unscrupulous lawyers—but these offenders who so often are freed to prey again on society are rarely, if ever, the victims of the lynching mob.

In the final analysis, the robes of chivalry and justice with which the mobsman seeks to clothe himself cannot conceal the ugly spirit of brute vengeance, the savage lust for the kill. The very fact that lynching usually makes its victim a negro, toward whom the courts themselves are noted for severity, strips away the only claim to virtue.

Lynchings - 1935
Side Lights.

Florida.

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Umatilla, Fla., Tribune
May 17, 1935

According to the Winter Park Herald the citizens, business men and Mayor of that attractive city are highly indignant over a front page sensational story appearing in the Orlando Sentinel of May fourth. The exagerated account of the arrest of a negro, suspected of petty larceny, has brought forth strong protests contradicting the statement that there was a "near-lynching."

Grand Jury Plans Hunt For Lynchers

FORT LAUDERDALE, FLA., July 20 —(AP)—A two-way investigation to unmask the 100 men—a coroner's jury declared them "unknown"—who lynched a negro attacker, was launched here today in response to Gov. Sholtz's command.

Reuben Stacey, 37, negro laborer, died "by strangulation or bullet wounds," the jury found, and Sheriff W. R. Clark and his deputies "used diligent care and precaution for the safety of the deceased."

Directed to make "an immediate and searching" investigation of the negro's hanging late yesterday, State Atty. Louis F. Maire and Sheriff Clark prepared for a special session of the Broward Grand Jury, called for Tuesday.

Exhibiting knife scarred hands, Mrs. Marion Hill Jones, 30, mother of three small children and member of a pioneer family, told the jury of the attack upon her last Tuesday.

"Do you positively identify Reuben Stacey as the man?" she was asked.

"There is no doubt in my mind that he is the man who attacked me," replied the housewife, unaware until this morning of the hanging of the negro to a roadside tree a quarter mile from her home

Alleged Victims Of Assault Held

Two young women of Barton, Fla., who early yesterday had two Montgomery men arrested on charges of criminal assault, last night had been placed in jail also and police ventured the opinion that "nothing would come of the charges."

Yesterday morning the women appeared at police headquarters and told Lieut. J. L. Phenix that the men had given them a ride into Montgomery from the Birmingham Highway, had taken them to a house on Pollard Street, and criminally assaulted them.

The men, who gave their names as Leon Perdue, 27, and Wilbur Crittendon, 26, were arrested and taken to jail. Both denied the charges.

Later police determined to question the women and they, likewise, were arrested and jailed. There, according to Police Capt. Ralph King, they admitted that if the men had agreed to pay them $15 they would withdraw the charges.

The women gave their names as Maggie and Ruby Nell Brown, aged 21 and 19 years, respectively, and said they were hitch-hiking to Barton, Fla., from Centerville, Ala.

Georgia Negroes Held in Shooting

Florida Man Allegedly Injured by Gang Escapes

MAYO, Fla., July 15 (AP)—Four Negroes who escaped from a Georgia chain gang early last week, were brought here from Green Cove Springs today to face charges of shooting Charlie Strickland, a filling station operator.

They were arrested at Green Cove Springs late Friday. Sheriff Thomas J. Pearson of Mayo said the four had admitted shooting Strickland when he attempted to make them pay for gasoline they obtained from him Thursday.

Strickland is in a Gainesville hospital and was reported in a serious condition from the gunshot wounds. If he recovers, Sheriff Pearson said, the Negroes will be charged with assault with intent to murder and with armed robbery, the latter a crime punishable with life imprisonment in this state.

Lynchings-1935
Sidelights

Georgia

5240

HOMER CROWD HUNTS NEGRO AFTER ATTACK

HOMER, Ga., Aug. 13.—Several hundred persons today were seeking an unidentified negro who reportedly attacked a white woman living near here yesterday.

Reports during the early afternoon said the negro had not been found.

According to reports the negro applied to the woman at her home for food and when she handed him a plate he attacked her. Her husband was away from home at the time.

Two Negroes Jailed For Investigation Face Lynch Threat

LAWRENCEVILLE, Ga., Sept. 23.—Lynch incitement in the local press is endangering the lives of two Negro workers held in jail here for "investigation" in connection with the shooting of Hulan Clack, a 19-year old white youth.

In the face of the total absence of any evidence connecting them with the shooting, the two workers are being held by the police on vague grounds that they "were reportedly seen in the vicinity of the Clack home." Protests should be sent immediately to Gov. Eugene Talmadge, Atlanta, Ga.

NEGRO IS HUNTED IN YOUTH'S DEATH

Colquitt Boy Killed and Girl Companion Wounded by Shotgun

MOULTRIE, Ga., Oct. 16.—(AP)—A posse searched the southern section of Colquitt county today for a negro wanted in the fatal shooting of a young man here last night and the wounding of his woman companion.

Police Chief L. L. Smith, who questioned the girl in the hospital, said she told him she and Otis Howell Gay, 23, were seated on an embankment when a negro approached, lifted a shotgun to his shoulder and without saying anything fired one shot.

Gay was killed and the birdshot from the charge struck the young woman in the right shoulder and face.

Chief Smith said officers had found where the negro borrowed a gun from a farmer, saying he was going hunting, and that the gun was returned about half an hour after the shooting.

The negro then went to his house, gathered up his clothes and fled, Smith said he was told.

Two other couples who had accompanied Gay and his companion to the spot on the Hamilton road, were sitting in an automobile approximately 100 yards up the road when the shooting occurred. They had no inkling, they said, of what was taking place until they heard a shot and saw the negro run by them and on down the road.

GEORGIA NEGRO IS VICTIM OF POSSE

Slain By Group Seeking Another Negro In White Man's Death

MOULTRIE, GA., Oct. 17.—(AP)—A negro farmer was dead today, the victim of a posse which was seeking another negro for the slaying of a white man.

The Moultrie Observer said the negro killed in a rural section of the county last night was listed as "Bo" Brinson and that his family reported he had been beaten severely by an enraged mob.

The search continued for the negro wanted in the slaying of a white man, Otis Gay, Tuesday night.

Sheriff T. V. Beard said he was notified of the shooting of the negro today. He planned an investigation.

Brinson was shot several times in the head and chest. Reports here were that he tried to take a gun from a member of the posse while the men were searching his home.

The sheriff said armed groups roamed over the area bordering Thomas County yesterday and last night in quest of the slayer.

He said the wounded negro was being brought to the hospital here before he knew of the accident. Brinson died shortly after reaching the hospital.

Beard yesterday and last night toured areas as far south as Tallahassee, Fla., with officers of neighboring counties. He said no trace had been found of the actual slayer since he reportedly fled from his house not far from the scene of the slaying of the white man.

Gay was shot to death in the vicinity of the scene of the slaying of the negro. A young woman companion of Gay's was quoted by Police Chief L. L. Smith as saying a negro approached her and Gay as they sat on an embankment, raised a shotgun and, without saying a word, fired one shot. Gay fell dead and the young woman was struck in the face and shoulder by birdshot.

NEGRO IS VICTIM OF ARMED POSSE

White Men Kill Colquitt Farmer While Seeking Slayer of Otis Gay

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Armed Groups Roam

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NEGRO IS JAILED IN DUBLIN ATTACK

Alleged Assailant of Laurens Sheriff Is Captured by Posse Early Today

DUBLIN, Ga., Oct. 29. (AP) — Charged with shooting and wounding Sheriff W. H. Adams of Laurens county, a Negro was arrested in a woods near here early today and placed in the county jail.

The hospital said the sheriff was out of danger, and received only a flesh wound.

Mrs. Adams, the sheriff's wife, said her husband had had a fairly comfortable night.

Tracked by Dogs

She said bloodhounds, brought here from Wrightsville, were used to track down the Negro.

The accused man was named by Deputy Sheriff B. F. Branch as Ernest Clarke, who had lived in the vicinity of Dublin about a year.

Branch said Sheriff Adams was shot while trying to arrest Clarke on a charge of shooting two Negro women at a church meeting Sunday night.

Adams went with Branch and two other deputies to a Negro house where Clarke had left his automobile. While they were deployed about the house, Branch said, the Negro came up in the semi-darkness and opened fire with a pistol as Sheriff Adams flashed a light on him.

Bloodhounds and Posse Let Loose

DUBLIN, Ga., Nov. 4.—Bloodhounds and an armed posse were let loose on Earnest Clark, a Negro worker of this city, and his capture was effected by deputized thugs and a crazed mob. Clark, now held in the county jail, was charged with shooting two Negro women. Last night his home was surrounded and broken into by the posse. Clark tried to defend himself by firing on the armed mob Sheriff B. F. Branch said to have received a slight flesh wound in the hip.

This sequence of incidents in a cruel reign of terror against Negro people, together with slashing of thousands of workers, both Negro and white, from relief rolls, the cutting of wages of all factory workers, is a drive to crush the spirit of the Georgia workers and grind them in the dust.

Lynch Law Terror Rages

MOULTRIE, Ga., Nov. 4.—"Somewhere in Georgia" another Negro worker, John Sloan, was lynched today on the charge of slaying Otis Gay, a white. The reign of terror against the Negro people has been going on since Oct. 15, when Bo Brinson, a Georgia Negro farmer, was lynched and his body riddled by bullets because he attempted to defend himself against armed lynch mobs who were searching for "an unidentified Negro" who was charged with the slaying of Gay.

John Sloan was arrested in Havana, Fla., by Sheriff T. V. Beard of Moultrie, and, without any extradition papers or any pretense of justice, Sloan was brought over into Georgia and is held in an unknown Georgia jail. As yet no official charges have been lodged against Sloan.

This terror is launched at a time when over 5,000 Georgia relief workers are being cut off from F. E. R. A. projects and only a few are being transferred to W. P. A. work. Starvation and lowest misery are rampant. This is a studied maneuver of the Georgia lynch bosses to divide the unity of white and black workers and prevent militant action against wretched conditions.

Lynchings—1935
Side Lights.

Georgia.

5242

HIS WORK SUPERIOR, DENTIST CHASED

Courier

White Dentist Has Dr. Staley Chased by Hoodlums After Doing Better Dental Job.

4-13-35

By ANDREW J. WHITE
(Special to The Courier)

CAMELIA, Ga., April 11—There occurred just another one of Dixie's performances last Wednesday, when a group of white hoodlums burned the home, office and car of Dr. A. L. Staley and chased him out of town. The trouble started when Dr. Staley performed a better piece of work than a local white dentist of the same city. The white dentist extracted a tooth in a man's mouth and broke his jaw, which set in to disfigure his face. The patient then came to Dr. Staley for treatment. The man's face was restored to its orig[illegible]

News spread of what Dr. Staley had accomplished and the white dentist had him chased out of town.

At the time Dr. Staley's home was burned he was visiting a friend nearby, when suddenly a bright light flashed like gasoline exploding. He and his friends rushed to the door and found that his property was being destroyed. He immediately disguised himself and went in the streets in an attempt to reach his car. On reaching the scene he found his car was being burned along with the rest of his property.

While searching he found a note that read: "Do not let sun-up catch you here." Signed KKK.

The fire department refused to put the fire out, as it was understood that this would take place. After reading the note, Dr. Staley left immediately through the back way and then through the woods until he reached the railroad. There he caught a freight train to Flemington, Ala., and went to Pensacola, Fla.

Dr. Staley is the son of Prof. A. S. Staley, who was principal of the Americus, Ga., high school for forty years. His son is a freshman at Morehouse College.

NEGRO IS CHARGED WITH ENTERING HOME

Courier 10-18-35

JEFFERSON, Ga., Aug. 17.—A negro named Williams, [illegible] years old, was arrested this morning and charged with having entered a room in the home of E. P. Howington, two miles from Commerce, early today. Screams of Howington's daughter frightened the negro who fled. Sheriff H. M. Culberson later apprehended Williams, who was shot in the leg during the capture.

Williams was later in the day carried to Atlanta and placed in the jail there.

NEGRO MAN KILLED BY GEORGIA POSSE

Courier Atlanta Ga.

MOULTRIE, Ga., Oct. 17.—(AP)—A negro farmer was dead today the victim of a posse which was seeking another negro for the slaying of a white man.

The Moultrie Observer said the negro killed in a rural section of the county last night was listed as "Bo" Brinson and that his family reported he had been beaten severly by an enraged mob.

The search continued for the negro wanted in the slaying of a white man, Otis Gay, Tuesday night.

Gay was shot to death in the vicinity of the scene of the slaying of the negro. A young woman companion of Gay's was quoted by Police Chief L. L. Smith as saying a negro approached her and Gay as they sat on an embankment, raised a shotgun and, without saying a word, fired one shot. Gay fell dead and the young woman was struck in the face and shoulder by bird shot.

Lynchings-1935

Illinois.

5243

Side Lights.

OTTAWA, ILL.
REPUBLICAN TIMES

APR 2 1935

Fear of Lynching Reason Suspect Attempted Suicide

Fear that Grundy county farmers would take him from jail and lynch him was given by Louis Lutz as the reason why he attempted suicide in the county jail at Morris Friday morning. He is recovering in the Morris hospital. He had severed his windpipe and larynx. He was taken to Morris from Chicago and is held on suspicion of slaying Policeman Clarence Roseland on February 3.

Lynchings - 1935
side Lights

Louisianna

5244

New York Herald-Tribune
JUL 5 1935

Negro Thrashed by Mob

Freed of Assault Charge After Reported Lynching

VILLE PLATTE, La., July 4 (AP).—Adam Avie, Negro, was free today of a charge of assault on a white woman after he had been severely thrashed by a mob which spirited him from jail late Tuesday. He had first been reported lynched.

Sheriff Charles Picou cleared the mystery of the Negro's whereabouts when he announced that Avie was alive in Ville Platte and free of the assault charge. The sheriff said the mob, reported to have numbered about twelve when it smashed the lock of the jail, beat Avie severely. No participants have been arrested.

New York World Telegram
JUL 5

NEGRO BEATEN, ACQUITTED

Freed of Assault Charge After Being Thrashed by Louisiana Bob.

By the Associated Press.

VILLE PLATTE, La., July 5.—Adam Avie, Negro, was free today of a charge of assault on a white woman after he had been severely thrashed by a mob which spirited him from jail late Tuesday. He had first been reported lynched.

Sheriff Charles Picou announced that Avie was alive in Ville Platte and free of the assault charge.

The Sheriff said the mob, reported to have numbered about twelve persons when it smashed the lock of the jail, beat Avie severely. No participants have been arrested.

'Lynched' Negro Is Found, Freed

Montgomery Ala.
Montgomery

VILLE PLATTE, LA., July 4.—(AP)—Adam Avie, negro, was free today of a charge of assault on a white woman after he had been severely thrashed by a mob which spirited him away from the local jail late Tuesday. He had first been reported lynched.

Sheriff Charles Picou lifted the cloud of mystery as to the negro's whereabouts when he announced that Avie was alive, present in Ville Platte, and free of the assault charge.

The sheriff said the mob, reported to have numbered about 12 persons when it smashed the lock of the jail, beat Avie but that the negro was not fatally hurt.

No participants of the mob have been arrested.

Feeling ran high in Ville Platte after the white woman reported she had been attacked, though citizens and officials were reticent over the affair until Sheriff Picou announced Avie's release today.

Winston Salem, N. C
SENTINEL
JUL 6 1935

Is the Mob Easing Up?

In Louisiana a few days ago white mobsters caught a Negro who was accused of criminally attacking a white woman. They took him to a secluded spot, lashed him severely and turned him loose.

Harsh as this treatment may seem, it appears to be quite an improvement over the art of swinging Negroes on a rope from a limb until they are dead, and the business of roasting black-skinned persons at the stake. No doubt is that many Negroes have hung from the hemp in the bayou country for lesser offenses than that with which the latest mob victim was charged.

If mobs must do something to Negroes who attack white women, this lash treatment which stops short of the actual taking of human life might prove more effective than murder. A living victim who has felt the keen edge of the "scorpion" that carded his naked back carries vivid memory of those lightning-stabs of pain with him to his grave. His description of the event to other members of his race could be depended upon to make a deep impression.

But mob action is mob action, whatever its result. It has no place in civilized society while the institutions of free government stand erect. In the terror, chaos and confusion of the reconstruction period the structure of government in the South was broken down and disorganized. For a brief time it seemed imperative that the White South resort to mob action to restore order and re-establish the institutions of a law-abiding society. That era has long since passed, and today there is no excuse for any kind of mob action at any time, under any circumstances at any place, even when such action is not harsh and its result is not written in terms of the death of a human being.

Threaten All Negro People In Village

5-26-35

NEW ORLEANS, La., July 25.—The Ville Platte Gazette openly threatened today to have every Negro in the village lynched if the International Labor Defense presses its campaign for the arrest and prosecution of seven leaders of a mob which carried out the near-lynching of Adam Joseph, Negro worker, early in July.

Ridiculing the results of the investigation by the I.L.D., the paper stated: "Any legal procedure will cause the speedy removal of the hide from all the rest of the blacks around here."

The population of Ville Platte is 1,772, with 370 Negroes.

Otley Deville, whose family runs a lumber yard in the village, was among the seven men identified by Joseph as leaders of the mob. Several days ago the I.L.D. submitted the names of the seven lynch-leaders to District Attorney Gaston Porterie, with a demand for their immediate indictment.

Herman Midlo, New Orleans attorney, is entering suit for $10,00 against each of the seven members of the lynch gang whom Joseph was able to recognize. The International Labor Defense of New Orleans has presented the names of the seven to District Attorney Gaston Porterie, with a demand for their immediate indictment.

Lynchers

The seven are Ferdinand Deville, merchant and the recognized ring-leader of the lynchers; Otley Deville, Johnnie LeFleur, Loren Scileau, Jack Peete, Chester LeFluer and Ferdinand Vidrins.

The near-lynching of Joseph reulted from the pique felt by Otley Deville, white merchant, when Joseph "talked back" to him. This fact, and details of the events as seen by eye-witnesses, were brought to light last week when Ann Miller, secretary of the New Orleans,I.L.D., came to Ville Platte and interviewed the principals in the affair.

Lynch Elements Terrorize Negroes

Knoxville, Tenn.
Knoxville News Sent

VILLE PLATTE, La.,—(CNA)—Two days after a threat in the Ville Platte Gazette that any attempt to prosecute the members of the lynch-gang that kidnapped and beat Adam Joseph, local farm hand, on July 2nd, would result reprisals against the Negro population, E. J. Brown, a friend of Joseph , was arrested here on a charge of "attempting to rape a white woman" three years ago.

Frame-up 8-29-35

The "rape" which Brown is charged with committing is supposed to have occurred on July 23, 1932. This cynical charge is in line with the editorial in the Gazette, which stated: "Any legal procedure (against the would-be lynchers of Joseph) will cause the speedy removal of hide from the rest of the blacks around here."

Lynchings – 1935
Side Lights.

Louisiana

5245

Abducted and Slugged, Negro Is Left to Die

Daily Worker
New York.

Kidnaping and Near-Lynching of Adam Joseph Shows How 'Rape' Stories Are Fabricated—Victim to Sue 7 Members of Mob

NEW ORLEANS, La., July 24.—A white merchant's pique at hearing "back-talk" from a Negro was the reason behind the frame-up, arrest, beating and near-lynching early in July of Adam Joseph, Negro worker of Ville Platte, La. This fact and details of the events as seen by eye-witnesses, came to light last week when Ann Miller, secretary of the New Orleans International Labor Defense, went to Ville Platte and interviewed the principals in the affair.

Joseph is now receiving medical treatment at the New Orleans Charity Hospital. Suit for $10,000 against each of seven members of the lynching party, whom Joseph was able to recognize, is being filed by Herman Midlo, attorney. The I. L. D. has submitted to District Attorney Gaston Porterie the names of the seven, with a demand for their immediate indictment.

Had Argument with White Man

Mrs. P. M. Reed, on whose plantation Joseph had been handy man for twelve years, and in whose employ he was at the time of the attempted lynching, told Miss Miller the following story:

During the last part of June, Mrs. Reed sent Joseph for a load of wood to the yard of Otley Deville, whose family runs a lumber yard. Deville agreed to a week's credit on the wood. The following day, however, Deville appeared at her home saying he wanted the money at once, or he would take his wood back. Mrs. Reed says that she though little of the incident, as Deville is generally considered by the entire community to be mentally abnormal. Looking out of the window a few minutes later, she saw Deville loading the wood to haul it away.

Joseph, who was in the yard, advised Deville not to remove the wood, as Mrs. Reed had been a good customer. Deville told Joseph to shut up, saying: "It's not for a nigger to tell me anything."

Attack Rumors Spread

When Otley Deville went home that day, he found there Loren Soileau, who has a reputation about town as a ne'er-do-well. Deville related the incident at Mrs. Reed's and began to curse Joseph. Soileau is reported to have said: "A guy like that ought to be lynched." Soileau, Deville and his father Ferdinand are among the seven named as members of the lynch-gang of a few days later, Ferdinand Deville being recognized as the ring-leader.

Rumors began to be circulated about town that Joseph had not only "talked back" to Otley Deville, but had also insulted his wife. Joseph was placed in jail.

Mrs. Reed herself went to the jail and tried to get Joseph released, but failed. She then went to call on Otley Deville's wife and questioned her. Mrs. Deville refused to answer questions, became very confused, and began to cry, not stopping until Mrs. Reed left.

That night a mob broke into the jail, carried Joseph six or eight miles out of town in an auto, threw him on the ground face down and shot him in the lower part of the back. Ferdinand Deville insisted that Joseph be strung up. Another man said: "No, let's just beat him." After much controversy, it was decided that each man present would give Joseph ten lashes.

Left Dying on Road

The mob left Joseph on the road, unconscious, and still bound. The next morning the Negro chauffeur of Dr. Attaway found him and carried him to his employer's clinic. Friends of Joseph, learning that he was still alive, went to him under cover of darkness with $3.50 for train fare to New Orleans and the address of the New Orleans International Labor Defense.

Several local inhabitants of Ville Platte told Miss Miller that Ferdinand Deville had personally invited them to join the lynch-party, but that they had refused.

Lynchings—1935

Maryland.

5246

5246

5246

Side Lights.

HAGERSTOWN, MD.
MAIL
DEC 3 1935

Believes Lynching Story, Negro Tries To Commit Suicide

ELKTON, Md., Dec. 2 (AP).—Some of his fellow prisoners at the county jail jestingly told George Hendrix, negro, held for larceny, he was going to be lynched. Hendrix did not know they were joking and, badly frightened, he obtained a bottle of disinfectant and drank it in a suicide attempt. He is recovering at a hospital.

Lynchings - 1935
Side Lights.

Massachusetts.

5247

Boy Burned at Stake Buried by Playmates

BROCKTON, Mass., March 13.—(AP)—The "Indians" who burned nine-year-old Edward Smith "at the stake" last Saturday, carried him to his grave today. The youngsters, whose ages ranged from eight to 11, wept openly as they performed this final duty to their erstwhile "captive cowboy."

Overcoming their first bitterness at the tragic termination of the fatal game, during which Eddie and a companion were lashed to a tree around which grass and leaves had been heaped and then set on fire, Mr. and Mrs. Michael Smith, the boy's parents, finally succumbed to the tearful entreaties of the grief-stricken "Indians" and granted them their request that they serve as pall-bearers.

Ten other former classmates of the boy served as honorary pallbearers.

Lynchings - 1935

Side Lights

Mississippi.

5248

MISSISSIPPI NEGRO DYING AS RESULT OF SEVERE BEATING BY BLOODY KEMPER COUNTY MOB

Bloody Kemper
3-23-35

MOTHER, WIFE AND CHILDREN DRIVEN AWAY IN EFFORT TO GAIN LAST LOOK

Carried Across State Line In Ruse of Giving Medical Attention

By DAVID JONES

Poor Yank Ellington is dying in the county jail at Jackson, Mississippi. Dying from the effects of severe injuries inflicted upon him by the mob in Bloody Kemper and from the lack of proper medical treatment in the early part of his sufferings.

And the authorities of Bloody Kemper have notified those of Hinds county that they are not willing to undertake the expense incident to giving Yank the proper hospitalization to invite a recovery in his case

It may be that at the time this is being read that Yank will be dead —which will be just what the mob wishes to happen to him, since they are greatly angered at being deprived of the opportunity to have made the 8th day of February a Roman Holiday in Bloody Kemper.

Poor Yank was the chief actor in the grim tragedy which occurred in Bloody Kemper just a year ago.

Yank played the leading role and performed to a crowded house the night of his first appearance in the historic pages upon which have been inscribed the great number of brutal murders that have been committed in that county for more than fifty years.

His was a sad role, not only because he was innocent, but also because he was absolutely defenseless.

He is a martyr to man's inhumanity to man in a county where the Spirit of Justice has never alighted since the day of its origin.

He has spent his life up to manhood and fatherhood among a class of white people, whose sole and greatest enjoyment has been the infliction of every conceivable manner of indignity, injustice and torture upon a poor and defenseless people, that could be invented in the minds of fiends, and that with his mother were driven away from

Yank has never seen his mother nor his wife and two little babies since the day when he was carried off by the mob. Both his wife and his mother were driven away from the jail in Meridian where they came for what was then expected to be their last look at him while alive with the assertion that it would be time enough to see him after he was hanged in Bloody Kemper.

Yank Ellington was seized by the mob, alleged to have been led by the sheriff of Bloody Kemper on the night of the discovery of the murder of Raymond Stewart, at the house of a colored woman named Nannie, who had been the cook of Stewart for 20 years, and with whom he and his wife and little babies were living.

The mob came for Nannie to go with them to Stewart's house about a mile off to show them where Stewart kept his "things" in the house and Yank was taken along on the general principles of making somebody the scapegoat.

Yank was trussed up with his hands tied behind his neck, and beaten by the mob; then hanged by the neck to a tree, after which he was cut down and allowed to fall on the ground where he lay unconscious for hours, in the attempt to force him to say that he did the killing.

Nannie was also hanged until the rope seared her neck and beaten severely with the grass rope by the mob to make her acknowledge that she had some part in the murder.

Both protested their innocence and lack of any knowledge of the slaying in spite of the continued beatings by the mob to force them to own up to the murder.

Early the next morning Yank's mother came from over in Alabama —this part of Mississippi is just a few miles from the state lines— carrying him to her home for medical treatment.

In order to prevent them from securing medical attendance that soon after the mob had inflicted the beatings, which would be positive evidence of his physical condition to impress a jury, the mob, again alleged to have been led by the sheriff, crossed over into the state of Alabama to get Yank again in their clutches. The mob persuaded the mother to let them have Yank—that it would be all right—that they would take Yank to Meridian where he could get the best medical treatment. There is an excellent hospital at Electric Mills in Mississippi about five miles away, while Meridian is over 40 miles off.

The mob stopped at Livingston, Alabama, where they purchased a new leather wagon trace, and, then taking a circuitous route off the main highway, proceeded to beat Yank again, though he was at the time in almost a dying condition, inflicting severe internal injuries from which it seems, according to the last reports, Yank will never recover—then bringing him to jail in Meridian in a dying state

Ed Brown, the second man, had been the good man Friday for Stewart for many years and was supposed to be going to Scooba with him on the morning the dead body was found The mob started to kill him promptly, but finally changed its mind ,and brought him to the Meridian jail for safe keeping before Yank was carried there, and without beating him a single time.

The confession was being framed up!

Henry Shields, the next of the trio, was a tenant hand of Stewart, who had taken Shield's cotton acreage check out of the mails and had appropriated the funds to his own personal use after forging Shield's name to the check and getting the money from he bank. Shields accosted Stewart about the check, and Stewart first denied having seen the check. Shields had declared against this injustice, since he was not indebted to Stewart in any way, and though the bank was legally liable for repayment to Shields, nothing was done to rectify the wrong.

This was sufficient to bring Shields into the case, and he, too, was arrested and placed in the Meridian jail where the other two were already confined.

And then was the celebrated confession confessed!

Simmons Harris, another Negro, had a dispute with Stewart a long time prior to the killing, over some injustice that was being done him by Stewart and that was incentive enough for the mob to make a visit to Harris and beat him just as severely as they had done Ellington.

John Little, the Negro, who was the first to discover something wrong at Stewart's house that momentous morning, would have been hanged by the mob had it not been for the intervention of the white man for whom Little was working who declared that he had sent Little to Stewart's house early on that morning to get a yoke of oxen that Stewart had promised to let him have and that Little came back at once to noitfy him of the peculiar groanings and noises that were to be heard at Stewart's house.

On the third night, Bloody Kemper broke loose in pristine style. Negroes were beaten, robbed, looted and pillaged in a manner that would bring to mind the historic barbarity and outrages during the Slaughter of the Innocents in the Middle Ages.

Naturally a godless and lawless country, in which the white people neither fear God nor regard man, it was alive with fleeing Negroes and howling white mobs, who had been maddened and inflamed with the moonshine whiskey for which Bloody Kemper is so famous.

Over a county in which a white man is rarely ever arrested for any crime committed, and never when committed against a Negro, whether the crime be robbery, assault or ravishment, the mob rode all the night without let or hindrance from the sheriff or his deputies.

And now poor Yank is slowly dying.

The statutory law declares that "any officer or guard, or other employes—having the custody of any convict prisoner—who shall wilfully fail to furnish . . . medical attendance to any such convict, shall upon conviction be fined not less than $10 or more than $50 and be imprisoned not less than one month or both at the discretion of the court."

Miss. Torture Case To U. S. Supreme Court

Mississippi
New York

JACKSON, Miss. — The case of Ed Brown, Yank Ellington and Henry Shields, three Kemper County farm hands who were tortured and beaten into "confessing" the murder of a white tenant farmer, is ready to be filed in the United States supreme court, attorneys acting for the National Association for the Advancement of Colored People announced last week.

Shields, Ellington and Brown were convicted last summer and their conviction appealed to the Mississippi supreme court last fall. By a majority opinion the court affirmed the conviction, but a strong dissenting opinion by two justices gave hope for success if an appeal were taken to the United States supreme court.

The dissenting justices maintained that the torture of these men was "unbelievable savagery," and stated that the case was "worse than the Scottsboro case."

The N. A. A. C. P is being assisted by southern individuals and agencies, who became interested in the case after the assocation had saved the men from execution, but the expenses of an appeal to the highest court are so great that funds are needed at once if the appeal is to be presented properly.

DETAILS OF Bloody LYNCH PARTY Defenders ARE EXPOSED

Chicago, Ill.
7-13-35

Mobbists 'Says Victim Confessed Rape; 'No Rape,' Doctors

TUSKEGEE INST., Ala., July 12.—According to records compiled at Tuskegee Institute department of records and research there were four lynchings for the first six months of the current year. Causes were given as wounding man in altercation, 1; rape, 1; murder, 2. Louisiana and Mississippi are credited with

the outrages each having two.

(By Special Correspondent)

WIGGINS, Miss., July 12.—The point of this story is not that R. D. McGee, 25 year old farm hand was lynched by a mob of three hundred men here June 22.

Nor is it the recent revelation that another Race man severely whipped and set free during the 24 hour reign of terror which followed an alleged attack upon an 11-year-old daughter of a white dairy farmer.

Neither is it startling that the coroner's investigation resulted in a verdict that "the Negro came to his death at the hands of parties unknown."

There is nothing unusual about any of these incidents. They occur with disgraceful regularity in the South although all of them are not published nor generally known.

Four Salient Points

The interesting details of this story follow:

1. Physicians who examined the girl stated that she had not been criminally attacked.

2. Members of the mob stated that McGee confessed attacking the girl and gave as his reason, "I must have been crazy."

3. In spite of a detailed account of the lynching including the statements of the lynched man which must have been obtained either from a member of the mob or an eye witness to the lynching, the crime was committed by "hands of unknown parties," and no arrests have been made.

4. Finally the alleged rapist was brought before the girl, who is confined to bed for identification, yet the members of the mob are still unknown.

Just Another Lynching

As to the story back of the lynching it is very ordinary. Just like a hundred others you may or may not have read of the lynchings which occur here and elsewhere in the deep South.

If it were thought that the story might move officials of the federal government to take steps to prevent a reoccurrence of this outrage or to even make a conscientious effort to run down, capture and penalize the mobbists, it would be recited for their benefit alone.

But the federal government is not interested in the lynching of black men. It has shown that on several occasions. The last two sessions of congress, for example, refused to pass or even seriously consider a bill offered to deal with this problem.

U. S. Not Interested

The highly touted department of justice with its nemesis of criminals, Homer S. Cummings winked at the kidnap-lynching of Claude Neal in Florida and refused to lift a finger to aid in the apprehension of his persecutors even though the outrage bore all the qualifications for prosecution under the Lindbergh law.

But the story will be told. It might inspire some of the 40,000,000 persons who supported the Costigan-Wagner anti-lynch bill to renew their fight against the rope justice of the court of passion.

The story will be told with the hope that it might move a people constantly bickering over inconsequentials and apparently blind to the vital issues of their race to do something more than prate and pray.

And so the story is told as best it could be learned:

How It Happened

An 11 year old white girl was choked into unconsciousness Friday, June 21. She was seized as she was about to enter the gate to her father's pasture, struck over the head with a shovel handle, dragged into a field and left there for dead.

Medical men who examined her immediately after she was found, said her eyes were bloodshot, that blood vessels in her throat were ruptured, that her face and body were bruised.

"Was she attacked?" Naturally anxious parents wanted to know that above all else.

The doctors were unable to find any evidence of criminal assault. Then made their report. They advised that the child be kept in bed. She was very weak and suffered from shock.

"Who did it?"

"A nigger, of course. Who else would do such a thing?"

Immediately a posse was formed and set out in search of a victim. Friday night about 11 p.m. the mob angered by its inability to find a victim sooner found McGee asleep. They spirited him away to the woods.

All night long he was kept under heavy guard, taunted, tortured and grilled. With the arrival of morning they carried him to the girl's house. She, very ill, suffering from shock and naturally not acutely aware of what was going on, identified the man as her attacker.

The Christian host, exultant over prospects of a grand and glorious lynching carried McGee across (not around) town to a cemetery. Here with noose about his neck and a barbaric, howling mob of 300 clustered about him, he is supposed to have confessed to a rape which never occurred.

With dispatch the other end of the rope which had been flung over a stout bough of an oak tree was pulled and slowly but surely McGee's feet left the ground. Soon he was swaying in the breeze.

A Great Sport

From the pockets of vegetable stained overalls, from trousers reeking with cheap tobacco and harsh corn liquor, revolvers were drawn. Several shotguns unnoticed until now appeared and the shooting began.

It was great sport, picking out a particular feature on the man's body then trying to hit it as the black corpse swayed. The game continued until the ammunition was exhausted and a Nordic lust for Race blood satisfied.

The body was then cut down and dragged to another tree on the main highway where it was hoisted again so that all who passed might see it. So that the coroner and the sheriff would have no difficulty finding it; so that other 'niggers' would would see it and understand.

The coroner and Sheriff J. A. Simpson of Stone County came and held an inquest. They ordered the body cut down and disposed of. Then they drove back to town and told the men who carried guns with smoking barrels, men whose eyes were red from loss of sleep:

"The Negro came to his death at the hands of unknown parties."

A mighty cry arose and in a few hours the town settled back to normalcy.

Last week, it was discovered that the mob in the hunt for McGee or someone had beaten another black man into insensibility. They could not lynch him for they knew deep down within them that he was innocent. But it never hurts to beat 'nigger.'

"Keeps them in line," one said.

"Instills respect in 'em," assented another.

COLUMBIA, S. C.
RECORD
JUN 24 1935

Not Without Result.

A Mississippi mob seized a negro, charged with attempting an attack upon a 11-year-old white girl, kept him in the woods all night while officers were searching for him and then killed him Saturday.

Whether the man was guilty or not cannot be told; mob trials are haphazard affairs at best. But if he had been guilty there is little doubt that a Mississippi jury would have convicted him. The lynchers accomplished nothing therefore in the enforcement of law; laws are not to be enforced by murder.

But the lynching was not altogether futile. It will give new impetus to the movement for the enactment of the Costigan-Wagner anti-lynching bill.

NORFOLK, VA.
VIRGINIAN PILOT

JUL 17 1935

A Day in Mississippi

A year in which the first six months showed a smaller number of lynchings than any in recent times, now beholds the State of Mississippi reverting swiftly to that form which has helped earn it the American Mercury criticism of "the worst American State." A small mob of apparently about 35 men, held up a deputy sheriff transferring two Negro prisoners from one jail to another, abducted the prisoners, drove them to a Negro church eight miles distant, and murdered them by hanging. At approximately the same time another mob was pursuing to the State line a third Negro charged with the same offense, but failed to catch him. In still another part of the State, a white man and his wife—if the charges against them are true—were holding a Negro over a barrel with a knife at his throat and were beating him to death with a plank.

The reversion to form involved no violent dislocation. Mississippi has had in recent years the worst mob-murder record in the American Union. Its mob kill almost nonchalantly, and the killers are rarely—almost never—punished. Although only four lynchings are recorded for the first half of 1935, two of those four took place in Mississippi. The other two in Louisiana. Of six lynchings now on the record, two-thirds are Mississippi lynchings.

For the South as a whole, which has always been the traditional home of mob vengeance and the section where respect for the law is lowest, we have now the promise of improvement over the indefensible 15 lynchings in 1934 and the 28 in 1933. But not in Mississippi. Let those who deride the horror stories of a Faulkner look to the facts. Lynchings flourish where civilization is lowest, where the restraints which man has set up for himself are least, where regard for life, and especially Negro life, is slight, and where the animal in man is most alive. That is what is happening in Mississippi, and that is what will happen until the self-respecting and law-abiding elements of that State assert their power.

Lynchings-1935
& Side Lights.

Mississippi.

5249

KEMPER COUNTY OFFICIALS PRESIDE AT FLOGGING OF NEGRO WHO FOUGHT ATTACKING WHITE MAN

VICTIM BRUTALLY BEATEN, DRAGS BODY HOME, RECEIVES TREATMENT AND DISAPPEARS

Acted As Umpires For Mob, Writer Alleges

By DAVID JONES

DE KALB, Miss., May 2.—(ANP)—Many persons do not know that there are several counties in Mississippi which have their own unwritten code of laws by which they try and punish Negroes, and which give no attention to the acts passed by the State legislature.

Well, it is true and Bloody Kemper is one of such counties.

Early in the month of February last, Malvin Thompson and another friend, and their wives were walking along the big road near the town of Lauderdale Springs on their way to another place.

They were joyous and carefree, it being a day off from work, and were going along pleasantly joking one another—laughing at each other's jokes and pleasantries.

But while passing by the house of a white man named Chambers, they laughed a little too loudly over their conversation—which is just the thing that they should not have done in that county.

For that act was a violation of the unwritten laws of the county which forbid boisterous laughter in the presence of whites under the penalty of a severe flogging.

Chambers promptly stopped the quartet, and ordered the men to pass into his yard behind the barn and there strip themselves for him to whip them.

One of the men obeyed, and was whipped. But Thompson being a young man, and there in the presence of his wife, keenly felt the indignity and the worse ignominy of being whipped as a child in the presence of the woman whom he had sworn to p[illegible]d defend, refused to [illegible] tion.

Besides, [illegible] whippings [illegible] early boyh[illegible] and had resolved that he would never submit to such when he became a man.

At the time, he was carrying a shot gun, that no one save himself knew was unloaded, which he used to prevent Chambers from getting too close to him, before he could edge away—by just pointing the gun at Chambers.

Chambers finally succeeded in getting the gun away from Thompson and threatened to shoot him if he did not come back into the yard and submit to the thrashing.

He, knowing the gun was unloaded, went on his way, but Chambers declared his intention to whip Thompson on their next meeting.

A few days later, Thompson, having ocacsion to make his regular trips to the town of Lauderdale bringing a herd of cattle for the man for whom he works, had to pass by the same place, and the white man again made an attempt to whip him with a large club that he had been saving to beat Thompson with whenever the two should meet.

Thompson fenced off the white man as best he could, retreating all the while, and kept the white man from catching hold of him by thrusting out his hand in which he had an open penknife.

Not wishing any great trouble and knowing well that vengeance would be wreaked upon his old father and mother, as well as upon his wife and child, Malvin while backing off, slightly pricked the white man several times with the knife until opportunity came for him to escape.

He ran for safety to the plantation of his boss, a white man named Willard Brown, who advised him to remain on the place with the promise that he would save him from any attempts on the part of a mob to take Malvin away.

Another unwritten law in Bloody Kemper is that the presence of a Negro charged with a minor offense is never necessary to the legality of the trial and conviction.

And so, while Malvin was hiding at the place of his boss, he was tried and convicted by the justice of the peace in that township, and sentenced to a fine and imprisonment at hard labor, which, of course, meant working on the county road.

Now it is rumored that the justice of the peace, the constable and the mob, together with the white man Chambers, repaired to Thompson's place of concealment and informed his boss that the Negro must take his choice between being whipped by the white mob or serve at hard labor on the county road for the remainder of this year.

When this proposition was submitted to him, Malvin knew full well that servitude on the county road meant death for him, and realizing that if he did not submit to the whipping, his father and mother would be seriously maltreated and run away from their farm, and that his wife and child would suffer many indignities, resolved to submit to the lesser of the evils and agreed to be beaten by the mob.

It is said that the mob invited the judge and the constable to come along with them, conferring the title and office of umpires on these worthy dignitaries of the majesty of the law.

And they, too, were glad of the favorable occasion to sustain the majesty of the unwritten laws of the county by approving the punishment which was to be inflicted upon a Negro who had ruthlessly broken two of these unwritten laws, in that he refused to lie down humbly and submit to be lashed when ordered to do so by a white citizen of the county; and by what was worse, had drawn the blood of a white man, although it was just a pin scratch and that done in the protection of his own life and liberty.

You might keep in mind, dear reader, that these two denizens will be candidates for office this summer at the election primaries and that white men can vote in Bloody Kemper while Negroes cannot.

The program was carried out in the usual form and manner, and with the wanted enthusiasm, so that Thompson was terribly beaten with sticks, clubs and other weapons of injury, kicked in the face and head by those who had not had the time to procure weapons, and finally left lying in the woods severely wounded.

The umpires, it is alleged, pronounced the work well done according to traditions, and then, it is further said, made diligent inquiry as to who was going to pay the costs of the proceedings as far as they were concerned.

The wounded Negro after lying there fore some time, at length dragged his sore and injured body to his house, where he was treated and cared for by his wife, as well as she could, who was too frightened to utter a cry of sympathy or despair, since she herself was not safe from a visitation of the mob.

For if ever it came to the ears of any member of the mob, that the Negro's family were at all displeased at the action of the mob, or had expressed the thought that the treatment of the mob was unlawful, it would be just too bad for them—the women especially.

But some one of the family, or maybe it was a friend of his, must have been giving vent to his intense sympathy and kindly sorrow for the unhappy man and his family. For, after remaining a few days at his home, Malvin Thompson disappeared from human vision and has not been seen or heard of since.

Now they are looking fearfully for his dead body.

Negro Lynched; Call It Suicide

HATTIESBURG, Miss., May 10.—The Chinese Wall of silence which surrounded the mysterious "suicide" a month ago of R. J. Tyrone, local Negro farmer, was broken here today with the revelation that Tyrone was lynched by a gang of wealthy white landowners.

Tyrone had been the target of intimidation and persecution for many months at the hands of a group of rich white plantation owners, headed by William Evans, who were attempting to seize his farmlands.

Seized by Planters

On the night of March 22, Evans provoked Tyrone into a fight. In self-defense Tyrone shot Evans, slightly wounding him. Evans and other white planters then seized the Negro farmer.

Three days later, Tyrone's body was found riddled with bullets. A coroner's jury returned a verdict of "suicide."

Family Terrorized

Tyrone's family has been driven into hiding by the threats of the lynchers. Neighbors have been forbidden to provide them with food or shelter.

Lawrence County, where the lynching took place, is known as the "Slaughter Pen," because of the numerous lynch murders of Negroes.

The lynching of Tyrone is the sixth reported for the present year.

Southern Clergyman's Weighted Body Found Floating Down River

MEMPHIS, Tenn.—Shot through the heart, the body of Rev. T. A. Allan of Marks, Miss. was found floating in the shallow waters of Coldwater River near Hernando, last Thursday afternoon. Despite the fact that weighted chains had been attached to the corpse, the body was still floating.

In the pastor's pockets was found literature pertaining to the organization of share croppers, while a button bearing the words "Every Man a King" was attached to his coat lapel. The presence of literature pointed to the supposition that he might have been killed by planters.

Sheriff Sid Campbell of Hernando, who advanced the theory, is conducting an investigation to determine who killed Rev. Allan.

LYNCH-CRAZED MISSISSIPPI JURY TERMS TYRONE MOB-MURDER AS SUICIDE AT CORONER'S INQUEST

Black Dispatch

Blood-Thirsty Mobs Roam State in Search Of Prey

By DAVID JONES

HATTIESBURG, Miss., Apr. 25.—(ANP)—The lynching of Negroes in the state of Mississippi has become so commonplace and trite that it has been turned into just a laughing matter.

So savage and barbarous, so utterly devoid of the finer parts that are very evident in cultured and refined people and which go to make up the datum posts of civilization, are they that they are murdering Negroes now without the slightest twinge of conscience.

They are now calling to suicide by coroner's verdict when Negroes are lynched in this state.

The body of R. R. Tyrone, a prosperous Negro farmer of Lawrence county, was found shot to pieces in the woods by his house on the night of the 25th of March, where he had been lynched by a mob of whites about the 22nd of the same month—the body having lain there since that time.

There are quite a number of prosperous Negroes in that county who by stint and the practice of economy have placed themselves far above dependence upon the whites of that locality and are living above want and need.

Tyrone was among that number. And since the race is not expected to prosper and their prosperity not only excites the wonder of their white neighbors, but also their vicious envy, and arouses in them a desire for the exploitation on their part, he was marked for slaughter.

A prosperous Negro in the state is considered an evil example to be gotten rid of by fair or foul means and is just about as welcome as the proverbial bull in a china shop—and particularly if he refuses to stand still while he is being skinned.

William Evans, a white farmer near Tyrone's farm, it is said, has been trying several methods to separate Tyrone from the produce of the years of hard toil and deprivation which Tyrone has undergone in his effort to raise himself and his family above lack and indigence.

These several attempts to take away his life's earnings were hotly resented by Tyrone, and he had been brave enough to hold off the voracious whites by going armed whenever he had to leave his home. While walking along the county road on his way to Monticello, Tyrone was accosted by Evans, who was sitting on the gallery, concerning some matters that have not yet been divulged.

Evans is not talking for publication, not yet, as he is too busy chasing and beating Negroes—he has not caught his breath.

Tyrone has been lynched.

Still it could be seen from afar that Tyrone was resenting something that Evans was attempting to force on him and that for his audacity in refusing to obey and acquiesce, Evans determined to chastise him.

Tyrone resisted and having armed himself for just such occasions as this was compelled to shoot Evans, slightly wounding him, in order to save his own life.

Evans was carried to Jackson for attention to his slight wounds at the hospital there.

In the meanwhile the mob was formed, and the man hunt in general for Negroes began, during which hunt Tyrone was lynched by the mob and left in the woods where his body was found some days afterwards.

When the coroner's jury was summoned to hold the inquest over the dead body of Tyrone, they promptly returned a verdict of "suicide."

And this is a so-called civilized nation of people.

The remnant of Tyrone's family had not been found up to a few days past, though sympathetic Negroes are exercising their best endeavor to have them taken away to some place of safety before the mob makes another attempt to wreak vengeance upon them, and this at the peril of their own lives, for if the mob learns that any Negro gives them food, water or shelter, it will be woe to them.

The women of his family fled rather than face the ordeal of being stripped naked by a riotous mob of whites, knowing that after being exposed in such a state to the public view of hundreds of men, the external organs of their bodies would be crushed and beaten until they fainted from the agony.

The county around is in a seething turmoil, for Lawrence county is just adjoining the "Slaughter Pen"—that is Lincoln county—so named for the great number of Negroes that were slain during the white cap regime about forty years ago.

Negroes are afraid to come out in the open during the daytime and still more fearful to remain in their houses during the night time.

Women and girls are hiding in every place of concealment dreading the inhuman bestiality from which they will have to suffer if caught by the mob, and from which nothing save a miraculous power can ever save them.

POSSES SEEK SLAYER OF OXFORD PLANTER

Suspected Accomplice Is Held In Jail

OXFORD, Miss., May 22.—One negro, Dock Gray, is in jail here as posses of citizens and officers combed the county tonight for Caesar Higginbottom, another Negro, who shot and killed Glenn D. Roberts, 54, prominent planter, and brother of former Sheriff Ike Roberts, last night at 10 o'clock.

Gray is suspected of harboring Higginbottom in his home last night.

Roberts died immediately from a shotgun charge in the mouth, fired by the negro tenant at the height of an argument. A second charge missed. The cause of the argument could not be learned here today.

Roberts had lived in Fayette County all his life, and was widely known throughout North Mississippi as a fox hunter. He was a member of the "Roberts Brothers, Fiddlers," an orchestra that has played here several times.

He is survived by his wife, Mrs. Myrtle Roberts; another brother, Fronis, and a sister, Mrs. Allison. Funeral services were held this afternoon at 3 o'clock at the Cambridge Church with the Rev. F. M. Purser officiating.

LYNCHED IN MISSISSIPPI "SLAUGHTER PEN"

HATTIESBURG, Miss. - (CNA) - The Chinese Wall of silence which surrounded the mysterious "suicide" of R. R. Tyrone of a month ago was broken here. It was revealed that Tyrone had been lynched by a gang of wealthy white landowners.

Tyrone, a local farmer, had been the target of intimidation and persecution for many months. A group of rich white plantation owners headed by William Evans had been attempting to seize his prosperous farm lands.

On the night of March 22, Evans provoked Tyrone into a fight. In self-defense, Tyrone shot Evans, slightly wounding him. Evans then organized a lynch mob and seized the farmer.

Three days later, Tyrone's body was found riddled with bullets. A coroner's jury returned a verdict of "suicide".

Tyrone's family has been driven into hiding by the threats of the lynchers. Friends have been forbidden to provide them with food or shelter.

Lawrence county, where the lynching took place, is known as the "Slaughter Pen", because of the numerous murders of Negroes. The death of Tyrone is the sixth reported lynching of the year.

Lynchings-1935
Side Lights.

Montana

5250

MONTANA POSSE CORNERS, KILLS MURDERER OF 4

Slayer Routed From Home of Ex-Employee by Tear Gas

WOMAN FLEES HOUSE AND GIVES ALARM

BUTTE, Mont., Dec. 28 (AP).—William Henry Knight, slayer of four men, was shot to death in a fog of tear gas by possemen last night, ending a one-man reign of terror in Southwestern Montana.

The thirty-nine-year-old ex-convict, object of a sensational three-day manhunt, died a few hours after he was cornered and shot at the home of a former employee, James Gilligan.

Gilligan, his wife, and two small children were held captive by the desperado until they persuaded him to permit them to remove the children, David, five, and Hazel, two, to their grandmother's home.

Knight consented and the terrified parents notified police, who made short work of the man who boasted of killing two peace officers.

Shot in Head

A posse surrounded the house and Jack Duggan, assistant police chief, fired a bullet into Knight's head as the fugitive ran from the house.

Mrs. Gilligan, held captive all day by the desperate fugitive, said he freely admitted he killed a Seattle officer, Deputy Thomas Meehan, November 13; Policeman Tom O'Neill and Frank Walsh in Butte Christmas Day; and Floyd Woods, ranch foreman in Southern Montana, whose body, a bullet wound in the head, was found in the swirling Madison River yesterday.

Jean Miller, former companion of Knight, was held for questioning concerning the Seattle slaying.

Asked for Haven

Mrs. Gilligan said Knight, for whom her husband once worked in a restaurant, came to her back door yesterday morning asking if he could stay there.

"I've got to have some place to stay," he said, menacing Mrs. Gilligan with a pistol.

"He wanted some eggs," she said, "so he gave me a dollar.

"I went to the store, but I didn't dare tell anybody, for fear of my children.

"After I got his breakfast, Knight sat on the bed while I washed the dishes. He told me about the men he killed and that he had been walking since Thursday afternoon from Anaconda.

Had the Jitters

"He was awfully nervous and jittery and kept talking. Speaking of one of the deaths, he told me:

"'I had a man help me out of a snowdrift one afternoon. He looked at me and I could see he knew me. I shot him right between the eyes. I took his car and threw his body into the river when I crossed a bridge.'" Woods's body was found near the Hutchens bridge over the Madison River.

Lynchings - 1935
Sidelights

New York

5252

JAMESTOWN, N. Y.
EVENING JOURNAL
JUL 29 1935

NEGRO CRIMINALS IN THE NORTH

Residents of southern cities wil read with some interest the repor from New York of the arrest o one Oscar Wilson, a big Negr who came north from Knoxville Tenn., and has been "floatin around the city" ever since an who the report says admits havin stabbed a white woman to death The woman was found dead on ledge in one of the city parks. He clothing had been torn off and th police say she had been criminall assaulted.

The Negro the report says con fesses killing the woman and hi excuse is that "she did me wrong. The "wrong" consisted in runnin around with other colored men.

Also the report the same day c a white woman riding with he husband who was stabbed by Negro because he was refuse money. The automobile was stanc ing at a traffic light. The Negr escaped.

These reports are quite simila to reports from southern citie where women are assaulted b Negroes, but the outcome is dif ferent. This man Wilson is at leas temporarily in luck that his crim was committed in New York cit instead of his native town or in deed any southern city or tow where under similar circumstance the city would be spared the ex pense of trying and the state the expense of executing or imprison ing him. The populace would at tend to his punishment. In New York it is just another homicide case and the law will be permitted to take its course. In that respect at least we are more civilized than our southern brethren.

However, assaults of this char acter will develop a racial feeling that has not heretofore existed in our northern cities, and it is to be deplored for a vast majority of the Negro race are law abiding and should not be made to suffer for the crimes of the lawless minor ity.

Lynchings - 1935
Sidelights

North Carolina

5251

ASHEVILLE, N. C.
CITIZEN
AUG 3 1935

Court Unable To Solve Lynching Of N. C. Negro

No Evidence Adduced To Connect Anyone With Franklin Mob

LOUISBURG, Aug. 1. (AP)—With "no evidence on which to hold anyone" having been brought out at a three-hour judicial inquiry into the lynching Tuesday of Roosevelt Ward, negro who earlier that day had chopped off the head of a prominent farmer, Judge W. C. Harris recessed the hearing indefinitely this afternoon.

Solicitor William Y. Bickett and Attorney General A. A. F. Seawell asked that the matter be kept open for further action upon the request of the solicitor.

"There was no evidence on which to hold anyone today," Judge Harris said. "A continuance until some future date is ordered."

"Real progress has been made in laying the foundation for a more thorough investigation," Attorney General Seawell said after the continuance was ordered.

"We will push our investigation based on information obtained at today's hearing and the matter will be reopened at the proper time," Solicitor Bickett said.

There was no evidence adduced at the hearing to link anyone with the lynching of Ward, first identified in official records as Govan Ward.

Ward early Tuesday assaulted Spurgeon Ayscue, a youth in the Hayesville section of Franklin county, and while Ayscue was securing a warrant for his arrest also assaulted his (Ward's) sister, Rowena Kearney, and killed Charles G. Stokes, prominent farmer.

Failed To Recognize Men

John P. Moore, who Monday was named sheriff of the county by the commissioners but has not qualified, and two deputies started to spirit Ward away to Nashville for safekeeping due to high feeling in the vicinity in which Stokes lived and an unmasked mob of some 25 men seized the negro, carried him back within two miles of where he committed the crime and lynched him.

"I did not recognize any of the men," Sheriff Moore testified this afternoon. "I never saw them before. I might be able to recognize them but I cannot say positive. They were dressed decent and I don't recall any had on overalls."

The sheriff and his deputies, Peter Dean and J. E. Hight, all said the mob was composed of white men. The deputies joined the sheriff in professing from the witness stand that they could not identify any members of the mob.

"I don't think there was a single man in the crowd from Franklin county," Deputy Dean testified. He said he had served as a deputy sheriff 20 years and thought he would know residents of this county by their faces.

Grilled By Seawell

Attorney General Seawell subjected Dean to close questioning as he tried to learn the identity of the man who took the negro from the car in which the officers had secreted him on the floor.

"The man who took the negro looked like he had just come out of a tobacco patch," Dean testified. "I think he wore a grey shirt. He was sun-burned and had sandy hair. I guess he'd weigh about 175 pounds."

"You got a good look at that man, didn't you?" Seawell queried.

"Yes," Dean replied, "but I didn't know him."

Most of the witnesses professed an inability to recall the persons they saw around the Stokes home after the murder of the farmer or around the spot near Weldon's mill where Ward was hanged.

Sheriff J. E. Hamlet of Vance county, who testified he was called to Epsom to arrest Ward when it was thought the killing of Stokes had occured in Vance county, told of driving by the scene of the lynching before it happened and not seeing anyone and driving back 20 minutes later to find the dead negro and "a hundred or two people there." The sheriff, however, could not recollect who he saw in the crowd. He said he stopped a threat to burn the body of Ward.

Negro's Rampages Aired

Much of the testimony dealt with the rampage on which Ward went Tuesday morning. Officers and special deputies testified as to struggles with Ward after he was arrested, while he was en route to Louisburg and in the office of Dr. H. G. Perry here. Doctor Perry testified he thought Ward was under the influence of a narcotic.

Sheriff Moore and Deputies Dean and Hight testified they several times eluded cars trying to stop them as they were seeking to carry Ward to Nashville but finally one of the cars blocked the road and forced them to stop.

"I got out and tried to reason with the men but they said 'dam that, we want the negro,' and they got him," Sheriff Moore said.

Moore testified he thought the car which blocked the road was a Plymouth or a Buick and expressed the opinion it had no license plates. He said the men who demanded the negro were armed with pistols and one had a rifle or shotgun.

Zeb Wheeler, near whose home the mob secured Ward, testified to seeing four cars chasing the machine in which the negro was riding. He said he did not recognize anybody in the cars and they drove back by his house and yelled "there's going to be a lynching down the road." "I got in my car and went down the road but couldn't find any lynching," he added.

H. C. Gupton, filling station operator in the vicinity where Ward was taken from the officers, testified that he saw the cars chasing the sheriff but none went back by his place. He said the sheriff drove by and asked if he had "seen a Buick car" go by.

GREENSBORO, N. C.
NEWS
AUG 1 1935

FRANKLIN OFFICERS AND MURDERS IN FRANKLIN.

Governor Ehringhaus at 4 o'clock on Tuesday afternoon said that at that time, more than eight hours after a crazed negro had been hung to a scrub oak near Louisburg, his body riddled with bullets and his big toe cut off by a souvenir hunter, he had received no word from the officers in Franklin county about anything that had happened there.

If the officers get around to writing the Governor about this crime and tell him no more than they so far have told, then the lynching will be a long time officially unexplained.

Sheriff J. T. Moore and his two deputies were on their way to Nashville jail in—the Associated Press quotes them as saying—an attempt to protect their prisoner. They left the main highway between Louisville and Nashville to avoid the mob but as the report goes were overtaken nevertheless by a mob of unmasked men, armed with shotguns and pistols. Laying aside the fact that apparently the officers yielded their prisoner, the prisoner they were sworn to protect, to an irresponsible mob without any show of force, it is passing strange that not one of the three officers recognized a single member of the mob. Franklin county is not so densely populated; at least one of the officers ought to have been able to identify at least one of the mob. Judging from the fairly close proximity of the time of the lynching to its preceding crime, killing of C. G. Stokes by the negro, later lynched, the mob must have come from within Franklin county or fairly near it. And yet the officers could not recognize a single face.

Not only did the officers fail to recognize any of the lynching party but from the coroner's verdict, "came to death by violence from means of persons unknown to us", it would be gathered that there was no successful effort to identify the mass murderers.

There is another illuminating bit of conversation by a Franklin officer reported by the Associated Press:

A. A. Fuller, who was sworn in as a special deputy to assist in the arrest of the negro Ward after he had slain the farmer said:

"In Louisburg due to his wounds we took Ward to the office of Dr. H. G. Perry where he quietly let the physician start fixing his head. He suddenly again started fighting and I put my pistol against his head and pulled the trigger but the weapon only snapped and others present wouldn't let me kill him."

Fuller had just stated previously that the negro was in shackles. Here was a sworn officer attempting to kill a prisoner for apparently no other reason than that he was unruly. The fact that the negro had just committed a heinous offense by no stretch of any law, written or unwritten, could license him to do another killing.

It is to be hoped that Solicitor William Y. Bickett, in whose district the homicide and the lynching both took place, will get more information in Franklin county than has so far been elicited. Governor Ehringhaus may then be able to report to the people of North Carolina something, which if not satisfactory, will be at least nearer the facts.

Chester, S. C., Reporter
August 8, 1935

The agitation about that North Carolina lynching a few days ago seems to be getting nowhere. The Sheriff testified that the lynchers were unmasked, but notwithstanding the fact that he is in politics, and supposed to know practically everybody in his county the lynchers were all complete strangers, he states to interviewers, as much as to say that they were from the adjoining States of South Carolina and Virginia, or might have come from Mars. The Sheriff had deputies along, but they, too, pretended to be absolutely ignorant of the identity of the men who took the prisoner away from the officers. Until a different spirit can be developed among our law enforcement officers, lynchings will continue to occur. It's not likely that a Sheriff who is so weak on faces and names would be very strong about resisting lynchers.

GREENSBORO, N. C
RECORD
AUG 3 1935

Note On Civilization

In the News and Observer yesterday Charles J. Parker wrote in his story of the ugly lynching in Franklin: "Somebody placed an unlighted cigarette in the mouth of the corpse as it swung from the tree, and a souvenir hunter slashed off the little toe of the right foot. . . . . Young girls were present in numbers, some bringing knitting and proceeding with their stitches as they discussed the crime." On the same day a newsstory from Illinois reported that a crowd, composed largely of women anxious to hear the testimony in the sex murder trial of Gerald Thompson, tore down a door on the Peoria county courthouse.

Human history may be a progress but sometimes the skin on what we call civilization seems to be pretty thin.—Raleigh News and Observer.

NEGRO SLAYER SOUGHT BY POSSE IN CAROLINA

GASTONIA, N. C., Oct. 26.—(AP)—A posse today continued its hunt for Campbell Starnes, a negro who early yesterday shot and killed W. A. Dameron, a deputy sheriff, and fled into a nearby woods armed with a shotgun and a supply of ammunition.

Search was made for the negro all day yesterday without result and was resumed at dawn today. No trace of the fugitive was found. Officers and civilians combed the area. And it was thought the negro was hiding out in some gully or cave.

Lynchings - 1935
Side Lights.

North Carolina

5253

POSSE HUNTS NEGRO IN ASSAULT ON WOMAN

REIDSVILLE, N. C., Feb. 2.—(AP) A posse of officers and citizens today scoured Rockingham county in a hunt for a Negro accused of a criminal assault upon a middle-aged woman who lives alone on a small farm in the Shiloh section.

The woman staggered to the home of a brother late last night and reported the attack, naming a Negro sharecropper on a nearby farm as her assailant.

She said she was stripped of her clothing, tied hand and foot and left in a gully some distance from her home, but managed to free herself.

MAN IS FOUND NAILED TO CROSS; FORCED SON TO DO IT, HE SAYS

Religious Fanatic Explains He Hoped to Regain Estranged Wife's Affections By Pretending to be Victim of Mob of Persecutors

Morning Telegraph & News
6-2-33

HIGH POINT, N. C., June 1 (AP)—R. J. Riggs, 36, filling station operator, was found nailed to a cross near here early today and officers, terming him a "religious fanatic," quoted him as saying he had his young son "crucify" him in hope of regaining his estranged wife's affections.

Riggs was found nailed through the flesh between thumbs and index fingers of each hand and through the flesh of his heels to a crude wooden cross which lay by the roadside near his filling station. He was taken to a hospital where attaches said his injuries were painful but not serious.

He first told a story of three men having broken into his home with the cry, "You've been so good we're going to nail you to a cross," but Solicitor Gaston A. Johnson said that under questioning he confessed he had Donald Riggs, 15-year-old son by a former wife, spike him to the crossed boards with ten-penny nails.

Son Is Missing

"He admitted he made the cross himself, got the nails and everything," Johnson said, adding that finding a law "we can prosecute him under will be difficult but I think we'll charge him with mayhem."

The solicitor said the man once had gone to the home of his wife's parents, thrown himself on the floor and prayed for her to "see the light" and return to him.

The son will be turned over to juvenile authorities when he is apprehended, the solicitor said, although Riggs asked that the boy not be prosecuted. Johnson said Riggs admitted forcing his son to execute his wishes and told them the boy left for Jacksonville, N. C., hitchhiking his way.

Separation Suit Pending

P. A. Walls found Riggs during the morning's early hours and called for help. Officers hurried to the scene and removed the nails from Riggs' feet and hands and also a wire that had been fastened about his neck and tied to the upright of the cross. Riggs was clothed only in his underwear.

It was several hours, the solicitor said, before Riggs said the whole business was engineered by himself.

The filling station man and his wife were separated April 14 and later she brought suit for separate maintenance. Last week Riggs was arrested for contempt of court for allegedly taking his small daughter from his wife's home in defiance of a court order but he was released on bond.

Wife Is Questioned

Mrs. Riggs was taken in custody for questioning just before the solicitor announced the confession. No charges were brought against her.

Riggs estimated he lay on the cross, hands and feet spiked down, for two hours before Walls found him.

Solicitor Johnson said Riggs finally broke down under long questioning.

"I'm telling you this," the solicitor quoted Riggs as saying, "because I don't want you running around looking for somebody who is innocent. I'm the guilty party and I did it to win back my wife's love."

NEW YORK SUN

SEP 4 1935

POSSE HUNTS NEGRO

Lynching Believed Unlikely in North Carolina.

CREEDMOOR, N. C., Sept. 4 (A. P.).—Granville County officers and scores of citizens, aided by bloodhounds, scoured swamplands seven miles south of here early today in search of John Kinghan, elderly Negro charged with attacking a twelve-year-old girl.

Officers scouted reports of a possible lynching which caused Gov. J. C. B. Ehringhaus at Raleigh, twenty-four miles away, to order a company of State highway patrolmen to the scene.

Feeling was admittedly running high, but the police said that the number of deputies, soon to be augmented by the patrolmen, was more than sufficient to insure against any violence.

Louisburg, N. C. Times
August 23, 1935

Rumor of Lynching is Proven False

Officers Speed to Epsom on Advice But Find Everything Very Quiet

A rumor of a lynching about to take place at Epsom yesterday about noon sent Sheriff J. E. Hamlett and a crew of deputies speeding to the scene only to find that no such thing was taking place and the point of the supposed lynching was all quiet and no trouble whatsoever had developed.

The entire episode began when the office of Governor J. C. B. Ehringhaus received a telegram that a lynching was to take place at the farm of F. W. Smith near Epsom. It was signed by D. T. Dickie, according to the sheriff's office. Charles G. Powell, secretary to the governor, immediately called officers here urging them to go to the scene immediately. They did, finding Mr. Smith at his tobacco barns wholly unmindful of any such thing as a lynching. The officers called on Mr. Dickie, who denied any knowledge whatever of sending the telegram and he knew nothing whatever about it.

It was in this community that Govan "Sweat" Ward, 25-year-old negro, was lynched July 31 for the ax slaying of Charles G. Stokes, prominent farmer of the Epsom community.

Feeling has not been at a high pitch since the lynching, the farmers in that section going about their duties of housing tobacco from this rich tobacco section.

The alarm yesterday, was entirely false from every stand point but officers here were alert in preventing such a thing if it were contemplated.—Henderson Gold Leaf.

Mob Search Ends

YANCEYVILLE, N. C., Aug. 7.—(AP)—Believing a mixed suspicion on an attack on a Burling white woman was a prisoner in the Yanceyville jail, a mob estimated by Jailer Giles Mebane at 15 men awakened the jailer and demanded possession of the negro early today, but left quietly when convinced there was no suspect here.

WINSTON SALEM, N.C.
SENTINEL

JUL 31 1935

Bickett, Son of Anti-Mob Governor, Opens Investigation of Lynching

Louisburg (AP).—Franklin county officers, criticized by Governor Ehringhaus for failing to ask protection for their prisoner, were called upon today to seek out the lynchers of Govan (Sweat) Ward, 25-year-old Negro, who chopped off a white farmer's head.

Under the direction of Solicitor William Y. Bickett, son of a governor who made a name for himself as a foe of lynchers, arrangements were made for a judicial inquiry before a superior court judge to begin at 10 a.m. tomorrow in this little college town. Bickett said already 23 or more witnesses had been subpoenaed.

In Raleigh, Governor Ehringhaus announced that the state would offer the usual reward, $200 being the maximum allowed by statute, for apprehension of the lynchers, and added that he expected to designate a judge to take charge of the inquiry some time today.

Deploring both the axe-slaying of Charles G. Stokes, 60-year-old farmer, and the subsequent hanging and shooting of Ward, who was taken from Sheriff J. P. Moore and two deputies as they sought to escort him to safety in Rocky Mount, the Governor issued his statement late yesterday, at which time he said he had received no word from any officer of this county.

"Had we received an intimation that the transfer of the prisoner for safekeeping was contemplated and [illegible] danger of disorder, we could have rendered prompt and constructive assistance, but no such information or request was forthcoming."

Informed by The Associated Press that the Negro had been taken from the officers by a mob of about 25 men, the Governor immediately ordered state highway patrolmen and national guardsmen to attempt to prevent the lynching, but they arrived too late.

"I deplore, of course, the original crime, horrible in its details," the Chief Executive said, "but I deplore also, the second offense against the laws of North Carolina and public decency and feel keenly the shame and reflection which it has cast upon our good name and our reputation for orderly administration of justice."

After commending Bickett for his prompt action in beginning an investigation, Governor Ehringhaus declared that in the effort to bring the lynchers to justice "I can assure his office, and I wish the public to know that he will have the fullest possible co-operation and assistance from this office."

Assisting Bickett in his inquiry was Charles Green, Franklin county attorney.

The solicitor is a son of the late Governor T. W. Bickett, who once met a mob face to face and turned it back and who made a reputation for vigorous measures in dealing with lynchers.

GREENSBORO, N. C.
NEWS

AUG 2 1935

GOVERNOR AND LYNCHINGS.

With no disposition to nag, but in a spirit as friendly as it will be frank, the Daily News wishes to talk to Governor Ehringhaus about the lynching of Sweat Ward over in Franklin county, an incident which the Governor refers to as a "horrible crime."

The demand for an investigation coupled with the offer of $400 reward, the state's limit, for the arrest and conviction of the perpetrators is a good start, but is far from enough, Governor. You called for an investigation of the lynching of Dock Rogers at Burgaw, you will remember; that was about two years ago, and we don't believe you have even received a report from the then solicitor, Mr. Kellum. A few years since—in the administration of your immediate predecessor, we believe—there was a lynching in Edgecombe, and Solicitor Don Gilliam, a vigorous prosecutor, investigated for weeks and drew a waterhaul.

The solicitor of the Franklin-Wake district has within the brief space of two years demonstrated considerable industry and capacity. William Bickett is a native of Franklin, too, and popular in his own right as well by reason of his having been a son of the late Gov. Thomas Walter Bickett. If he means business, he can probably come as near finding out something as the next one.

But if he works single-handed, history is apt to repeat itself. Why not establish beyond peradventure your own official and personal interest in the matter, Governor Ehringhaus, by removing the sheriff of Franklin county from office? Any sheriff who flanked by a couple of deputies permits an unarmed mob to take a prisoner from his custody and then reports that he did not recognize any of his assailants is utterly unfit to hold office in this state or any other. Whether he shut his eyes or not, we do not know; but he ought to have them opened for him. His dishonorable discharge would, if set as a precedent, serve to open the eyes of other sheriffs, too; and that is what we are driving at.

No amount of deploring lynching in the press is going to put an end to the practice hereabouts. Everybody knows our governors do not believe in it. What we need is visible proof that a governor can and will do something about it.

SECOND THE MOTION.

A man who has hold of a hot poker and can't turn it loose deserves all the sympathy the world is a-mind to give him and maybe a little ointment too.

The story of C. M. Sturkey, vice president of the Henderson and Oxford Gas company, to R. O. Self, clerk to the utilities commission, in which Mr. Sturkey relates his inability to make ends meet in the household gas business, so much so that he is at a loss to find the state franchise taxes, would indeed be touching but for a remark which Mr. Self let drop.

The utilities commission secretary in reply to the prayer for mercy from the corporation vice president suggested "some sort of conference whereby the holding company can pay this tax." Up to then nothing had been said of the holding company and we were about to be in sympathy with a movement to have the state—whose franchise taxes, if the stories told before legislative committees last spring are true, are no light burden anyway—make some sort of compromise whereby the residents of Henderson and Oxford could still get their gas.

But the gas company representative points out a difficulty there. The Philadelphia Gas company, reported as the backer of this losing public service corporation, recognizes its subsidiaries only as individual units and makes each one stand on its own bottom, which in the case of the North Carolina one is unsubstantial. But what Mr. Self in his quest of public dues for North Carolina should ask Mr. Sturkey is: "In the fat years did the parent company also let the local concern stand by itself, keeping all the profits, if any, or were there any of those charges for service that are so much talked now in the congressional inquiry about utilities in Washington?

What we want to know is: What's a holding company for if it isn't to get the dividends in prosperous years and hold the bag in lean ones? Second Mr. Self's motion for conference with the holding company.

WILMINGTON, N. C.
STAR

JUL 31 1935

MOB LAW REARS ITS HEAD

North Carolina, one of the few southern states that has made an appreciable effort to stamp out lynching, had its record marred yesterday by the hanging and shooting of a negro in Franklin county.

Despite the fact that troops and state police were hurried to the scene after the negro had been removed from county officers, they were too late to prevent the tragedy.

The victim, said to be an imbecile, had beheaded a white man with an axe earlier in the day.

But twice since 1919, has the North Carolina record been stained by a lynching or suspected lynching. Five years ago one took place in Wilson, although the scene of the alleged offense that precipitated it was as we recall in Nash county.

Two years later, in Pender, a negro was killed in a gun battle with possemen and later mutilated by a mob, but it has never been determined whether he was dead or alive when the mob reached him.

The *Star-News* as an avowed foe of lynch law, deeply deplores the Franklin occurrence, and incidentally it was in Franklin where the last lynching occurred in the days before North Carolina with the aid of General Metts, an arch foe of the mob, made a systemized effort to stamp out the practice.

The crime which stirred the Franklin mob, we concede, was sufficient to excite the primitive passions of man, but notwithstanding the heinousness of this event, it would have been far better to have permitted the normal procedure of law to take its course.

Northern critics, of course, will make much of the incident, but it is an unalterable fact, proved by statistics that mob violence is not necessarily born of racial prejudices, and therein lies its greatest danger. The excitement of a people may be so aroused as to lead to the assassination of any citizen, white, black or yellow, once the spark is fired and the proper leaders are found to direct the work.

Lynchings-1935

Side Lights

Tennessee

5254

KNOXVILLE, TENN.
JOURNAL
Lynchings
Sidelights
JUL 6 1935

"Mob Disappears"

A surprising story from one of the Louisiana parishes tells of the absolute disappearance from sight, sound and knowledge of what had seemed, from the descriptions of its doings, a full fledged mob with the intended victim in its possession.

It must have been no usual crowd of men which could overpower the sheriff and guards at the jail, drag the Negro suspect from his cell and make off with him, and yet at the same time have been so inconspicuous that the entire mob disappeared leaving behind them no hint nor trace, even so much as of being in existence at all, except for the prisoner's clothes which were found not far away, next day.

It was a very mysterious happening, with no attempt made to explain it!

Lynchings-1935
Side Lights.

Texas-

5255

In Texas, a 27-year-old negro, William Peoples, who had given information concerning a moonshine still, was seized by two white men and whipped until he died.

If the other angels look over Gabriel's shoulder [illegible] writes, they might well say, "What terrible little world, what frightful descendants of Adam."

Texas Deputy Sheriffs 'Lynch' Innocent Man

(By Special Dispatch)

FORT WORTH, Texas, Nov. 22—Shot down by Detective H. E. Cleveland, white, who claimed that he merely aimed at the legs of his victim, an unidentified worker, has been the latest kill of the police force here.

The "crime" was that he had two turkeys in his possession. Officers claim that he turned and ran when asked if he owned the turkeys.

The ease with which officers bring down their prey, and on any excuse, is seen in a letter which Chief of Police A. B. McKenzie of Mexia recently sent to the police chief of Oklahoma City in which he assured him of hearty cooperation in helping to hunt "suspects."

"We want to assure you we are doing all we can to get that nigger for you all. The sheriff's bunch killed a nigger here the other day, supposing it to be him, but it was the wrong nigger," McKenzie wrote. "[illegible] when they went up to the house and some of the boys stopped him and stopped him too much, so we want to assure you we are doing all we can to get him for you all."

Lynchings—1935
Side lights

Virginia

5256

LYNCHBURG, VA.
ADVANCE
AUG 1

WARNING OF LYNCHING PROVES FALSE ALARM

Charlottesville, Aug. 1 (AP)—Alarmed by a telephone call saying "forty Negroes" were attempting to lynch a white man at a mill near Gordonsville, a hastily-summoned party of ten Charlottesville and Albemarle police officers raced there to find the report without foundation. So, they went frog hunting instead but had no luck.

A tipsy employe had tried to force his way into the mill. Six Negroes had been sent to do some work at the plant. Somebody saw the sextet going there and jumped to wrong conclusions, the officers said.

RAILROAD MEN THREATENED BY VA. MOB OF 200

Journal and Guide
9-21-35

No Negro Residents of Buchanan County, It Is Claimed

GRUNDY, Va. — Because there are reported to be no Negro residents of Buchanan County, 25 laborers brought here by a contractor to begin construction on a Norfolk and Western Railway siding, faced a mob violence Tuesday.

Norfolk and Western Railroad officials at Bluefield said a mob of aprroximately 200 white men threatened to "blow up" several work cars unless the men were removed, but that the mob later dispersed without any attempt at violence. The work crew arrived here Monday.

The threats were said to be the outcome of a controversy which started several months ago when the railroad company announced it would bring in Negro crews to develop coal veins. At that time considerable resentment was expressed by local whites against the presence of Negroes. One railroad official said there were no Negro residents of Buchanan County.

Members of the mob were described as natives of Buchanan County. They gathered after dark and company officials sent several special officers to the scene, but refused to order the laborers out of the area. W. O. Tracy, superintendent of the Norfolk and Western Bluefield Division, said he did not anticipate any further trouble.

Shortly after midnight Tuesday it was estimated that only approximately 50 of the original mob remained in the vicinity where the laborers were housed.

POSSE AFTER ROBBER KILLS YOUNG STUDENT

Constitution
9-24-35

Cadet Steps Into Line of Fire; Slayer of Trooper Caught

Atlanta, Ga.

FORK UNION, Va., Sept. 23.—(AP) Frank Wicks, 18, of Wesley Hills, Mass., a third-year student at Fork Union Military Academy, was accidentally shot and killed late this afternoon near here by an unidentified member of a posse that surrounded and captured a man giving his name as J. H. Dougherty, of Charlottesville, who, state police said, confessed to killing State Trooper W. R. Thompson in a holdup of the Fork Union Bank shortly after noon.

The military academy student was shot in the back of the head and killed instantly as the posse, including a number of state policemen and local officers, surrounded a wooded section about two miles from here and closed in on Dougherty.

A fusillade of shots was fired by the band of armed men seeking the suspected bandit as they sighted Dougherty. Wicks, carrying a gun as a member of the pursuing group, was reported to have got into the line of fire and been struck by a bullet just as Captain H. B. Nicholas of the state police, sensing the youth's danger, ordered "cease firing."

Dougherty was taken to Henrico county jail at Richmond for safekeeping, while the posse continued to search for the other man suspected of participating in the bank holdup, in which Thompson was slain as he fought with one of the robbers.